

IN THE MATTER OF APPLICATION 46231 FILED)
TO APPROPRIATE THE WATER OF AN UNDERGROUND) R U L I N G
SOURCE FROM THE SPANISH SPRINGS VALLEY)
GROUND WATER BASIN, WASHOE COUNTY, NEVADA)

INTRODUCTION

Application 46231 was filed in the office of the State Engineer on October 18, 1982, to appropriate water from an underground source for quasi-municipal and domestic purposes in Spanish Springs Valley, Washoe County, Nevada.

Water Resources Reconnaissance Series Report 43 "Water Resources Appraisal of the Warm Springs - Lemmon Valley area, Washoe County, Nevada", 1967, by F. Eugene Rush and Patrick A. Glancy; Water Resources Reconnaissance Series Report 57 "A Brief Water Resources Appraisal of the Truckee River Basin, Western Nevada", 1973, by A. S. Vandenberg, R. D. Lamke, and J. L. Hughes, were prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources and the U. S. Department of Conservation and Natural Resources, Division of Water Resources and the U. S. Department of the Interior, Geological Survey. These reports are available in the office of the State Engineer.

FINDINGS OF FACT

I

Application 46231 was filed on October 18, 1982, for permission to appropriate 3.342 c.f.s. of water from a point of diversion described as being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 34, T21N, R20E, MDB&M. The water was to be used for domestic supply of 1,500 acre-feet per annum located within Sections 11, 14, 23, 26, 27, 34, and 35, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$ Section 13; E $\frac{1}{2}$ Section 22; SE $\frac{1}{4}$ and E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 15; all in T21N, R20E, MDB&M, and the NW $\frac{1}{4}$ and portions of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 3; E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 4 all in T20N, R20E, MDB&M. 1/

II

The estimated annual recharge to the Spanish Springs Valley Ground Water Basin is approximately 600 acre-feet per year. 2/

III

Existing water rights of record from an underground source in the Spanish Springs Valley Ground Water Basin total 8,477 acre-feet annually of which 2,358.194 acre-feet are certificated and 4,058.05 acre-feet are permitted rights. 3/

IV

The proposed point of diversion under Application 46231 is within the area of the Spanish Springs Valley Ground Water Basin as designated by the State Engineer under the provisions of NRS 534.030. 4/

V

The proposed point of diversion under Application 46231 is located in the vicinity of the Orr Ditch (extended) serving irrigation and stockwater to a portion of Spanish Springs Valley from the Truckee River under the Orr Ditch Decree. 5/

VI

Should additional water be allowed for appropriation under Application 46231 and should subsequent development of ground water pursuant thereto detrimentally affect prior existing ground water and surface water rights, the State Engineer is required by law to order withdrawals restricted to conform to priority rights. 6/

VII

The following applications requesting appropriation of the under-ground water of Spanish Springs Valley for quasi-municipal purposes have been denied previous to Application 46231: 25213, 30985, 31220, 31221, 31322, 31853, 32443, 32555. 7/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 8/

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. 9/

RULING

Application 46231 is herewith denied on the grounds that the appropriation of the water applied for would tend to impair the value of existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,



Peter G. Morros
State Engineer

PGM/GMT/ja
Dated this 31st day

of JANUARY, 1983.

FOOTNOTES

1. Public records in the office of the State Engineer.
2. Water Resources Reconnaissance Series Report No. 43, page 23.
3. Public records in the office of the State Engineer.
4. State Engineer's Order No. 533 dated March 10, 1975.
5. U.S. District Court for the district of Nevada entitled U.S. vs Orr Water Ditch Company, et al, Equity Docket A-3.
6. NRS 534.110, subsections 3 and 6.
7. Public records in the office of the State Engineer indexed under Ruling Nos. 2250, 2281, 2282, 2284, 2348, 2381.
8. NRS 533.025 and 533.030, subsection 1.
9. NRS 533.370, subsection 3.