

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF REVOCATION OF PERMIT 20309)
FILED TO APPROPRIATE THE UNDERGROUND WATERS)
OF THE LAS VEGAS ARTESIAN BASIN (212), CLARK)
COUNTY, NEVADA.)

RULING

4500

GENERAL

I.

Application 20309 was filed on February 21, 1962, by Alta M. and Sherman E. Price to appropriate the underground waters of the Las Vegas Artesian Basin, Clark County, Nevada. Permit 20309 was approved on September 6, 1962, for 0.1 cubic feet per second (cfs) for commercial (nursery) and domestic purposes within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 30, T.20S., R.62E., M.D.B.&M. Permit 20309 was issued subject to revocation when water service is made available from a water purveyor who provides a source of water other than groundwater. The proposed point of diversion is described as being located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 30. The current owner of the property (APN 140-30-503-001) described as the place of use of Permit 20309, as determined from the Clark County Assessor's Office, is Nikola P. and Eleanor Milchev.¹

II.

On March 12, 1996, a hearing was held to consider the revocation of Permit 20309.² The hearing was requested by Mr. Milchev in response to a Notice to Revoke Permit 20309.³

At the hearing, administrative notice was taken of the records in the Office of the State Engineer.⁴

¹File No. 20309, official records in the Office of the State Engineer.

²Exhibit No. 3, Public Administrative Hearing before the State Engineer March 12, 1996.

³Exhibit Nos. 1 and 2, Public Administrative Hearing before the State Engineer, March 12, 1996.

⁴Transcript p. 5, Public Administrative Hearing before the State Engineer, March 12, 1996.

FINDINGS OF FACT

I.

The place of use of Permit 20309 is located at 4093 East Owens Blvd.⁵ This property can be served water by the City of North Las Vegas, from a 12 inch water main on East Owens Blvd.⁶ The State Engineer finds that the permit term requiring revocation is met and Permit 20309 should be revoked. The State Engineer further finds that the owner must arrange for water service to the property with the City of North Las Vegas.

II.

After the revocation of Permit 20309 and the connection to the North Las Vegas water system, the owner will not have a right or a need to the use of water from the well. The State Engineer finds that the well must be plugged in accordance with NAC 534.420.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the parties and of the subject matter of this action.⁷

II.

The State Engineer may issue temporary permits to appropriate ground water which may be revoked if and when water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.⁸

⁵Transcript p. 4, Public Administrative Hearing before the State Engineer, March 12, 1996.

⁶Exhibit No. 5 and Transcript p. 5, Public Administrative Hearing before the State Engineer, March 12, 1996.

⁷NRS Chapter 533.

⁸NRS 534.120(3).

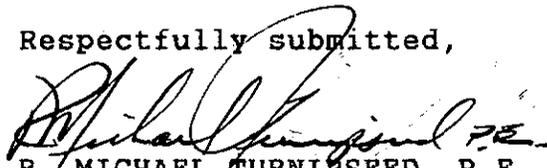
III.

Permit 20309 was issued with the condition that it would be revoked when water service is available from the entity providing water service to the community. Water service to the place of use of Permit 20309 can be provided by the City of North Las Vegas. Therefore, the State Engineer concludes that Permit 20309 should be revoked. The State Engineer further concludes that the well should be plugged in accordance with NAC 534.420.

RULING

Permit 20309 is hereby revoked on the grounds that water service can be provided by the City of North Las Vegas. The owner of the property must apply for and receive water service within 90 days of the date of this Ruling. The well on the property must be plugged in accordance with NAC 534.420 within 120 days of the date of this Ruling.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/JCP/ab

Dated this 25th day of
February, 1997.