

IN THE MATTER OF APPLICATIONS 38520, )  
38525, 38659, 40363 AND 43592 FILED )  
FOR THE WATERS OF AN UNDERGROUND )  
SOURCE IN LAKE VALLEY GROUND WATER )  
BASIN, LINCOLN AND WHITE PINE )  
COUNTIES, NEVADA )

RULING 2716  
183

INTRODUCTION

Application 38520 was filed on July 9, 1979, by James W. Cole to appropriate 5.4 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 6, T.6N., R.67E., M.D.B. & M. and to be used for the irrigation of 320 acres within the SE $\frac{1}{2}$  NE $\frac{1}{2}$  of Section 1, T.6N., R.66E., M.D.B. & M., the E $\frac{1}{2}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Government Lots 5, 6, 7 Section 6, the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 7, T.6N., R.67E., M.D.B. & M.

Application 38525 was filed on July 9, 1979, by Bruce A. Condie to appropriate 5.6 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 7, T.6N., R.67E., M.D.B. & M. and to be used for the irrigation of 320 acres within the W $\frac{1}{2}$  NE $\frac{1}{2}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SE $\frac{1}{4}$  Section 7, the W $\frac{1}{2}$  SW $\frac{1}{4}$  Section 8, T.6N., R.67E., M.D.B. & M.

Application 38659 was filed on July 25, 1979, by Gordon H. Cole to appropriate 5.4 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 36, T.7N., R.66E., M.D.B. & M., and to be used for the irrigation of 320 acres within the NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 36, the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 35, T.7N., R.66E., M.D.B. & M., the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Government Lot 6 Section 1, T.6N., R.66E., M.D.B. & M.

Application 40363 was filed on January 21, 1980, by Lewis D. Rollins to appropriate 5.5 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 17, T.6N., R.67E., M.D.B. & M. and to be used for the irrigation of 320 acres within the NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 17, T.6N., R.67E., M.D.B. & M.

Application 43592 was filed on April 24, 1981, by Lyle and Mary Wiseman to appropriate 6.0 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 10, T.6N., R.66E., M.D.B. & M. and to be used for the irrigation of 320 acres within the S $\frac{1}{2}$  SW $\frac{1}{4}$  Section 3, the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 4, the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 9, the N $\frac{1}{2}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 10, T.6N., R.66E., M.D.B. & M.

Applications 38520 and 38525 were protested on May 5, 1980, by Imperial Farms Land and Cattle Company, Inc.

In 1963, Ground Water Resources - Reconnaissance Series Report No. 24, "Ground Water Appraisal of Lake Valley in Lincoln and White Pine Counties, Nevada" by F. Eugene Rush, Thomas E. Eakin was prepared cooperatively by Nevada Department of Conservation and Natural Resources and U.S. Department of Interior, Geological Survey.

This report may be viewed in the State Engineer's office.

### FINDINGS OF FACT

#### I

Applications 38520, 38525, 38659 and 40363 were filed in support of Desert Land Applications.

The source of water to be used to reclaim lands under Desert Land Applications is water from an underground source within the Lake Valley Ground Water Basin, Lincoln and White Pine Counties, Nevada. 1/

Ground water recharge in Lake Valley is derived solely from precipitation within the valley. 2/ The estimated annual recharge of the ground water reservoir in Lake Valley is 13,000 acre-feet. 3/

On the basis of the estimated average annual discharge from the basin under natural conditions 4/, the average annual recharge is inferred to be about 12,000 acre-feet. 5/

Most ground water recharge to Lake Valley is from precipitation on the Schell Creek and Wilson Creek Ranges. 6/

#### II

There are currently on file in the State Engineer's office Certificates of Appropriation for 21,171 acre-feet of water per year and permitted rights for 3,001 acre-feet of water per year. 7/ The total amount of water currently appropriated in Lake Valley is 24,173 acre-feet per year.

#### III

The perennial yield of the natural system of the Lake Valley Reservoir is 12,000 acre-feet annually. 8/ Pumpage in excess of 12,000 acre-feet will eventually result in storage depletion from the principal aquifers, substantial water-level declines, and land subsidence. 9/

V

Should additional water be allowed for appropriation for the reclamation of lands under the Desert Land applications and subsequent development of ground water pursuant thereto detrimentally affect prior ground water rights, the State Engineer is required by law to order withdrawals be restricted to conform with priority rights. 10/

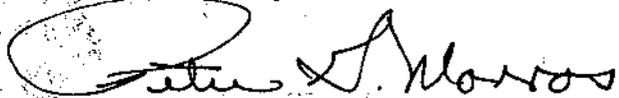
CONCLUSIONS

If the subject applications were granted, additional land would be irrigated. This would result in additional consumptive use by farm land irrigation. The additional withdrawals and consumption would remove water from the ground water reservoir which would not be replaced, resulting in depletion of the ground water reservoir, substantial water level declines, and possible land subsidence. The additional withdrawals and consumption of underground water would, therefore, conflict with existing rights and threaten to prove detrimental to the public welfare.

RULING

Applications 38520, 38525, 38659, 40363 and 43592 are hereby denied on the grounds that their granting would tend to impair the value of existing rights and threaten to prove detrimental to the public welfare.

Respectfully submitted,



Peter G. Morros  
State Engineer

PGM-LKF-js

Dated this 10th day of  
September, 1981

FOOTNOTES

1. Public records in the State Engineer's office.
2. Ground Water Resources - Reconnaissance Series Report #24, p. 9.
3. Ground Water Resources - Reconnaissance Series Report #24, p. 11.
4. Ground Water Resources - Reconnaissance Series Report #24, p. 12.
5. Ground Water Resources - Reconnaissance Series Report #24, p. 16.
6. Ground Water Resources - Reconnaissance Series Report #24, p. 9.
7. Public records in the State Engineer's office.
8. Ground Water Resources - Reconnaissance Series Report #24, p. 16.
9. Ground Water Resources - Reconnaissance Series Report #24, p. 9.
10. NRS 534.110, subsection 3 and 6.

OUTCOME

HW

11/15/58