

IN THE MATTER OF APPLICATIONS)
32156, 32157, 32158, 32159,)
32160, 32324, 32325, 32326,)
32329, 32426, 32427, 32451,)
32452, 32453, 32454, 32697,)
AND 32931 FILED TO APPRO-)
PRIATE UNDERGROUND WATER IN)
SODA SPRING VALLEY (EASTERN)
PART); MINERAL COUNTY, NEVADA)

121A

INTRODUCTION

In 1970, Water Resources Bulletin No. 52 "Water Resources Appraisal of the Columbus Salt Marsh-Soda Spring Valley Area, Mineral and Esmeralda Counties, Nevada" by A. S. Van Denburgh and Patrick A. Glancy, was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources, and the U. S. Department of the Interior, Geological Survey. This report may be viewed at the State Engineer's Office.

FINDINGS OF FACT

I

Application 32156 was filed by Donly Gray and Helen L. Gray on June 21, 1977 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NW 1/4 Sec. 22, T.8N., R.34E., M.D.B.&M. and the place of use is 320 acres within the W1/2 said Sec. 22.

Application 32157 was filed by Duane B. Gray on June 21, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 SE1/4 said Sec. 22, and the place of use is 160 acres within the W1/2 E1/2 said Sec. 22.

Application 32158 was filed by Phillip Gray and Genevieve Gray on June 21, 1977 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NW1/4 Sec. 27, T.8N., R.34E., M.D.B.&M. and the place of use is 320 acres within the NW1/4 said Sec. 27, and NE1/4 Sec. 28, T.8N., R.34E.

Application 32159 was filed by Royal Clark and Mary Clark on June 21, 1977 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NE1/4 Sec. 21, T.8N., R.34E., M.D.B.&M. and the place of use is 320 acres within the E1/2 said Sec. 21

Application 32160 was filed by Timothy McConiga and Cathy McConiga on June 21, 1977 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 SW1/4 said Sec. 21 and the place of use is 320 acres within the SW1/4 said Sec. 21, and NW1/4 Sec. 28, T.8N., R.34E.

Application 32324 was filed by Donly Clifford Gray III and Susan E. Gray on June 27, 1977 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 SE1/4 Sec. 20, T.8N., R.34E., M.D.B.&M. and the place of use is 320 acres within the S1/2 said Sec. 20.

Application 32325 was filed by Kathleen Gomez on June 27, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NW1/4 Sec. 21, T.8N., R.34E., M.D.B.&M. and the place of use is 160 acres within the NW1/4 said Sec. 21.

Application 32326 was filed by Phillip A. Gray, Jr. on June 27, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NE1/4 Sec. 20, T.8N., R.34E., M.D.B.&M. and the place of use is 160 acres within the NE1/4 said Sec. 20.

Application 32329 was filed by Danilo Veluscek and Melody K. Veluscek on June 27, 1977 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 SW1/4 Sec. 16, T.8N., R.34E., M.D.B.&M. and the place of use is 320 acres within the S1/2 said Sec. 16.

Application 32426 was filed by Willard Ross Brymer, Sr. on June 29, 1977 to appropriate 3.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE1/4 NW1/4 Sec. 4, T.6N., R.35E., M.D.B.&M. and the place of use is 160 acres within the NW1/4 of said Sec. 4.

Application 32427 was filed by Peggy Jean Brymer on June 29, 1977 to appropriate 3.0 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NE1/4 SW1/4 said Sec. 4, and the place of use is 160 acres within the SW1/4 said Sec. 4.

Application 32451 was filed by Alec A. Johnson on June 29, 1977 to appropriate 2.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SE1/4 SE1/4 Sec. 32, T.7N., R.35E., M.D.B.&M. and the place of use is 160 acres within the SE1/4 said Sec. 32.

Application 32452 was filed by Jean Johnson on June 29, 1977 to appropriate 2.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the SE1/4 SW1/4 said Sec. 32 and the place of use is 160 acres within the SW1/4 said Sec. 32.

Application 32453 was filed by Dennis O'Connor on June 29, 1977 to appropriate 2.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW1/4 NW1/4 said Sec. 32, and the place of use is 160 acres within the NW1/4 said Sec. 32.

Application 32454 was filed by Karen Johnson on June 29, 1977 to appropriate 2.6 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW1/4 NE1/4 said Sec. 32 and the place of use is 160 acres within the NE1/4 said Sec. 32.

Application 32697 was filed by Gilbert R. Williams on July 5, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 SE1/4 Sec. 17, T.8N., R.34E., M.D.B.&M. and the place of use is 160 acres within the SE1/4 said Sec. 17.

Application 32931 was filed by Gertrude L. Buffington and Wilfred E. Buffington on July 27, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation purposes. The point of diversion is within the NW1/4 SE1/4 Sec. 25, T.7N., R.34E., M.D.B.&M. and the place of use is 160 acres within the SE1/4 NW1/4, SW1/4 NE1/4, NE1/4 SW1/4, NW1/4 SE1/4 said Sec. 25.

II

The perennial yield of the Soda Spring Valley (Eastern Part) ground-water reservoir is estimated by the U. S. Geological Survey to be 600 acre-feet of water per year.1/

III

Permits and certificates have been issued in Soda Spring Valley (Eastern Part) that are prior in time to the above mentioned applications and could be developed to extract over 1500 acre-feet of ground-water per year.2/

CONCLUSIONS

1. The State Engineer has jurisdiction of the parties and the subject matter of this action.3/
2. The State Engineer is prohibited by law from granting a permit where:
 - A. There is no unappropriated water in the proposed source, or
 - B. The proposed use conflicts with existing rights, or
 - C. The proposed use threatens to prove detrimental to the public interest.4/

- Existing water rights for ground water in Soda Spring Valley (Eastern Part) exceed the estimated perennial yield of the Soda Spring Valley (Eastern Part) groundwater reservoir. These applications are for irrigation of 3,680 acres and if permits were issued an additional 14,720 acre-feet of groundwater could be withdrawn annually.

RULING

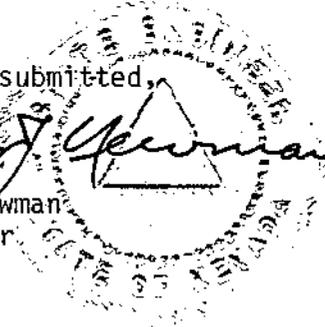
Applications 32156, 32157, 32158, 32159, 32160, 32324, 32325, 32326, 32329, 32426, 32427, 32451, 32452, 32453, 32454, 32697, and 32931 are denied on the grounds that to grant additional rights under the subject applications would conflict with existing rights and threaten to prove detrimental to the public interest.

Respectfully submitted,



William J. Newman

William J. Newman
State Engineer



WJN:kc

Dated this 28th day of
April, 1981.

FOOTNOTES

1. Water Resources-Reconnaissance Series Report No. 152, pages 2 and 43.
2. Public records located within the Office of the State Engineer.
3. NRS 533.025 and 533.030, subsection 1.
4. NRS 533.370, subsection 4.