

IN THE MATTER OF APPLICATION 33268)  
FILED FOR THE WATERS OF AN UNDERGROUND SOURCE IN MESQUITE VALLEY, CLARK COUNTY, NEVADA  
R.U.L.I.N.G

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INTRODUCTION

Application 33268 was filed on August 22, 1977 by Paul and Dora Mlinaric to appropriate 0.2763 c.f.s., of the waters of an underground source to be diverted within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 16, T.24S., R.56E., M.D.B. & M., and to be used for the irrigation of 40 acres of land within the same subdivision as the point of diversion.

In 1968 Water Resources - Reconnaissance Series Report #46, "Water Resources Appraisal of Mesquite - Ivanpah Valley Area, Nevada and California" by 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. This report is available from the State Engineer's office.

Findings of Fact

If the subject application was granted, additional lands would be irrigated. This would result in additional consumptive use by farmland irrigation. The additional withdrawals and consumption of water from the underground source within the Mesquite Valley Ground Water Basin, Clark County, Nevada, 1/ would, therefore, conflict with existing rights and threaten to be detrimental to the public welfare.

Ground water recharge in the Mesquite Valley area is derived mainly from precipitation within the area. The estimated annual recharge to the Mesquite Valley ground water reservoir is 2200 acre-feet. 1500 acre-feet of this is derived from precipitation and 700 acre-feet is underflow from Pahrump Valley to the northwest. 2/

III  
Respectfully submitted.

Estimated average annual ground water consumption in Mesquite Valley due to development was 1400 acre-feet in 1968. Nearly all of this development was in the California portion of the valley. 3/ Since 1968, the Nevada State Engineer has issued permits to appropriate an additional 1710 acre-feet per year from the Nevada portion of the basin. Total existing ground water rights in the Nevada portion amount to 2300 acre-feet per year. 4/

IV

There is potential for additional ground water development in the California portion of Mesquite Valley.

V

Should additional water be allowed for appropriation for the reclamation of lands under Application 33268 and subsequent development of ground water pursuant thereto detrimentally affect prior ground

rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights. 5/

VI

The Pahrump Valley Artesian Basin is presently over-appropriated. Expected continued heavy use of ground water in Pahrump Valley may cause a reduction of ground water under flow to Mesquite Valley. 6/

CONCLUSIONS

1. 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. 7/

3. If the subject application was granted, additional lands would be irrigated. This would result in additional consumptive use by farmland irrigation. The additional withdrawals and consumption would remove water from the ground water reservoir which would not be replaced resulting in depletion of the ground water reservoir. The additional withdrawals and consumption of underground water for irrigation would, therefore, conflict with existing rights and threaten to prove detrimental to the public welfare.

RULING

Application 33268 is hereby denied on the grounds that its granting would tend to impair the value of existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW/TJS/jv

Dated this 23rd day

of June, 1978.

FOOTNOTES

1. Public Records in the State Engineer's office.
2. Water Resources Reconnaissance Series Report #46, pp. 24, 30.
3. Water Resources Reconnaissance Series Report #46, pp. 31, 32.
4. Public Records in the State Engineer's office.
5. NRS 534.110, subsections 3 and 6.
6. Public Records in the State Engineer's office.
7. NRS 533.370, subsection 4.