

IN THE MATTER OF APPLICATIONS)
23169, 23170, 23171, 23172, 23173,)
AND 23174 FILED BY JAMES C. SWEGER)
AND DON S. YORK TO APPROPRIATE)
WATER FROM UNDERGROUND SOURCES IN)
WASHOE COUNTY, NEVADA.)

R U L I N G

GENERAL:

100 Applications 23169, 23170, 23171, 23172, 23173, and 23174 were filed on June 7, 1966, by James C. Sweger and Don S. York to appropriate water from underground sources in Cold Springs Valley. Each application is to appropriate 2.5 c.f.s. of water. Applications 23169, 23172 and 23173 are for recreational (golf course) and domestic use and Applications 23170, 23171, and 23174 are for quasi-municipal and domestic use. The points of diversion under Applications 23169, 23170, 23173 and 23174 are in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9, T.21N., R.18E., M.D.B.&M. The point of diversion under Applications 23171 and 23172 is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 9. It is proposed to drill three wells, each of which would have both a permit for quasi-municipal use and a permit for recreational (golf course) use. The place of use for all applications is within the E $\frac{1}{2}$ Sec. 23; W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 24; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26; T.21N., R.18E., M.D.B.&M. Approximately 150 acres will be used for the golf course and the remainder is to be subdivided into approximately 600 one-half acre single family tracts.

Applications 23169, 23170, 23171, and 23172 were protested on August 19, 1966, by H. B. Sprenger.

A field investigation of the above mentioned applications was held on January 6, 1967.

A hearing before the State Engineer was held on January 14, 1969, to obtain more evidence and information regarding the proposed appropriations.

Water Resources - Reconnaissance Series Report 43, prepared cooperatively by the Nevada Department of Conservation and Natural Resources and the U. S. Geological Survey, estimates that 500 acre-feet of water may be withdrawn from the underground reservoir in Cold Springs Valley on a perennial yield basis. At the present time there are no recorded underground water rights in Cold Springs Valley. Domestic wells are being used on the western and southern sides of the valley at least a mile from the proposed points of diversion under Applications 23169, 23170, 23171, 23172, 23173, and 23174.

It is the finding of the State Engineer that there is unappropriated underground water in Cold Springs Valley and that the granting of Applications 23169, 23170, 23171, 23172, 23173, and 23174 will not adversely affect existing water rights. It is further the finding of the State Engineer that the granting of these permits will not result in an unreasonable lowering of water levels in existing domestic wells in Cold Springs Valley.

RULING

The protests to Applications 23169, 23170, 23171 and 23172 are hereby overruled and permits will be issued for Applications 23169, 23170, 23171, 23172, 23173, and 23174 upon payment of statutory permit fees. Evidence that the applicants have applied to the Nevada Public Service Commission for a Certificate of Public Convenience and Necessity will be required before Applications 23170, 23171, and 23174 will be granted. All permits will be issued subject to existing rights. Permits 23169, 23172, and 23173 will be limited to 4 acre-feet per year per acre of golf course and further limited to 1 million gallons per day from all three sources combined. Permits 23170, 23171, and 23174 will be limited to 390,000 gallons per day from all three sources combined.

This ruling does not extend the applicants any right of ingress or egress on public or private lands.

Respectfully submitted,


ROLAND D. WESTERGARD
State Engineer

DATED THIS 29th DAY
OF April, 1969.