

IN THE MATTER OF APPLICATIONS 42887 )  
AND 42888, FILED TO APPROPRIATE WATER )  
FROM AN UNDERGROUND SOURCE IN WINNEMUCCA )  
SEGMENT, HUMBOLDT COUNTY, NEVADA )

R U L I N G

INTRODUCTION

Applications 42887 and 42888 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 42887 was filed by Desert Valley Sod Farm, Inc. on November 25, 1980, to appropriate 1.096 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 6, T. 35 N, R. 37 E, M.D.B. & M., and the place of use is 100 acres within Section 6, T. 35 N, R. 37 E, M.D.B. & M. 1/

Application 42888 was filed by Desert Valley Sod Farm, Inc., on November 25, 1980, to appropriate 2.03 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within Lot 3 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) Section 6, T. 35 N, R. 37 E, M.D.B. & M., and the place of use is 358.9 acres within Section 6, T. 35 N, R. 37 E, M.D.B. & M. 1/

II.

Application 42887 was filed "... to increase the rate of flow from 1.134 c.f.s. to 2.23 c.f.s. ..." 2/

Application 42888 was filed "... to increase the rate of flow from 1.99 c.f.s. to 4.02 c.f.s. under Permit No. 39995." 3/

III.

Application 30082 was filed by LaVerl D. Sortor on March 15, 1976, to appropriate 5.4 c.f.s. of water from an underground source for irrigation purposes. The point of diversion is within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 6, T. 35 N, R. 37 E, M.D.B. & M., and the place of use is 615 acres in Section 6, T. 35 N, R. 37 E, M.D.B. & M.

IV.

Application 30082 was denied on July 12, 1976 on the grounds that "... its granting would tend to impair the value of existing rights and be otherwise detrimental to the public welfare." 4/

V.

By Order No. 534, dated May 6, 1975, the State Engineer designated and described the Winnemucca Segment Ground Water Basin. 5/

VI.

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. 6/

VII.

Permits which have been granted could be used to develop an additional 13,100 acre-feet per year. Water rights permitted and certificated exceed 46,000 acre-feet of water per year. 7/

VIII.

Applications for irrigation purposes have been denied in the Winnemucca Segment Ground Water Basin. 8/

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action. 9/

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. 10/

III.

The additional withdrawals 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.

V.

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.

RULING

Applications 42887 and 42888 are denied on the grounds that the appropriation of underground water for irrigation purposes as applied for, would conflict with and adversely affect existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,



PETER G. MORROS,  
State Engineer

PGM/KN\*jm

DATED: This 13th day of  
April, 1984.

FOOTNOTES

1. Public records in the Office of the State Engineer.
2. Item 12 of Application 42887.
3. Item 12 of Application 42888.
4. State Engineer's Ruling 2146.
5. State Engineer's Order No. 534.
6. Hydrologic Reconnaissance of the Humboldt River Basin, Nevada, by Thomas E. Eakin and Robert D. Lamke, Nevada Department of Conservation and Natural Resources, 1966.
7. Public records in the Office of the State Engineer.
8. Public records in the Office of the State Engineer. See denied Applications:  
  
27405, 27406, 28143, 28354, 28355, 28507, 28508, 28509, 28510, 28511, 28512, 28513, 28514, 28515, 28516, 28605, 28606, 28607, 28609, 28610, 28611, 28612, 28613, 28614, 28615, 28616, and 28694.
9. NRS 533.025 and NRS 533.030, subsection 1.
10. NRS 533.370, subsection 3.