

IN THE MATTER OF APPLICATION 32335)
FILED TO APPROPRIATE THE WATERS OF)
AN UNDERGROUND SOURCE IN PLEASANT)
VALLEY, WASHOE COUNTY, NEVADA.)

R U L I N G

88

GENERAL:

Application 32335 was filed on June 27, 1977 by Ronald L. and Tina M. Nesler to appropriate water from an underground source for irrigation and domestic purposes in Pleasant Valley, Washoe County, Nevada.

In 1973, Water Resources Reconnaissance Series Report 57 "A Brief Water Resources Appraisal of the Truckee River Basin, Western Nevada" by A. S. Vandenberg, R. D. Lamke and J. L. Hughes was cooperatively prepared by the Nevada Department of Conservation and Natural Resources, Division of Water Resources, and U. S. Department of the Interior, Geological Survey. This report is on file in the office of the State Engineer.

FINDINGS OF FACT

Application 32335 was filed for permission to appropriate 1.5 c.f.s. of water from an underground source located within the SW1/4 SE1/4 Section 3, T.17N., R.19E., M.D.B.&M. The water was proposed to be used for irrigation and domestic purposes on 5 acres located within the SW1/4, SE1/4 Section 3, T.17N., R.19E., M.D.B.&M. 1/

The proposed point of diversion under Application 32335 is located within the Pleasant Valley Ground Water Basin as designated and described by Order of the State Engineer on March 1, 1978. 2/

III

The proposed point of diversion under Application 32335 is in the proximity of the following ground water permits: 26654, 29799, 29801 and 30382. 3/ In addition the proposed point of diversion is in close proximity to Galena Creek and numerous domestic wells in the area.

IV

Should Application 32235 be granted and should subsequent development of ground water pursuant thereto detrimentally affect prior existing water rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights. 4/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 5/

II

The State Engineer is prohibited by law from granting a permit where:

- 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 welfare. 6/

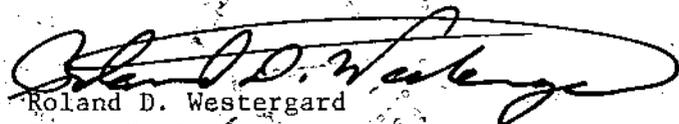
III

The granting of a permit under Application 32335 for the amount of water and the use applied for in this concentrated area and in the proximity of existing rights would tend to impair the value of those existing rights and threaten to prove detrimental to the public welfare.

RULING

Application 32335 is herewith denied on the grounds that the appropriation of underground water for irrigation in the concentrated area described would tend to impair the value of existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/bl

Dated this 10th day
of JULY, 1978.

FOOTNOTES

1. Public Records within the Office of the State Engineer.
2. Public Records within the Office of the State Engineer.
3. Public Records within the Office of the State Engineer.
4. NRS 534.110, subsections 3 and 6.
5. NRS 533.025 and 533.030, subsection 1.
6. NRS 533.370, subsection 4.