

IN THE MATTER OF APPLICATION 35074)
FILED TO APPROPRIATE THE WATERS OF)
AN UNDERGROUND SOURCE IN PLEASANT)
VALLEY, WASHOE COUNTY, NEVADA. . . .)

R U L I N G

48

INTRODUCTION

Application 35074 was filed on March 8, 1978 to appropriate the waters of an underground source in Pleasant Valley, Washoe County, Nevada, for quasi-municipal purposes.

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 prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources and the U. S. Department of the Interior, Geological Survey. This report is available from the office of the State Engineer.

FINDINGS OF FACT

I

Application 35074 was filed on March 8, 1978 by Morrison and Dale Realty, Inc., Vari-Build, Inc., Nikkory, Inc., a partnership, tenants in common. The application proposes to divert 0.50 c.f.s. of water from a well located within the SW1/4 SW1/4 Section 7, T.17N., R.20E., M.D.B.&M. The water is to be used for quasi-municipal purposes for a 90 unit residential subdivision located within a portion of the SW1/4 of said Section 7. 1/

II

A protest to the granting of Application 35074 was filed on May 10, 1978 by Marilyn King Lewis. The grounds of the protest are as follows:

"Twenty new houses have just been built and sold in my immediate vicinity. To date no one has any idea what effect that will have on our already drought-depleted water supply. To approve any more building, particularly to approve hundreds of units, appears to me to be irresponsible. It should be established before approval what our area can handle, particularly under the worst conditions. To do otherwise is inviting an expensive ghost town."

The protestant prays that the application be denied. 2/

III

The proposed point of diversion under Application 35074 is within the designated area of the Pleasant Valley Ground Water Basin as designated in the State Engineer's Order #709 dated March 1, 1978. 3/

IV

A public hearing in the matter of Application 35074 was held before the State Engineer on Tuesday, July 18, 1978. Considerable testimony and evidence concerning the proposed appropriation was submitted at that hearing. 4/

V

The applicants submitted a report entitled "Water Supply Availability, Sunrise Estates, Pleasant Valley, Nevada" by William E. Nork, Inc. The report provides hydrologic and geologic data for the area proposed to be served under Application 35074. It also summarizes results of pump tests performed on the well under Application 35074. 5/

VI

In Testimony from the applicant and their agents, it was stated that the water requirements for the proposed subdivision would amount to a total of 145 acre-feet per year. 6/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 7/

II

The State Engineer shall approve all applications made in proper form where all fees, as provided in this chapter, have been paid which contemplate the application of water to beneficial use, and where the proposed use or change does not tend to impair the value of existing rights, or be otherwise detrimental to the public welfare. 8/

III

From information submitted at the hearing and additional information available in the office of the State Engineer, it has been determined that the diversion of the amount of water applied for under Application 35074 in the location stated under the application, would not tend to impair the value of existing rights or be otherwise detrimental to the public welfare.

RULING

The protest to the granting of Application 35074 is herewith overruled and a permit will be issued upon receipt of the permit fees subject to the following conditions:

A. The total annual duty of water under this permit shall be limited to 145 acre-feet.

B. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements of water placed to beneficial use must be kept. Copies of these measurements shall be submitted to the state engineer in January of each year.

C. Individual water meters shall be installed in the service line to each residence.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/bl

Dated this 26th day
of JULY, 1978.

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STATE ENGINEER
NEW YORK

FOOTNOTES

1. Public records in the office of the State Engineer.
2. Public records in the office of the State Engineer.
3. Public records in the office of the State Engineer.
4. Reporters Transcript of Proceedings in the Matter of Applications 35074, 35279 and 35280, July 18, 1978.
5. Water Supply Availability, Sunrise Estates, Pleasant Valley, Nevada by William E. Nork, Inc. and Reporters Transcript of Public Hearing referred to in footnote 4.
6. Nork Report and Transcript of Hearing.
7. NRS 533.025 and 533.030, subsection 1.
8. NRS 533.370, subsection 1.