

IN THE MATTER OF APPLICATION 36692 TO APPRO- )  
PRIATE WATER FROM AN UNDERGROUND SOURCE IN )  
DAYTON VALLEY, LYON COUNTY, NEVADA. )

R U L I N G

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INTRODUCTION

Application 36692 was filed to appropriate water from an underground source in the Stagecoach Subarea Ground Water Basin.

FINDINGS OF FACT

Application 36692 was filed by Donald L. and Patricia F. Reinhardt on February 9, 1979, to appropriate 1.0 c.f.s. of underground water for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 10, T.17N., R.23E., M.D.B. & M., and the place of use is five acres within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 10, T.17N., R.23E., M.D.B. & M. 1/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 2/

II

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

1. there is no unappropriated water at the proposed source, or
2. the proposed use or change conflicts with existing rights, or
3. the proposed use or change threatens to prove detrimental to the public interest. 3/

III

By Order No. 487, dated January 22, 1973, the State Engineer designated and described the Dayton Valley Ground Water Basin under the provisions of NRS 534.

IV

The granting of additional rights for irrigation purposes in this area where appropriations exceed the estimate of perennial yield would impair the value of existing rights and be detrimental to the public interest. 4/

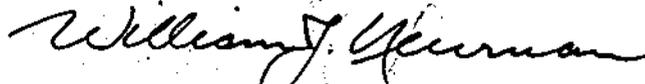
V

The State Engineer is authorized and directed to designate preferred uses of water within the respective area so designated by him. 5/ The consumptive use of water for irrigation of additional land is not considered to be a preferred use of the limited and overappropriated ground water resources of the Stagecoach Subarea Ground Water Basin.

RULING

Application 36692 is denied on the grounds that the granting of additional water rights in a ground water basin in which existing rights exceed the estimates of perennial yield would impair the value of existing rights and be detrimental to the public interest.

Respectfully submitted,



William J. Newman  
State Engineer

WJN/RWP/ja

Dated this 2nd day

of MAY, 1980.

FOOTNOTES

1. Public records in the office of the State Engineer.
2. NRS 533.025 and 533.030, subsection 1.
3. NRS 533.370, subsection 4.
4. Water Resources Reconnaissance Series Report 59, Water Resources Appraisal of the Carson River Basin, Western Nevada, by Patrick A. Glancy and T. L. Katzer, 1975, 126 pp.
5. NRS 534.120, subsection 2.