

IN THE MATTER OF APPLICATIONS 31815,)
31816, 31817, 31818, 31819, 31820,)
31821 AND 31822 TO APPROPRIATE WATER)
FROM AN UNDERGROUND SOURCE IN BEDELL)
FLAT, WASHOE COUNTY, NEVADA)

R U L I N G

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INTRODUCTION

Applications 31815, 31816, 31817, 31818, 31819, 31820, 31821, and 31822 were filed to appropriate underground water in Bedell Flat.

In 1967, Water Resources - Reconnaissance Series Report 43, "Water - Resources Appraisal of the Warm Springs - Lemmon Valley Area, Washoe County, Nevada" by F. Eugene Rush and Patrick A. Glancy was prepared cooperatively by the Nevada Department of Conservation and Natural Resources and the Geological Survey, U. S. Department of the Interior. A copy of this report may be viewed in the Office of the State Engineer.

FINDINGS OF FACT

I

Application 31815 was filed on May 24, 1977 by Mary P. Thompson to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE 1/4 SE 1/4 Section 10, T.23N., R.19E., M.D.B. & M., and is to be used on 160 acres within the SE 1/4, Section 10, T.23N., R.19E., M.D.B. & M.

Application 31816 was filed on May 24, 1977 by Jeffrey L. Thompson to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE 1/4, SW 1/4, Section 10, T.23N., R.19E., M.D.B. & M., and is to be used on 160 acres within the SW 1/4, Section 10, T.23N., R.19E., M.D.B. & M.

Application 31817 was filed on May 24, 1977 by Panzie L. Glenn to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE 1/4, SE 1/4, Section 9, T.23N., R.19E., M.D.B. & M., and is to be used on 160 acres within the SE 1/4, Section 9, T.23N., R.19E., M.D.B. & M.

Application 31818 was filed on May 24, 1977 by Jimmy M. Glenn to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE 1/4, NE 1/4, Section 9, T.23N., R.19E., M.D.B. & M., and is to be used on 160 acres within the NE 1/4, Section 9, T.23N., R.19E., M.D.B. & M.

Application 31819 was filed on May 24, 1977 by Mary Miller to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE 1/4, NW 1/4

Section 9, T.23N., R.19E., M.D.B. & M., and is to be used on 160 acres within the NW $\frac{1}{4}$, Section 9, T.23N., R.19E., M.D.B. & M.

Application 31820 was filed on May 24, 1977 by Virgil J. Childers to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 5, T.23N., R.19E., M.D.B. & M., and is to be used on 160 acres within the SE $\frac{1}{4}$, Section 5, T.23N., R.19E., M.D.B. & M.

Application 31821 was filed on May 24, 1977 by Sandra Minnich to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 5, T.23N., R.19E., M.D.B. & M., and is to be used on 140 acres within the S $\frac{1}{2}$, NW $\frac{1}{4}$, Section 5, T.23N., R.19E., M.D.B. & M.

Application 31822 was filed on May 24, 1977 by William T. Minnich, Jr., to appropriate 2.7 c.f.s., of underground water for irrigation and domestic purposes. The point of diversion is within the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 31, T.24N., R.19E., M.D.B. & M., and is to be used on 160 acres within the SE $\frac{1}{4}$, Section 31, T.24N., R.19E., M.D.B. & M. 1/

II

Bedell Flat was designated on August 3, 1978 by the State Engineer as a groundwater basin coming under the provisions of Chapter 534 N.R.S.

III

The perennial yield from the Bedell Flat groundwater reservoir is estimated by the U. S. Geological Survey to be 300. acre-feet of water per year. 2/

IV

Permits have been issued in Bedell Flat which could be developed to divert up to 3621.19 acre-feet of underground water per year. 3/

CONCLUSIONS

1. The State Engineer has jurisdiction of the parties and the subject matter of this action. 4/

2. 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. 5/

3. Existing water rights for groundwater in Bedell Flat exceed

the estimated perennial yield for the Bedell Flat groundwater reservoir.

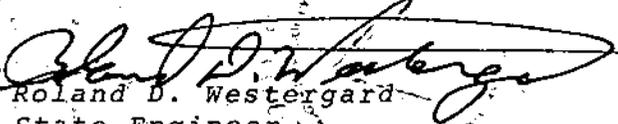
To grant additional water rights under the subject applications would conflict with existing rights and threaten to prove detrimental to the public welfare.

4. The State Engineer is authorized and directed to designate preferred uses of water within designated groundwater areas such as Bedell Flat. 6/ The consumptive use of groundwater to irrigate is not considered to be a preferred use of the limited water resources of the Bedell Flat groundwater reservoir.

RULING

Applications 31815, 31816, 31817, 31818, 31819, 31820, 31821, and 31822 are denied on the grounds that the granting of water rights for additional groundwater development from the designated Bedell Flat basin would conflict with existing rights and threaten to prove detrimental to the public welfare in this area where appropriations exceed estimates of perennial yield.

Respectfully submitted,


Roland D. Westergard
State Engineer

Dated this 9th day

of AUGUST, 1978.

RDW:TN/jv

FOOTNOTES

1. *Public Records located within the Office of the State Engineer.*
2. *Water Resources - Reconnaissance Series Report No. 43, p. 49.*
3. *Public Records located within the Office of the State Engineer.*
4. *NRS 533.025 and 533.030, Subsection 1.*
5. *NRS 533.370, Subsection 4.*
6. *NRS 534.120, Subsection 2.*