

IN THE MATTER OF APPLICATIONS)
25699, 25700, and 25701 FILED)
TO APPROPRIATE UNDERGROUND)
WATER IN THE MUDDY RIVER SPRINGS))
AREA, CLARK COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 25699 was filed on July 7, 1970 by Stowell E. Abbott to appropriate 2.5 c.f.s. of waters of an underground source to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14, T. 14 S., R. 65 E., M.D.B.&M., and to be used for the irrigation of 130 acres of land located within a portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T. 14 S., R. 65 E., M.D.B.&M.

Application 25700 was filed on July 7, 1970 by Stowell E. Abbott to appropriate 2.5 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14, T. 14 S., R. 65 E., to be used on the same lands as described under Application 25699.

Application 25701 was filed on July 7, 1970 by Stowell E. Abbott to appropriate 2.5 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14, T. 14 S., R. 65 E., M.D.B.&M., and to be used for the irrigation of the same lands as described under Applications 25699 and 25700.

Application 25699, 25700, and 25701 are for three wells to be used to irrigate the same 130 acres of land. The description of the point of diversion under Application 25699 is approximately 2,200 feet from the Muddy River Channel. The point of diversion described under Application 25700 is approximately 4,700 feet from the Muddy River Channel, and Application 25701 is approximately 5,300 feet from the Muddy River Channel.

These applications were protested on September 1, 1970 by Muddy Valley Irrigation Company on the grounds that there are no public waters available for appropriation in the area designated in the application; the pumping of underground water would adversely affect the flow of the Muddy River; and that the Muddy River is fully appropriated. These applications were also protested on October 6, 1970 by the Nevada Department of Fish and Game on the grounds that their granting might endanger the habitat of an endangered fish species known as the Moapa Dace.

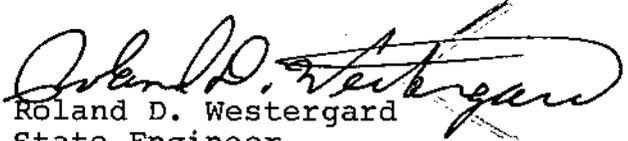
OPINION

It is our opinion that the granting of these applications in this area of the Muddy River Drainage area will not influence or diminish the flow of the Muddy River, nor affect the flows from the springs, the habitat of the Moapa Dace. The granting will also not impair the value of existing rights or be otherwise detrimental to the public welfare.

RULING

The protest to the granting of Applications 25699, 25700, and 25701 are hereby overruled and permits will be granted upon submission of the statutory permit fee, with the provision that water meters be installed so that accurate measurements of the water placed to beneficial use can be made.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:TJS:gs

Dated this 12th day
of April, 1972.