

IN THE MATTER OF APPLICATION)  
29115 FILED BY ABE FOX TO )  
APPROPRIATE WATER FROM AN )  
UNDERGROUND SOURCE IN )  
CLARK COUNTY, NEVADA )

R U L I N G

212

GENERAL:

Application 29115 was filed on December 31, 1974 by Abe Fox to appropriate 3.0 c.f.s. of water from an underground source for irrigation purposes. The proposed point of diversion is located within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 25, T.21S., R.62E., MDM. The proposed place of use is described as 120 acres within the N $\frac{1}{2}$  SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 25, T.21S., R.62E., MDM. The period of use is to be from January 1 and end December 31 of each year.

Application 29115 is located within the Las Vegas Artesian Basin designated by the State Engineer as a critical ground water area under the provisions of NRS 534.010 to 534.190.

Applications to appropriate water from an underground source for irrigation purposes have been denied within the Las Vegas Artesian Basin as existing approved appropriations exceed the estimated recharge to the ground water basin.

OPINION:

It is our opinion that the granting of Application 29115 for irrigation purposes in an area where approved appropriations exceed the estimated ground water recharge to the area would tend to impair the value of existing rights and be otherwise detrimental to the public welfare.

RULING:

Application 29115 is hereby denied on the grounds that the granting would tend to impair the existing water rights and be otherwise detrimental to the public welfare.

Respectfully submitted,



Roland D. Westergard  
State Engineer

RDW/WJN/bs

Dated this 20th

day of May, 1975.