

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION)
46671 FILED TO APPROPRIATE THE)
PUBLIC WATERS OF AN UNDERGROUND)
SOURCE IN THE LAS VEGAS)
ARTESIAN BASIN, CLARK COUNTY,)
NEVADA)

RULING

GENERAL

I

Application 46671 was filed on February 23, 1983 by Carlos J. Ortiz, Lynne H. Ortiz, Laban E. Johnson, Susan N. Johnson, Efrain Ortiz and Mitzi Cerice to appropriate 0.055 c.f.s., of water from an underground source for quasi-municipal and domestic purposes within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T.22S., R.61E., M.D.B.&M. The point of diversion is described as being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T.22S., R.61E., M.D.B.&M.

II

A timely protest to Application 46671 was filed on June 17, 1983, by the Las Vegas Valley Water District on the following grounds:

"A Las Vegas Valley Water District (LVVWD) pipeline with sufficient pressure and quantity is approximately 930 feet from the proposed point of diversion and place of use. Service from the existing pipeline is adequate for domestic water use and fire protection provided the developer installs the necessary main extension.'

'In the interest of groundwater conservation in the Las Vegas Artesian Basin, water service from the LVVWD is a viable and necessary alternative in lieu of the appropriation of groundwater from this designated basin."

FINDINGS OF FACT

I

On February 13, 1985, the State Engineer's office received a letter from the Las Vegas Valley Water District depicting the costs and scenarios available to the applicant under Application 46671 to connect to their water system. The letter also stated that the District was unaware of the proposed subdivision layout at the time the protest was filed.

Three possible methods in which to hook-up to the District's water system were described and consist of the following:

1. The first alternative would cost approximately \$15,151.00 but would involve obtaining easements acceptable to the Water District which do not now exist. In addition, this method would require the installation of a non-standard water service which would require approval of the Water District's Board of Directors.
2. The second alternative would cost approximately \$17,928.00, but would involve obtaining easements acceptable to the Water District which do not now exist.
3. The third alternative would cost approximately \$55,070.00, but would not involve the acquisition of any easements.

II

On February 13, 1985, the Division of Water Resources staff inspected the proposed point of diversion and place of use described in Application 46671 and found the point of diversion was an existing well serving three dwellings within the place of use.

CONCLUSIONS

I

Application 46671 was filed to obtain a water right on an existing well serving three existing residences.

II

The cost, feasibility and time delays inherent in each of the alternatives for the applicant to connect into the Las Vegas Valley Water District, appear unduly burdensome at this time.

III

NRS 534.120, Section 3(a), allows the State Engineer to issue temporary permits which may be revoked at such time as water service can be furnished by an entity such as a Water District.

IV

Temporary revocable permits have been issued in the Las Vegas Artesian Basin since 1955.

RULING

The protest to Application 46671 is hereby overruled and a temporary permit will be issued upon the payment of the statutorily required permit fees. The permit will be revoked at such time as service becomes available at a more reasonable cost.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter G. Morros", written in a cursive style.

Peter G. Morros
State Engineer

PGM/CT/bc

Dated this 13th day of
February, 1985.