IN THE MATTER OF APPLICATIONS 37202)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN) RULING
COYOTE SPRING VALLEY, CLARK COUNTY,)
NEVADA.)

GENERAL

I.

Application 37202[1] was filed on March 26, 1979, by Milton S. Earl to appropriate 5.4 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the SE1/4 Section 11; W1/2 E1/2 Section 14, T.13S., R.63E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 11, T.13S., R.63E., M.D.B.&M.

II.

Ground-Water Resources - Reconnaissance Series Report 25 titled "Ground-Water Appraisal of the Coyote Spring and Kane Spring Valleys, and Muddy River Springs Area, Lincoln and Clark Counties, Nevada", was prepared cooperatively by the Geological Survey, U.S. Department of Interior and State of Nevada, Department of Conservation and Natural Resources.

Water Resources - Bulletin No. 33 titled "A Regional Interbasin Ground Water System in the White River Area, Southeastern Nevada", was prepared cooperatively by the Geological Survey, U.S. Department of Interior, and State of Nevada, Department of Conservation and Natural Resources.

FINDINGS

I.

Coyote Spring Valley ground water basin is part of a regional interbasin ground water system in the White River Area of Southeastern Nevada. The terminus of this system is the Muddy River Springs which are the headwaters of the Muddy River.[2] Irrigation utilizing the Muddy River extends from the vicinity of the springs to within about a mile of Lake Mead. Decreed rights of the Muddy River provide for an irrigation supply of 500 acres of land in upper Moapa Valley plus about 87 acres within the Indian Reservation. For the Lower Moapa Valley, the decree provides for irrigation of 2,670 acres in the summer and 4,541.56 acres in the winter season. Other uses include industrial and public water supply and wildlife management.[3]

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[1] Public record in the office of the State Engineer under Application 37202.

[2] Water Resources Bulletin No. 33.

[3] Ground Water Resources - Reconnaissance Series Report 25. Public records in the office of the State Engineer.

II.

The recharge from precipitation within Coyote Spring Valley contributes to the flow of Muddy River Springs. The contribution of the recharge from Coyote Spring and Kane Spring Valleys to the Muddy River Springs flow is estimated to be 2,000 acre-feet per year.[2]

III.

Natural discharge from the Muddy River Springs area is estimated to be on the order of 36,000 acre-feet a year. The estimated average annual recharge from precipitation in the immediate drainage area of the springs is negligible and indeed for the whole of Coyote Spring and Kane Spring Valleys and Muddy River Springs area is estimated to be only about 2,600 acre-feet. The source of most of the discharge of the Muddy River Springs is considered to be from valleys upgradient from the springs and hydrologically connected with them. These include the valleys along the White River channel and adjacent valleys that are ground water tributaries to them. Although not demonstrated as yet, allowance must be made for a possible contribution to the springs from the ground water system in carbonate rocks within the Meadow Valley drainage area.

As a substantial part of the natural discharge of the region is concentrated in the Muddy River Springs area, the discharge of the springs closely approximates the long-time perennial yield of the regional ground water system.[3]

Total existing underground rights within Coyote Spring Valley, Kane Spring Valley and the Muddy River Springs area presently exceed 2,500 acre-feet per year.[3]

IV.

The depth to the main body of ground water in the valley fill within Coyote Spring Valley is probably 300 feet or more, as indicated by an exploratory well and a stock well in the northern and southern parts of the valley.[3]

V.

Information available[1] to the State Engineer indicates that Application 37202 was filed in support of Desert Land Entry application.

VI.

The approval of Application 37202 would authorize the additional withdrawal of 15,600 acre-feet of ground water which would substantially exceed the estimated recharge of the ground water basin.

VII.

The present ground water levels within the basin exceed approximately 300 feet below the ground surface. A pumping lift of 300 feet is not an economical pumping lift for irrigation use.[4]

CONCLUSIONS

I.

The State Engineer has jurisdiction under the provisions of NRS Chapters 533 and 534.

II.

The State Engineer is prohibited by law[5] from granting a permit where:

A. there is no unappropriated water at the proposed source,

B. the proposed use conflicts with existing rights,

C. the proposed use threatens to prove detrimental to the public welfare.

III.

The granting of a permit under Application 37202 would result in the withdrawal of substantial amounts of ground water in excess of the recharge of the ground water basin system and would therefore adversely affect existing rights and be detrimental to the public interest and welfare. Also the approval of water rights for irrigation where pumping lifts are not economical, would not be in the public interest and welfare.

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[4] NRS 534.110.

[5] NRS 533.370.

RULING

Application 37202 is herewith denied on the grounds that the granting thereof would adversely affect existing rights and would be detrimental to the public interest and welfare.

Respectfully submitted,

Peter G. Morros
State Engineer

PGM/BD/bl

Dated this 8th day of

MAY, 1984.