

IN THE MATTER OF APPLICATIONS 36910)
AND 38712 FILED TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN)
LAS VEGAS VALLEY, CLARK COUNTY,)
NEVADA)

R U L I N G

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GENERAL:

Application 36910 was filed on March 8, 1979 by Joseph Lustig to appropriate 0.02274 c.f.s. of water from an underground source for quasi-municipal purposes to serve 31 commercial shops. The point of diversion and place of use are located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, T.21S., R.60E., M.D.B.&M.

Application 38712 was filed on July 30, 1979 by Huldrich Stalder and Esther Stalder to appropriate 0.03 c.f.s. of underground water for quasi-municipal and domestic purposes to serve 3 lots. The point of diversion and place of use are located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32, T.21S., R.62E., M.D.B.&M.

Applications 36910 and 38712 are located within the area of the Las Vegas Artesian Basin designated by the State Engineer under the provisions of NRS 534.030.

Application 36910 was protested on June 28, 1979 by the Las Vegas Valley Water District. Correspondence on file from the Las Vegas Valley Water District indicates that district water lines are about 1000 feet away from the Lustig property and adjacent to the Stalder property and that the district can serve these properties.

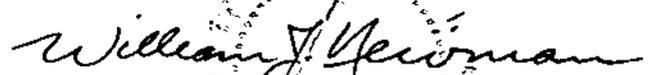
NRS 534.120, subsection 3 provides that in a designated basin, the State Engineer may:

- a) Issue temporary permits to appropriate ground water which can be limited as to time and which may be revoked if and when water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.
- b) Deny applications to appropriate ground water for any purpose in areas served by such an entity.
- c) Limit depth of domestic wells.
- d) Prohibit the drilling of wells for domestic use, as defined in NRS 534.010 and NRS 534.180, in areas where water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.

RULING

Applications 36910 and 38712 are denied on the grounds that the places of use are within a reasonable distance of water service available from the water district.

Respectfully submitted,



William J. Newman

William J. Newman
State Engineer

WJN/JC/bc

Dated this 8th day of
JANUARY, 1981.