

IN THE MATTER OF APPLICATIONS 41530 )  
AND 41531, FILED TO APPROPRIATE WATER )  
FROM AN UNDERGROUND SOURCE IN HUMBOLDT )  
COUNTY, NEVADA. )

R U L I N G

INTRODUCTION

Applications 41530 and 41531 were filed to appropriate water from an underground source in the Winnemucca Segment, Humboldt County, Nevada.

Water Resources Bulletin No. 32, Hydrologic Reconnaissance of the Humboldt River Basin, Nevada, by Thomas E. Eakin and Robert D. Lamke, was prepared cooperatively by the Department of Conservation and Natural Resources and the U.S. Department of the Interior, Geological Survey. This report is on file at the Office of the State Engineer.

FINDINGS OF FACT

I

Application 41530 was filed by Louise Griggs, Joseph Scott, Irene Scott, Josephine Glenn, Michael S. Glenn and Douglas E. Glenn on June 16, 1980, to appropriate 6.0 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 17, T. 37 N., R. 40 E., M.D.B.&M., and the place of use is 640 acres within Section 17, T. 37 N., R. 40 E., M.D.B.&M. 1/

Application 41531 was filed by Louise Griggs, Joseph Scott, Irene Scott, Josephine Glenn, Michael S. Glenn, and Douglas E. Glenn on June 16, 1980, to appropriate 6.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 17, T. 37 N., R. 40 E., M.D.B.&M., and the place of use is 640 acres within Section 17, T. 37 N., R. 40 E., M.D.B.&M. 1/

II

By Order No. 534, dated May 6, 1975, the State Engineer designated and described the Winnemucca Segment Ground Water Basin under the provisions of NRS 534.030. 2/

III

Water Resources Bulletin No. 32 estimates the amount of water available for pumpage within the Winnemucca Segment Ground Water Basin to be 4,400 acre-feet per year. 3/

IV

Certificates for underground withdrawals have been issued which could be exercised to divert 33,334.6 acre-feet of water per year from the Winnemucca Segment Ground Water Basin. Permits which have been granted could be used to develop an additional 13,100 acre-feet per year. The total water rights which have been granted exceed 46,000 acre-feet of water per year. 4/

V

Applications for irrigation purposes have been denied in the Winnemucca Segment Ground Water Basin. 5/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of the action. 6/

II

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 welfare. 7/

III

If Applications 41530 and 41531 are granted, additional withdrawal and consumption would remove water from the ground water reservoir which:

- A. would not be replaced, resulting in depletion of the ground water reservoir, or
- B. would be replaced by infiltrating surface water that would otherwise remain in or return to the stream system.

The additional withdrawal and consumption of underground water in excess of the natural recharge would, therefore, conflict with prior existing rights and threaten to prove detrimental to the public welfare.

IV

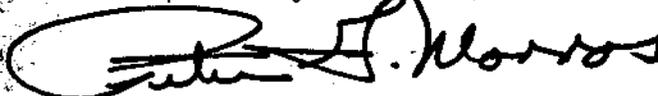
Existing certificated water rights exceed the estimated average annual recharge to the Winnemucca Segment Ground Water Basin. The potential exists for additional pumpage under existing ground water permits which have not yet been fully developed.

The State Engineer is authorized and directed to designate preferred uses of water within the respective area so designated by him, such as the Winnemucca Segment Ground Water Basin. The consumptive use of ground water to irrigated additional land is not considered to be a preferred use of the limited ground water resources of the Winnemucca Segment Ground Water Basin. 8/

RULING

Applications 41530 and 41531 are herewith denied on the grounds that the appropriation of underground water for irrigation purposes, as applied for, would conflict with and tend to impair the value of existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,



PETER G. MORROS  
State Engineer

PGM/KN/br

Dated this 8th day of  
SEPTEMBER, 1983.

## FOOTNOTES

1. Applications 41530 and 41531;
2. State Engineer's Order 534.
3. State Engineer's Ruling 2510, November 28, 1979.
4. Public records in the Office of the State Engineer.
5. Public records in the Office of the State Engineer. See denied Applications 27405, 27406, 28143, 28354, 28355, 28507 thru 28516, 28605, 28606, 28607, 28609 thru 28616, 28694, 29001, 29071, and 29550.
6. NRS 533.025 and NRS 533.030, Subsection 1.
7. NRS 533.370, Subsection 3.
8. State Engineer's Ruling 2510, November 28, 1979.