

IN THE MATTER OF APPLICATIONS 32774, 32775, 32848, 32849,)
 32850, 32918, 32919, 33238, 33239, 33240, 33241, 33242, 33243, 35570)
 35591 and 35678 FILED TO APPROPRIATE THE UNDER GROUND) R U L I N G
 WATERS OF THE MESQUITE VALLEY GROUND WATER BASIN IN)
 CLARK COUNTY, NEVADA)

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INTRODUCTION

Application 32774 was filed on July 13, 1977 by Verdes H. Ueckert to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T.25S., R.56E., M.D.B.&M., and to be used for the irrigation of 157.06 acres within the Lots 1, 2, 3, 4, 5, & 6, Section 1, T.25S., R.56E., and Lot 10 Section 6, T.25S., R.57E., M.D.B.&M.

Application 32775 was filed on July 13, 1977 by Verdes H. Ueckert to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, T.25S., R.56E., M.D.B.&M., and to be used for the irrigation of 157.06 acres within the Lots 1, 2, 3, 4, 5 & 6, Section 1, T.25S., R.56E., and Lot 10 Section 6, T.25S., R.57E., M.D.B.&M.

Application 32848 was filed on July 19, 1977 by Harold A. Stewart to appropriate 1.0 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, T.25S., R.57E. and to be used for the irrigation of 40 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, T.25S., R.57E., M.D.B.&M.

Application 32849 was filed on July 19, 1977 by Harold A. Stewart to appropriate 2.0 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 16, T.25S., R.57E., M.D.B.&M., and to be for the irrigation of 80 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 16, T.25S., R.57E., M.D.B.&M.

Application 32850 was filed on July 19, 1977 by Harold A. Stewart to appropriate 1.0 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T.25S., R.57E., M.D.B.&M., and to be used for the irrigation of 40 acres within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T.25S., R.57E., M.D.B.&M.

Application 32918 was filed on July 26, 1977 by Albert F. Sander to appropriate 3.0 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, T.24S., R.57E., M.D.B.&M., and to be used for the irrigation of 160 acres within the N $\frac{1}{2}$ S $\frac{1}{2}$, Section 32, T.24S., R.57E., M.D.B.&M.

Application 32919 was filed on July 26, 1977 by Laveta Sander to appropriate 3.0 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, T.24S., R.57E., M.D.B.&M., and to be used for the irrigation of 160 acres within the NW $\frac{1}{4}$, Section 31, T.24S., R.57E., M.D.B.&M.

Application 33238 was filed on August 22, 1977 by Bruce K. Michael to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T.24S., R.56E., M.D.B.&M. and to be used for the irrigation of 20 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 14, T.24S., R.56E., M.D.B.&M.

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Application 33239 was filed on August 22, 1977 by Dayle Davies to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T.24S., R.56E., M.D.B.&M., and to be used for the irrigation of 20 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, T.24S., R.56E., M.D.B.&M.

Application 33240 was filed on August 22, 1977 by Mary Davies to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, T.24S., R.56E., M.D.B.&M., and to be used for the irrigation of 20 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, T.24S., R.56E., M.D.B.&M.

Application 33241 was filed on August 22, 1977 by James Snaadt to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T.24S., R.56E., M.D.B.&M., and to be used for the irrigation of 20 acres within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T.24S., R.56E., M.D.B.&M.

Application 33242 was filed on August 22, 1977 by Ruth E. Snaadt to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T.24S., R.56E., M.D.B.&M., and to be used for the irrigation of 20 acres within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T.24S., R.56E., M.D.B.&M.

Application 33243 was filed on August 22, 1977 by Mary M. Michael to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T.24S., R.56E., M.D.B.&M., and to be used for the irrigation of 20 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T.24S., R.56E., M.D.B.&M.

Application 35570 was filed on June 27, 1978 by Donald E. McCully to appropriate 0.12 c.f.s. of the waters of an underground source to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T.24S., R.57E., M.D.B.&M., and to be used for the irrigation of 4 acres within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T.24S., R.57E., M.D.B.&M.

Application 35591 was filed on July 3, 1978 by Walter R. & Phyllis N. Walsh to appropriate 1.0 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 9, T.25S., R.57E., M.D.B.&M., and to be used for the irrigation of a small farm and orchard within the S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9, T.25S., R.57E., M.D.B.&M.

Application 35678 was filed on August 2, 1978 by Merle D. Inman to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, T.25S., R.57E., M.D.B.&M., and to be used for the irrigation of 160 acres within the SW $\frac{1}{4}$, Section 10, T.25S., R.57E., M.D.B.&M.

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.

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FINDINGS OF FACT

I

The source of water to be used to reclaim lands under these applications is water from an underground source within the Mesquite Valley Ground Water Basin, Clark County, Nevada. 1/

II

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

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 2200 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 these applications and subsequent development of ground water pursuant thereto detrimentally affect prior ground water 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/

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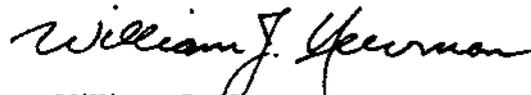
CONCLUSIONS

1. The State Engineer has jurisdiction under NRS 533.370. 7/
2. 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. 8/
3. If subject applications were 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

Applications 32774, 32775, 32848, 32849, 32850, 32918, 32919, 33238, 33239, 33240, 33241, 33242, 33243, 35570, 35591 and 35678 are hereby denied on the grounds that their granting would tend to impair the value of existing rights and be otherwise detrimental to the public welfare.

Respectfully submitted,



William J. Newman
State Engineer

TS/mc

Dated this 12th day
of MARCH, 1980.

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
8. NRS 533.370, subsection 4.