

IN THE MATTER OF APPLICATIONS 36604, )  
40170 AND 40171 FILED TO APPROPRIATE )  
THE WATER OF AN UNDERGROUND SOURCE IN )  
CARSON VALLEY, DOUGLAS COUNTY, NEVADA)

R U L I N G

INTRODUCTION

Applications 36604, 40170 and 40171 were filed to appropriate water from an underground source in the Carson Valley Ground Water Basin, Douglas County, Nevada.

In 1975 Water Resources Reconnaissance Series Report 59 Water Resource Appraisal of the Carson River Basin, Western Nevada by Patrick A. Glancy and T. L. Katzer was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources and the U. S. Department of the Interior, Geological Survey. This report is available from the office of the State Engineer.

FINDINGS OF FACT

I

Application 36604 was filed by Robert A. and Joan E. Davis on February 1, 1979 to appropriate 0.25 c.f.s., of underground water for quasi-municipal and domestic purposes to serve 36 two acre lots. The point of diversion is within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 11, T.13N., R.20E., M.D.B.& M., and the place of use is within the N $\frac{1}{2}$  of said Section 11.

Applications 40170 and 40171 were filed by the Bramwell Investment Co., on December 26, 1979, each to appropriate 1 c.f.s., of underground water for quasi-municipal purposes. The points of diversion and the place of use are within the NE $\frac{1}{4}$  Section 34, T.14N., R.20E., M.D.B.& M.  
1/

II

By an Order dated June 14, 1977, the State Engineer designated and described the Carson Valley Ground Water Basin under the provisions of NRS 534. 2/

III

It is estimated that the potential annual recharge to the ground water basin from precipitation is 25,000 acre-feet. The estimated annual sub-surface inflow to the ground water basin from California is approximately 7,000 acre-feet. The total annual recharge to the Carson Valley Ground Water Basin is, therefore, approximately 32,000 acre-feet per year. 3/ Any consumptive withdrawal in excess of the natural recharge will either deplete the ground water reservoir or cause additional surface water to percolate into the ground water reservoir.

IV

Existing certified and permitted ground water rights in the Carson Valley Ground Water Basin for irrigation and other purposes presently total over 40,000 acre-feet per year. 4/

V

The proposed points of diversion under Applications 36604, 40170 and 40171 are within a concentrated well area in the northeastern part of Carson Valley. These applications lie within a short distance of other permitted wells. There are large residential areas supplied by domestic wells in the immediate vicinity of the proposed appropriations. These residential areas include many unoccupied lots upon which a domestic well may be drilled without a permit.

VI

Applications to appropriate underground water to irrigate additional land and applications for quasi-municipal use in areas with concentrated wells have been denied in Carson Valley. 5/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 6/

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. 7/

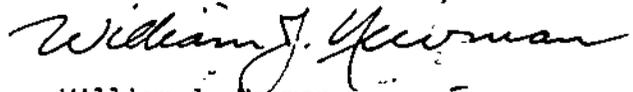
III

The granting of permits under Applications 36604, 40170 and 40171 in the concentrated domestic well area and in the proximity of existing rights, would tend to impair the value of those existing rights and wells and threaten to prove detrimental to the public welfare. The potential exists for the additional development of unoccupied lots in this concentrated area. Rapid urbanization of Carson Valley indicates that domestic wells will eventually be drilled on most of the existing unoccupied lots.

RULING

Applications 36604, 40170 and 40171 are denied on the grounds that the appropriation of additional underground water for quasi-municipal use in this area of concentrated wells would tend to impair the value of existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,



William J. Newman  
State Engineer

WJN/JC/bc

Dated this 4th day  
of September, 1980.

FOOTNOTES

1. Public records in the office of the State Engineer.
2. Public records in the office of the State Engineer.
3. Water Resources - Reconnaissance Series, Report 59, pp. 2, 51.
4. Public records in the office of the State Engineer.
5. Public records in the office of the State Engineer. See denied Applications 28799, 28800, 28801, 28802, 29698, 30348, 30349, 30075, 30203, 30640, 30711, 30789, 30870, 31169, 31170, 31171, 31182, 31258, 31259, 31376, 31377, 31380, 31381, 31386, 31414, 31415, 31416, 31459, 31500, 31508, 31509, 31615, 31616, 31660, 31661, 31687, 31688, 31689, 31690, 31691, 31692, 31693, 31694, 31695, 31696, 31697, 31698, 31699, 31700, 31701, 31702, 31703, 31704, 31705, 31706, 31747, 31759, 31760, 31761, 31762, 31776, 31777, 31807, 31810, 31846, 31849, 32107, 32108, 32109, 32141, 32142, 32143, 32144, 32147, 32148, 32149, 32150, 32151, 32152, 32153, 32154, 32321, 32322, 32327, 32328, 32330, 32331, 32332, 32333, 32345, 32347, 32353, 32365, 32428, 32429, 32430, 32431, 32446, 32447, 32584, 32585, 32594, 32606, 32607, 32608, 32831, 32936, 32937, 32950, 32663, 33366, 33449, 33474, 33880, 34613, 34746, 35000, 35023, 35024, 35235, 35431, 35880, 35881, 36175, 36465, 37113 and 37114.
6. NRS 533.025 and NRS 533.030, subsection 1.
7. NRS 533.370, subsection 4.