

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 38693)
FILED BY ANDORNO RANCH, INC. FOR)
UNDERGROUND WATERS IN OROVADA)
SUBAREA, QUINN RIVER VALLEY,)
NEVADA.)

RULING

#3909

GENERAL

I.

Application 27482 was filed on May 23, 1973 by Andorno Ranch, Inc., to appropriate 7.7 cfs of the waters of an underground source to be diverted within the SE1/4 NE1/4 Section 3, T.41N., R.37E., M.D.B.&M., and to be used for irrigation of 450.5 acres located within portions of Section 3 and the NE1/4 NE1/4 of Section 4, T.41N., R.37E., M.D.B.&M.¹

Application 27482 was permitted on December 6, 1973 for 6.0 cfs for supplemental irrigation. The place of use was limited to 450.5 acres of land having existing water rights within the S1/2, NW1/4, W1/2 NE1/4 and SE1/4 NE1/4 Section 3, T.41N., R.37E., M.D.B.&M.¹

Application 30183 was filed on April 22, 1976 by Andorno Ranch, Inc., to change the point of diversion of Permit 27482 to the SW1/4 NE1/4, Section 3, T.41N., R.37E. The existing place of use was described as Section 3 and NE1/4 NE1/4 Section 4, T.41N., R.37E., M.D.B.&M. The diversion rate being changed was 6.0 cfs for supplemental irrigation purposes.¹

Application 30183 was permitted on August 18, 1976 for 6.0 cfs for supplemental irrigation. The place of use was again limited to 450.5 acres of land having existing water rights within the S1/2, NW1/4, W1/2 NE1/4 and SE1/4 NE1/4 Section 3, T.41N., R.37E., M.D.B.&M.¹

The Proof of Beneficial Use was submitted on Permit 30183 on February 7, 1980 for 3.38 cfs for supplemental irrigation of

¹ Public records in the office of the State Engineer under the respective application numbers.

476.91 acres in Section 3 and the NE1/4 NE1/4 Section 4, T.41N., R.37E., M.D.B.&M. The point of diversion is located in the SW1/4 NE1/4 portions of Section 3, T.41N., R.37E., M.D.B.&M.¹

Application 38693 was filed on July 26, 1979 by the Andorno Ranch, Inc., to change the place of use of Permit 30183 to portions of Section 3 except SE1/4 SE1/4 and portions of NE1/4 NE1/4 Section 4, all in T.41N., R.37E., M.D.B.&M., of 476.91 acres. The rate of diversion requested was 6.0 cfs for irrigation and the point of diversion is to be located within the SW1/4 NE1/4 Section 3, T.41N., R.37E., M.D.B.&M.¹

II.

The State Engineer designated Quinn River Valley as provided under NRS Chapter 534 by Order 285, dated April 28, 1965 as a basin in need of additional administration.

FINDINGS OF FACT

I.

The perennial yield for the Orovada Subarea is estimated to be 40,000 acre-feet annually.

II.

The perennial yield of a ground water reservoir may be defined as 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, 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.²

III.

Applications requesting appropriation of the underground water of Quinn River Valley, Orovada Subarea, for irrigation purposes have previously been denied.³

² Water Supply Paper 1832, Page 39, U.S. Geological Survey.

³ See Ruling No's. 818, 833, 908, 909, 910, 911, 913, 914, 915, 916, 917, 918, 919, 920, 921, 923, 924, 940, 955, 2055, 2110, 2127 and 2839.

IV.

The State Engineer has monitored wells in the Quinn River Valley since late 1947, and to date substantial declines of the static water levels in these wells have been observed.⁴ The decline within the Orovada Subarea between 1947 and spring high water levels in 1964 was somewhat more than 25 feet.² The static water level has dropped 18 feet for one well located on the Andorno Ranch between 1980 and 1991.⁵

V.

Existing water rights within the Quinn River Ground Water Basin exceed the estimated perennial yield of 40,000 acre-feet per year by 43,104 acre-feet per year.⁴

CONCLUSIONS

Application 27482 and 30183 were permitted as supplemental rights for use on land for which other water rights exists. Application 38693 requests that the place of use of Permit 30183 be changed to include acreage which has not other water rights. This change would result in a new appropriation since the water would no longer be used as a supplemental source, but as a sole source of supply.

II.

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

- A. There is no unappropriated water at the proposed source, or
- B. The proposed use or change conflicts with existing rights, or
- C. The proposed use or change threatens to prove detrimental to the public interest.⁶

⁴ Public records in the office of the State Engineer.

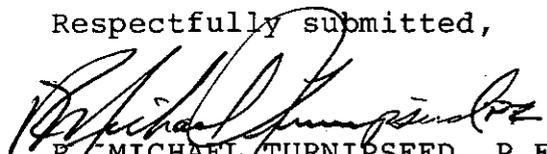
⁵ Water Resources Bulletin No. 34, public record in the office of the State Engineer.

⁶ NRS Chapter 533.370(3).

RULING

Application 38693 is hereby denied on the grounds that it is an application to appropriate the underground waters of Quinn River Valley, Orovada Subarea, for irrigation of new lands in a basin where previous applications have been rejected for irrigation and further on the grounds that it would tend to impair the value of existing rights and would be detrimental to the public interest and welfare.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/SB/pm

Dated this 13th day of
November, 1992.