

IN THE MATTER OF APPLICATIONS)
25173 and 25174 FILED FOR)
UNNAMED SPRINGS IN CLARK COUNTY,)
NEVADA)

R U L I N G

GENERAL:

Application 25173 was filed on July 28, 1969 by Frederic Apcar for 0.33 c.f.s. of the waters of Unnamed Spring located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T. 14 S., R. 65 E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said section 16 bears S. 64° 0' W., a distance of 1,094 feet. Water is to be used for the irrigation of 20 acres of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section 16 and domestic purposes.

Application 25174 was filed July 28, 1969 by Frederic Apcar for 0.25 c.f.s. for the waters of an Unnamed Spring within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16, T. 14 S., R. 65 E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$ corner of said section 16 bears S. 30° 0' W., a distance of 1500 feet. Water is to be used for irrigation of 15 acres of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said section 16 and domestic purposes.

These springs are located within what is referred to as the Muddy River Springs area and are considered to be part of the Muddy River Springs, the source of the Muddy River. The Muddy River Springs are described in "Ground Water Resources Reconnaissance Report 25 ground water appraisal of Coyote Spring and Kane Spring Valleys and Muddy River Springs area, Lincoln and Clark Counties, Nevada." This report was compiled by Thomas E. Eakin and published in February, 1964. Eakin states: "Muddy River Springs, though issuing from alluvial deposits, occur near surface exposures of carbonate rock and are considered to be supplied largely by ground water in carbonate rocks."

The waters of the sources sought to be appropriated, while not making any surface contribution to the Muddy River, are considered as supplying sub-surface water to the Muddy River system and must be considered tributary.

OPINION:

It is our opinion that the waters sought to be appropriated under Applications 25173 and 25174 are from sources that are tributary to the Muddy River System and that granting of these applications would tend to impair the existing rights and would be otherwise detrimental to the public welfare.

RULING

Applications 25173 and 25174 are hereby denied on the grounds that their granting would tend to impair the existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,



Roland D. Westergard
State Engineer

RDW:TJS:hs

Dated this 23rd day
of January, 1970