

IN THE MATTER OF APPLICATION)
36260 FILED BY HUDSON OIL CO.,)
INC. TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN)
LAS VEGAS, CLARK COUNTY, NEVADA.)

R U L I N G

212

GENERAL:

Application 36260 was filed on December 8, 1978, by Hudson Oil Co. Inc. to appropriate 0.05 c.f.s. of water from an underground source for quasi-municipal purposes to serve a service station. The point of diversion and place of use are located within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, T.20S., R.61E., M.D.B.&M.

A protest to the granting of Application 36260 was filed on April 2, 1979 by the Las Vegas Valley Water District on the grounds that the District has water mains of adequate capacity and pressure within a reasonable distance to serve the proposed place of use.

The report of field investigation prepared by the Las Vegas Branch office of the Division of Water Resources states that District water lines are approximately $\frac{1}{4}$ mile from the place of use.

Application 36260 is located within the area of the Las Vegas Artesian Basin designated by the State Engineer under the provisions of NRS 534.030.

NRS 534.120, subsection 3 provides that in a designated basin, the State Engineer may:

- a) Issue temporary permits to appropriate ground water which can be limited as to time and 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.
- b) Deny applications to appropriate ground water for any purpose in areas served by such an entity.
- c) Limit depth of domestic wells.
- d) Prohibit the drilling of wells for domestic use, as defined in NRS 534.010 and 534.180, in areas where water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.

RULING

The protest to the granting of Application 36260 is overruled on the grounds that the place of use is not within a reasonable distance of water service available from the water district presently engaged in furnishing water. A revocable permit will be issued upon payment of statutory fees.

Respectfully submitted,

William J. Newman

William J. Newman
State Engineer

WJN:jw

Dated this 7th day
of August, 1979.