IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 32646, 32647, 32648, 32649, 32650, 32651, 32652, 32653, 32654, 32655, 32656, 32657, 32658, 32659, 32660 AND 32661 FILED TO APPROPRIATE THE PUBLIC WATERS OF AN UNDERGROUND SOURCE IN CARSON DESERT (PACKARD VALLEY), PERSHING COUNTY, NEVADA.

RULING

GENERAL

Application 32646 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the W1/2 Section 14, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 14, T.26N., R.33E., M.D.B.&M.[1]

Application 32647 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 14, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 14, T.26N., R.33E., M.D.B.&M.[1]

Application 32648 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the W1/2 Section 36, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 36, T.26N., R.33E., M.D.B.&M.[1]

Application 32649 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 36, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 36, T.26N., R.33E., M.D.B.&M.[1]

Application 32650 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 2, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NE1/4 Section 2, T.26N., R.33E., M.D.B.&M.[1]

Application 32651 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the W1/2 Section 2, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NW1/4 Section 2, T.26N., R.33E., M.D.B.&M.[1]

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[1] Public record in the office of the State Engineer 32646, 32647, 32648, 32649, 32650, 32651, 32652, 32653, 32654, 32655, 32656, 32657, 32658, 32659, 32660 and 32661.

Application 32652 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 22, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NE1/4 Section 22, T.26N., R.33E., M.D.B.&M.[1]

Application 32653 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the W1/2 Section 22, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NW1/4 Section 22, T.26N., R.33E., M.D.B.&M.[1]

Application 32654 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the W1/2 Section 34, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 34, T.26N., R.33E., M.D.B.&M.[1]

Application 32655 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 34, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 34, T.26N., R.33E., M.D.B.&M.[1]

Application 32656 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 30, T.26N., R.34E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 30, T.26N., R.34E., M.D.B.&M.[1]

Application 32657 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the W1/2 Section 30, T.26N., R.33E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 30, T.26N., R.34E., M.D.B.&M.[1]

Application 32658 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 160 acres of land within the NW1/4 Section 4, T.25N., R.33E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NW1/4 Section 4, T.25N., R.33E., M.D.B.&M.[1]

Application 32659 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 4, T.25N., R.33E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NE1/4 Section 4, T.25N., R.33E., M.D.B.&M.[1]

Application 32660 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the E1/2 Section 2, T.25N., R.33E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NE1/4 Section 2, T.25N., R.33E., M.D.B.&M.[1]

Application 32661 was filed on July 1, 1977, by Kumpir and Assoc., Inc., to appropriate 7.0 c.f.s. of water from an underground source for irrigation purposes on 320 acres of land within the W1/2 Section 2, T.25N., R.33E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NW1/4 Section 2, T.25N., R.33E., M.D.B.&M.[1]

Water Resources - Reconnaissance Series Report 59, "Water-Resources 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, 1975. This report is available from the office of the State Engineer.

FINDINGS OF FACT

I.

The Packard Flat Ground Water Basin was designated by the State Engineer on July 6, 1978, as a basin in need of additional administration under the provisions of NRS Chapter 534.[2]

II.

The estimated potential recharge to the Packard Flat Ground Water Basin is 710 acre-feet per year.[3]

III.

Information on the applications indicate that they were filed to support Carey Act applications.[1]

IV.

Permitted and certificated water rights in Packard Flat amount to nearly 3000 acre-feet per year.

V.

The approval of Applications 32646, 32647, 32648, 32649, 32650, 32651, 32652, 32653, 32654, 32655, 32656, 32657, 32658, 32659, 32660 and 32661 would authorize the withdrawal of 19840 acre-feet per year which would exceed the potential recharge to the Packard Flat Ground Water Basin. "Perennial yield cannot exceed the natural recharge to an area and ultimately is limited to the maximum quantity of natural discharge that can be salvaged for beneficial use".[4]

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[2] State Engineer's Order No. 716, July 6, 1978, public record in the office of the State Engineer.

[3] Water Resources - Reconnaissance Series Report 59, p. 48.

[4] 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, June 1968, p. 41.

VI.

The perennial yield of a ground water basin is the maximum amount of water of usable chemical quality that can be withdrawn and consumed economically each year for an indefinite period of time. If the perennial yield is continually exceeded, adverse conditions will develop which include, but are not limited to:

a. water quality degradation

b. storage depletion

c. diminishing yield of wells

d. increased economic pumping lifts

e. land subsidence

f. possible reversal of ground water gradients which could result in significant changes in the recharge/discharge relationship.

These conditions have developed in several other ground water basins within the State of Nevada where storage depletion and declining water tables have been recorded and documented and provide substantial evidence of the adverse effect of these conditions.[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 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 welfare.[7]

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[5] See Appendix of References.

[6] NRS 533.025, NRS 533.030, subsection 1.

[7] NRS 533.370, subsection 3.

III.

The requests for withdrawal of ground water under the subject applications substantially exceed the potential recharge to the ground water basin.

IV.

The granting of the applications would result in depletion of ground water in storage and, therefore, would not be in the public interest and welfare.

RULING

Applications 32646, 32647, 32648, 32649, 32650, 32651, 32652, 32653, 32654, 32655, 32656, 32657, 32658, 32659, 32660 and 32661 are herewith denied on the grounds that their granting would adversely affect existing rights and would be detrimental to the public interest and welfare.

Respectfully submitted

Peter G. Morros
State Engineer

PGM/KN/bl

Dated this 11th day of

January, 1985.

APPENDIX OF REFERENCES

Land Subsidence in Las Vegas Valley, 1935-63, Information Series No. 5 U.S.G.S.

State of Nevada, Department of Highways, Report on Land Subsidence in Las Vegas Valley.

Evaluation of the Water Resources of Lemmon Valley with Emphasis on Effects of Ground-Water Development to 1971, J.R. Harrill, Water Resources Bulletin No. 42, United States Geological Survey and State of Nevada, State Engineer's Office, Division of Water Resources, Department of Conservation and Natural Resources, 1972.

Hydrologic Response to Irrigation Pumping in Diamond Valley, Eureka and Elko Counties, Nevada, 1950-65, J.R. Harrill, Water Resources Bulletin No. 35, United States Geological Survey and State of Nevada, State Engineer's Office, Division of Water Resources, Department of Conservation and Natural Resources, 1968.

Effects of Irrigation Development on the Water Supply Quinn River Valley area, Nevada and Oregon, 1950-1964, C.J. Huxel, Jr., Water Resource Bulletin No. 34, United States Geological Survey and State of Nevada, State Engineer's Office, Division of Water Resources, Department of Conservation and Natural Resources, 1966.

Hydrologic Response to Irrigation Pumping in Hualapai Flat, Washoe, Pershing and Humboldt Counties, Nevada, 1960-1967, J.R. Harrill, Water Resource Bulletin No. 37, United States Geological Survey and State of Nevada, State Engineer's Office, Division of Water Resources, Department of Conservation and Natural Resources, 1969.

The Effects of Pumping on the Hydrology of Kings River Valley, Humboldt County, Nevada, 1957-1964, G.T. Malmberg and G.F. Worts, Jr., Water Resource Bulletin No. 31, United States Geological Survey and State of Nevada, State Engineer's Office, Division of Water Resources, Department of Conservation and Natural Resources, 1966.

Effects of Ground-Water Development on the Water Regimen of Paradise Valley, Humboldt County, Nevada, 1948-1968, and Hydrologic Reconnaissance of the Tributary Areas, J.R. Harrill and D.O. Moore, Water Resource Bulletin No. 39, United States Geological Survey, 1970.

Ground-Water Storage Depletion in Pahrump Valley, Nevada-California, 1962-75, J.R. Harrill, Open File Report 81-635, United States Geological Survey, 1982, prepared in cooperation with Nevada Division of Water Resources.

Development of a Relation for Steady State Pumping Rate for Eagle Valley Ground-Water Basin, Nevada, F.E. Arteaga, T.J. Durbin, United States Geological Survey, 1978, prepared in cooperation with Nevada Division of Water Resources.

Basic Ground-Water Hydrology, Ralph C. Heath, U.S. Geological Survey Water Supply Paper 2220, 1983.

Methods of Determining Permeability, Transmissibility and Drawdown, U.S. Geological Survey Water Supply Paper 1536-1, R.H. Brown, J.G. Ferris, C.E. Jacob, D.B. Knowles, R.R. Meyer, H.E. Skibitzke and C.F. Theis, 1963.

Subsidence in Las Vegas Valley, John w. Bell, Nevada Bureau of Mines and Geology Bulletin 95.

Subsidence in United States due to Ground-Water Overdraft - A Review, J.F. Poland, Proceedings of the Irrigation and Drainage Division Specialty Conference, April 1973, American Society of Civil Engineers.