

IN THE MATTER OF APPLICATIONS 36488,)
36489, 41862 AND 41863 FILED TO)
APPROPRIATE UNDERGROUND WATER IN)
SPRING VALLEY, LINCOLN COUNTY,)
NEVADA)

R U L I N G

2658

INTRODUCTION

In 1964, Ground-Water Resources-Reconnaissance Series Report 27, "Ground-Water Appraisal of the Meadow Valley Area, Lincoln and Clark Counties, Nevada" by F. Eugene Rush, was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, and U. S. Department of Interior, Geological Survey.

In 1971, A map titled "State of Nevada, Water Resources and Inter-Basin Flows" was prepared cooperatively by the Nevada Division of Water Resources and the Geological Survey, U. S. Department of Interior.

These publications may be viewed at the State Engineer's office.

FINDINGS OF FACT

I

Application 36488 was filed by Lee A. Pearson on January 17, 1979 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 10, T.4N., R.69E., M.D.M., and the place of use is 320 acres within Sections 3, 4, 10 and 11, T.4N., R.69E., M.D.M.

Application 36489 was filed by Felica Ward Pearson on January 17, 1979 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, T.5N., R.69E., M.D.M., and the place of use is 320 acres within Sections 4 and 14, T.4N., R.69E., and Sections 28, 29 and 33, T.5N., R.69E., M.D.M.

Application 41862 was filed by Helen Pearson on July 23, 1980 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 25, T.5N., R.68E., M.D.M., and the place of use is 320 acres within Sections 25 and 26, T.5N., R.68E., M.D.M.

Application 41863 was filed by Larry D. Briscoe on July 23, 1980 to appropriate 5.4 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 24, T.5N., R.68E., M.D.M., and the place of use is 320 acres within Section 24, T.5N., R.68E., and Section 19, T.5N., R.69E., M.D.M.

II

The perennial yield from the Spring Valley ground water reservoir is estimated by the U. S. Geological Survey to be 1,000 acre-feet of water per year. 1/

III

Permits and certificates have been issued in Spring Valley which could be used to divert over 1200 acre-feet of underground water per year. 2/

IV

Spring Valley water resources are interrelated with the water resources of the rest of the Meadow Valley area. There are water rights all along this system. Spring Valley is at the upper end of this system and much of the precipitation to supply downstream surface water and ground water rights originates in the Wilson Creek Range in Spring Valley. 3/

V

The proposed point of diversion under Application 36488 is approximately 250 feet from Camp Valley Creek. The proposed point of diversion under Application 36489 is approximately 100 feet from Camp Valley Creek. The proposed point of diversion under Application 41862 is less than 100 feet from Pine Creek, a tributary to Camp Valley Creek. Camp Valley Creek is tributary to Meadow Valley Wash.

CONCLUSIONS

1. The State Engineer has jurisdiction of the parties and the subject matter of this action. 4/
2. The State Engineer is prohibited by law from granting a permit where:
 - A. There is no unappropriated water at the proposed source, or
 - B. The proposed use conflicts with existing rights, or
 - C. The proposed use threatens to prove detrimental to the public welfare. 5/

3. Existing water rights for ground water in Spring Valley exceed the estimated perennial yield for the Spring Valley ground water reservoir. These applications are to irrigate an additional 1280 acres and if permits were issued an additional 5120 acre feet of ground water could be diverted annually.
4. In the Meadow Valley system, which includes Spring Valley, there are existing surface and underground water rights downstream and down gradient from these proposed points of diversion. The granting of these applications would allow surface and underground water to be intercepted and consumptively used by these new wells that otherwise would flow downstream and down gradient to supply existing water rights.

RULING

Applications 36488, 36489, 41862 and 41863 are denied on the grounds that to grant additional water rights under the subject applications would conflict with existing rights and threaten to prove detrimental to the public welfare.

Respectfully submitted,



William J. Newman
State Engineer

WJN/JC/bc

Dated this 28th day of
MAY, 1981.

FOOTNOTES

1. See Map titled "State of Nevada, Water Resources and Interbasin Flows" - Spring Valley - Hydrographic Region 201.
2. Public records located within the office of the State Engineer.
3. See Ground-Water Resources-Reconnaissance Series Report 27.
4. NRS 533.025 and 533.030, subsection 1.
5. NRS 533.370, subsection 4.