

IN THE MATTER OF APPLICATIONS 32803,
32804 AND 32805 FILED TO APPROPRIATE
THE WATERS OF AN UNDERGROUND SOURCE)
IN IVANPAH VALLEY, CLARK COUNTY,)
NEVADA)

R U L I N G

INTRODUCTION

Applications 32803, 32804 and 32805 were filed to appropriate water from an underground source in the Ivanpah Valley Ground Water Basin, Clark County, Nevada.

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 the U.S. Department of the Interior, Geological Survey. This report may be viewed at the office of the State Engineer.

FINDINGS OF FACT

I

Application 32803 was filed by Frederick Dale Pfeifer on July 14, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, T.24S., R.58E., M.D.B.&M., and the place of use is 160 acres within the NW $\frac{1}{4}$ of said Section 15.

Application 32804 was filed by Janice A. Pfeifer on July 14, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T.24S., R.58E., M.D.B.&M., and the place of use is 160 acres within the SW $\frac{1}{4}$ of said Section 10.

Application 32805 was filed by Linda Ogletree Pfeifer on July 14, 1977 to appropriate 2.7 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, T.24S., R.58E., M.D.B.&M., and the place of use is 160 acres within the NE $\frac{1}{4}$ of said Section 15.

Applications 32803, 32804 and 32805 have been assigned to Frederick Dale Pfeifer, Janice A. Pfeifer and Linda Ogletree Pfeifer. 1/

II

By an Order dated August 9, 1982, the State Engineer designated and described the Ivanpah 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 700 acre-feet. 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 Ivanpah Valley Ground Water Basin total over 700 acre-feet per year. 4/

V

A public hearing in the matter of applications to appropriate water from the Ivanpah Valley Ground Water Basin was held on June 10th and 28th, 1982. Although testimony was presented at the hearing, there was no substantial evidence presented that would indicate that there was sufficient ground water available to supply the proposed diversions without creating an adverse effect on prior existing water rights. A transcript of the hearing may be viewed at the office of the State Engineer.

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 5/

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. 6/

III

If Applications 32803, 32804 and 32805 are granted, additional land would be irrigated. This would result in additional consumptive use by farm land irrigation. The additional withdrawals and consumption would remove water from the ground water reservoir which:

- A. Would not be replaced resulting in depletion of the ground water reservoir, or
- B. Would be replaced by infiltrating surface water that would otherwise remain in or return to the surface water system.

The 3 applications to irrigate 480 acres would require an appropriation of as much as 2,400 acre-feet of ground water annually.

The additional withdrawal and consumption of underground water for irrigation would, therefore, conflict with existing rights and threaten to prove detrimental to the public welfare.

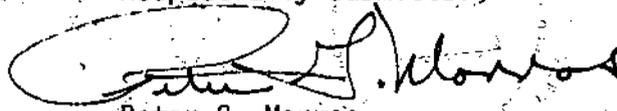
IV

The State Engineer is authorized and directed to designate preferred uses of water within designated ground water basins such as the Ivanpah Valley Ground Water Basin. 7/ The consumptive use of additional ground water to irrigate additional land or to more intensively or frequently irrigate other land is not considered to be a preferred use of the limited water resources of the Ivanpah Valley Ground Water Basin.

RULING

Applications 32803, 32804 and 32805 are denied on the grounds that the appropriation of underground water for irrigation would tend to impair the value of existing rights, would be detrimental to the public interest and welfare, and would not be a preferred use of the limited ground water resource in the Ivanpah Valley Ground Water Basin.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/JC/bc

Dated this 9th day of
AUGUST, 1982.

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 46, page 41.
4. Public records in the office of the State Engineer.
5. NRS 533.025 and NRS 533.030, subsection 1.
6. NRS 533.370, subsection 4.
7. NRS 534.120, subsection 2.