

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATIONS 50568)
AND 50569 FILED TO APPROPRIATE THE)
PUBLIC WATERS OF AN UNDERGROUND)
SOURCE IN TRACY SEGMENT, WASHOE,))
LYON AND STOREY COUNTIES, NEVADA.)

RULING

GENERAL

Application 50568 was filed on February 3, 1987, by McCarran Trusts to appropriate 0.43 c.f.s. of water from an underground source for irrigation and domestic purposes on 17.0 acres of land within the SE1/4 Section 36, T.20N., R.21E., M.D.B.&M., lying south of Interstate Highway 80 and the NE1/4 Section 1, T.19N., R.21E., M.D.B.&M., lying north of the Southern Pacific Railroad and south of Interstate Highway 80. The point of diversion is described as being within the SE1/4 SE1/4 Section 36, T.20N., R.21E., M.D.B.&M.¹

Application 50569 was filed on February 3, 1987, by McCarran Trusts to appropriate 2.6 c.f.s. of water from an underground source for irrigation and domestic purposes on 130.0 acres of land within the E1/2 Section 31, and the W1/2 of Section 32, T.20N., R.22E., M.D.B.&M., lying south of the Truckee River and north of the Southern Pacific Railroad right-of-way. The point of diversion is described as being within the NE1/4 SW1/4 Section 32, T.20N., R.22E., M.D.B.&M.¹

Water Resources Reconnaissance Series Report No. 57, 1973, "A Brief Water-Resources Appraisal of the Truckee River Basin, Western Nevada", by A. S. VanDenburgh, R. D. Lamke and J. L. Hughes, was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources, and the Geological Survey, U. S. Department of the Interior.¹

FINDINGS OF FACT

I.

The State Engineer designated and described Tracy Segment, pursuant to Order No. 705, on March 1, 1978.¹

II.

The estimated potential recharge of Tracy Segment Ground Water Basin is 5,000 acre-feet per year.²

¹ Public record in the office of the State Engineer.

² Water Resources Reconnaissance Series Report No. 57, public record in the office of the State Engineer.

III.

If the estimated natural recharge to the ground water basin is continually exceeded, ground water levels will decline until the ground water reservoir is depleted of water of usable quality or until the pumping lifts become uneconomical to maintain. Perennial yield cannot exceed the natural replenishment to an area indefinitely, and ultimately is limited to the maximum amount of natural discharge that can be salvaged for beneficial use.³

IV.

Withdrawals of ground water in excess of the estimated potential recharge contribute to adverse conditions such as water quality degradation, storage depletion, diminishing yield of wells, increased economic pumping lifts, land subsidence and 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.³

V.

Should Applications 50568 and 50569 be granted and subsequent development of ground water under these applications detrimentally affect prior ground water rights, the State Engineer is required by law to order withdrawals restricted to conform to priority rights.⁴

VI.

Past applications to appropriate water for irrigation purposes from an underground source in Tracy Segment have been denied.⁵ The State Engineer is authorized to deny applications prior to publication when a previous application for a similar use of water within the same based has been rejected.⁶

CONCLUSIONS

I.

The State Engineer⁷ has jurisdiction of the parties and the subject matter of this action and determination.

³ See attached Appendix of References.

⁴ NRS 534.110, subsections 3 and 6.

⁵ See Ruling No. 2431, public record in the office of the State Engineer.

⁶ NRS 533.370, subsection 3.

⁷ NRS 534.020.

II.

The State Engineer is prohibited by law from granting a permit under an application to appropriate the public waters where:⁸

- 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 interest.

III.

The existing water rights for Tracy Segment Ground Water Basin exceed the estimated potential recharge. To grant additional water rights for irrigation from this limited ground water resource would adversely affect 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 areas such as Tracy Segment Ground Water Basin. The use of additional ground water in Tracy Segment to irrigate additional lands is not a preferred use of this limited resource.⁹

V.

By an order dated March 1, 1978, the State Engineer designated and described Tracy Segment Ground Water Basin, Washoe, Lyon and Storey Counties, Nevada.¹

VI.

The State Engineer is authorized to deny applications prior to publication in ground water basins where previous applications have been denied or rejected for a similar use.⁶

⁸ NRS 533.370, subsection 3.

⁹ NRS 534.120, subsection 2. See Ruling No. 2431, public record in the office of the State Engineer.

RULING

Applications 50568 and 50569 are herewith denied on the grounds that the appropriation of underground water for irrigation purposes would tend to impair the value of existing rights and be otherwise detrimental to the public interest and welfare.

Respectfully submitted,



PETER G. MORROS
State Engineer

PGM/MM/bl

Dated this 4th day of

December, 1987.

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.

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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.

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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.

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Ground-Water Hydraulics, S.W. Lohman, U.S. Geological Survey Professional Paper 708, 1979.