

IN THE MATTER OF APPLICATIONS)  
32753, 32754, 32755, 32756, )  
32757, 32758, 32940, and )  
32941 FILED TO APPROPRIATE )  
UNDERGROUND WATER IN SODA )  
SPRINGS VALLEY (WESTERN PART) )  
MINERAL COUNTY, NEVADA. )

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INTRODUCTION

In 1970, Water Resources Bulletin No. 52 "Water Resources Appraisal of the Columbus Salt Marsh-Soda Spring Valley Area, Mineral and Esmeralda Counties, Nevada" by A. S. Van Denburgh and Patrick A. Glancy, 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 may be viewed at the State Engineer's Office.

FINDINGS OF FACT

I

Application 32753 was filed by Donald W. Mulligan on July 11, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 SW1/4, Sec. 18, T.8N., R.34E., M.D.B.&M. and the place of use is 160 acres within the SW1/4 said Sec. 18.

Application 32754 was filed by Gwendolyn M. Mulligan on July 11, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 SE1/4 said Sec. 18 and the place of use is 160 acres within the SE1/4 said Sec. 18.

Application 32755 was filed by Warren R. Berg on July 11, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NW1/4 said Sec. 18 and the place of use is 160 acres within the NW1/4 said Sec. 18.

Application 32756 was filed by Judith Elaine Berg on July 11, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NE1/4 said Sec. 18 and the place of use is 160 acres within the NE1/4 said Sec. 18.

Application 32757 was filed by H. Eugene Berg on July 11, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NW1/4, Sec. 19, T.8N., R.34E., M.D.B.&M. and the place of use is 160 acres within the NW1/4 said Sec. 19.

Application 32758 was filed by Betty J. Berg on July 11, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW1/4 NE1/4 said Sec. 19. and the place of use is 160 acres within the NE1/4 said Sec. 19.

Application 32940 was filed by Michael H. and Elizabeth Jane Mer-  
kouris on July 28, 1977 to appropriate 5.4 c.f.s. of underground water  
for irrigation and domestic purposes. The point of diversion is within  
the NW1/4 SW1/4, Sec. 14, T.8N., R.33E., M.D.B.&M. and the place of use  
is 320 acres within the S1/2 said Sec. 14.

Application 32941 was filed by Thomas M. and Marguerite M. Merkouris  
on July 28, 1977 to appropriate 5.4 c.f.s. of underground water for ir-  
rigation and domestic purposes. The point of diversion is within the  
NW1/4 NW1/4 Sec. 23, T.8N., R.33E., M.D.B.&M and the place of use is 320  
acres within the N1/2 said Sec. 23.

## II

The perennial yield of the Soda Spring Valley (Western Part) ground  
water reservoir is estimated by the U. S. Geological Survey to be 200  
acre-feet of water per year.1/

## III

Permits and certificates have been issued in Soda Spring Valley  
(Western Part) that are prior in time to the above mentioned applications  
and could be developed to extract over 340 acre-feet of ground water per  
year. 2/

## CONCLUSIONS

1. The State Engineer has jurisdiction of the parties and the  
subject matter of this action.3/
2. The State Engineer is prohibited by law from granting a permit  
where:
  - A. There is no unappropriated water in the proposed source, or
  - B. The proposed use conflicts with existing rights, or
  - c. The proposed use threatens to prove detrimental to the  
public interest.4/
3. Existing water rights for ground water in Soda Spring Valley  
(Western Part) ground water reservoir. These applications are  
for irrigation of 1,600 acres and if permits were issued an  
additional 6,400 acre-feet of ground water could be withdrawn  
annually.

## RULING

Applications 32753, 32754, 32755, 32756, 32757, 32758, 32940, and  
32941 are denied on the grounds that to grant additional rights under

the subject applications would conflict with existing rights and threaten to prove detrimental to the public interest.

Respectfully submitted,

*William J. Newman*

William J. Newman  
State Engineer

WJN/kc

Dated this 5th day of  
May, 1981.

FOOTNOTES

1. Water Resources - Reconnaissance Series Report No. 52. pages 2 and 43.
2. Public records located within the Office of the State Engineer.
3. NRS 533.025 and 533.030, subsection 1.
4. NRS 533.370, subsection 4.