

IN THE MATTER OF APPLICATION 31824)
TO APPROPRIATE WATER FROM AN UNDER-))
GROUND SOURCE IN TRUCKEE MEADOWS,))
WASHOE COUNTY, NEVADA))

R U L I N G

INTRODUCTION

Application 31824 was filed in the Office of the State Engineer to appropriate water from an underground source for quasi-municipal and domestic purposes in Truckee Meadows, 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. Van Denburgh, 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

Application 31824 was filed on May 24, 1977 by Booth Street Investors to appropriate 1.0 c.f.s. of the waters of an underground source to be diverted within NW 1/4 NW 1/4 Section 14, T.19N., R.19E., M.D.B. & M., and to be used for quasi-municipal purposes for 112 single family apartments, recreation building, swimming pool and landscaping.

Application 31824 was filed to appropriate water from an underground source in the Truckee Meadows Ground Water Basin, Washoe County, Nevada. 2/

III

By an order dated March 1, 1978, the State Engineer designated and described the Truckee Meadows Ground Water Basin as a ground water basin coming under the provisions of NRS 534. 3/

IV

It is estimated that the potential annual recharge to the ground water basin from precipitation is 27,000 acre-feet. The estimated annual sub-surface inflow of ground water is less than 500 acre-feet. 4/ The safe perennial yield of the Truckee Meadows Ground Water Basin is considerably less than 27,000 acre-feet and has been estimated to be in the order of 12,000 acre-feet. Any consumptive withdrawal in excess of the natural recharge will either deplete the ground water reservoir or cause additional surface water to percolate into the ground water reservoir. Withdrawals in excess of the safe perennial yield will adversely

affect the resource and existing rights.

V

Existing certificated and permitted ground water rights in the Truckee Meadows Ground Water Basin for municipal, wild-life, commercial, irrigation and other purposes now exceed estimates of safe perennial yield and natural recharge. 5/

VI

Hearings in the matter of pending applications to divert water from the Truckee Meadows Ground Water Basin were held by the State Engineer:

- A. On May 24, 1978 for irrigation and stock watering purposes.
- B. On August 17, 1978 for quasi-municipal, commercial, recreation and geothermal purposes. 6/

VII

Should Application 31824 be granted and should subsequent development affect prior ground water rights or surface water rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights. 7/

VIII

The State Engineer may deny applications to appropriate ground water for any purpose in areas served by an entity such as a water district or a municipality presently engaged in furnishing water. 8/

IX

The Sierra Pacific Power Company is presently engaged in furnishing water to the property under Application 31824. 9/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 10/

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. 11/

III

Existing water rights for ground water in the Truckee Meadows Ground Water Basin exceed the annual recharge from precipitation and underflow. To grant rights that consume additional water in this designated basin for purposes described in Application 31824, and on property served by Sierra Pacific Power Company water, would adversely affect existing rights and threaten to prove detrimental to the public welfare.

RULING

Application 31824 is herewith denied on the grounds that the appropriation of additional water for the purposes described in the designated area would tend to impair the value of existing rights and prove detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/VRH/jv

Dated this 5th day

of September, 1978.

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. Water Resources - Reconnaissance Series, Report 57, pp. 38, 44, 55.
5. Public records in the office of the State Engineer.
6. Public records in the office of the State Engineer. Transcripts of the Hearings on the Matter of Pending Applications to Appropriate Water in Truckee Meadows Ground Water Basin, May 24, 1978, and August 17, 1978.
7. NRS 534.110, subsections 3 and 6.
8. NRS 534.120, subsection 3.
9. Public records in the office of the State Engineer.
10. NRS 533.025 and NRS 533.030, subsection 1.
11. NRS 533.370, subsection 4.