

IN THE MATTER OF APPLICATION 32662)
FILED TO APPROPRIATE THE WATERS OF)
AN UNDERGROUND SOURCE IN SUN VALLEY)
WASHOE COUNTY, NEVADA.)

R U L I N G

INTRODUCTION

Application 32662 was filed in the State Engineer's office on July 1, 1977 to appropriate the waters of an underground source for quasi-municipal and domestic purposes in Sun Valley, Nevada.

In 1967, Water Resources Reconnaissance Series Report No. 43 "Water Resources Appraisal of the Warm Springs - Lemmon Valley Area, Washoe County, Nevada", by F. Eugene Rush and Patrick A. Glancy was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources and U. S. Department of the Interior, Geological Survey.

FINDINGS OF FACT

I

Application 32662 was filed on July 1, 1977 by Harry J. Williams for permission to appropriate 0.65 c.f.s. of water from an underground source located within the SW1/4 NE1/4 Section 7, T.20N., R.20E., M.D.B.&M. The water is to be used for a proposed 500 unit mobile home park located within the S1/2 NE1/4 and N1/2 SE1/4 Section 6, T.20N., R.20E., M.D.B.&M. 1/

II

Application 32662 was filed to appropriate water from an underground source within the Sun Valley Ground Water Basin as designated and described by Order of the State Engineer on March 1, 1978. 2/

III

The estimated perennial yield of the ground water basin in Sun Valley is approximately 25 acre-feet of water per year. 3/

IV

Certificates have been issued under ground water permits which could be used to divert 23.18 acre-feet of water per year from the Sun Valley Ground Water Basin. Permits have been granted which could be used to develop an additional 17.92 acre-feet per year from the basin. 4/ In addition, estimated pumpage from domestic wells in the Sun Valley Basin is approximately 200 acre-feet per year. 5/

V

By a letter dated February 8, 1978, the applicant, Harry J. Williams requested to be present during the decision making hearing regarding Application 32662. A hearing before the State Engineer was scheduled for March 6, 1978 at 10:00 A.M. in the office of the State Engineer in

Carson City, Nevada. The applicant was notified of the date of the hearing by certified mail. The hearing was convened as scheduled; neither the applicant or his representative was present at the hearing. 6/

VI

Should Application 32662 be granted and should subsequent development of ground water under this permit detrimentally affect prior ground water rights, the State Engineer is required by law to order withdrawals restricted to conform to priority rights. 7/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 8/

II

The State Engineer is prohibited by law from granting a permit where:

- A. There is no unappropriated water at 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. 9/

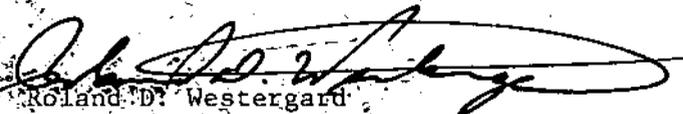
III

Existing water rights for the Sun Valley Ground Water Basin exceed the estimated perennial yield of the basin. The potential exists for additional pumpage under existing ground water rights which have not been developed. To grant additional water rights from this limited ground water resource for public consumption would adversely affect existing rights and threaten to prove detrimental to the public welfare.

RULING

Application 32662 is herewith denied on the grounds that the appropriation of additional water from this limited ground water resource would tend to impair the value of existing rights and would be detrimental to the public interest and welfare.

Respectfully submitted,


 Roland D. Westergard
 State Engineer

RDW/BLR/bl

Dated this 7th day
of JUNE, 1978.

FOOTNOTES

1. Public Records in the Office of the State Engineer.
2. Public Records in the Office of the State Engineer and Chapter 534 Nevada Revised Statutes.
3. USGS Reconnaissance Series Report No. 43, page 49.
4. Public Records in the Office of the State Engineer.
5. Public Records in the Office of the State Engineer and USGS Reconnaissance Series Report No. 43, page 39.
6. Transcript of the Hearing in the Matter of Application 32555 and 32662 to Appropriate Public Waters of the State of Nevada, Monday, March 6, 1978.
7. NRS 534.110, subsections 3 and 6.
8. NRS 533.025 and 533.030, subsection 1.
9. NRS 533.370, subsection 4.