

IN THE MATTER OF APPLICATIONS)
47951, 47952 AND 47984 FILED TO)
APPROPRIATE THE PUBLIC WATERS OF AN)
UNDERGROUND SOURCE IN PLEASANT)
VALLEY, WASHOE COUNTY, NEVADA.)

RULING

GENERAL

I.

Application 47951 was filed on April 6, 1984, by Harry Michael Callahan to appropriate 0.2 c.f.s. of water from an underground source for quasi-municipal purposes to serve 32 houses. The proposed point of diversion is described as being within the NE1/4 NE1/4 Section 3, T.17N., R.19E., M.D.B.&M. The proposed place of use is described as being within the NE1/4 NE1/4 and SE1/4 NE1/4 Section 3, T.17N., R.19E., M.D.B.&M.¹

Application 45952 was filed on April 6, 1984, by Harry Michael Callahan to appropriate 0.2 c.f.s. of water from an underground source for irrigation purposes on 40 acres of land within the NE1/4 NE1/4 and SE1/4 NE1/4 Section 3, T.17N., R.19E., M.D.B.&M. The point of diversion is described as being within the NE1/4 NE1/4 Section 3, T.17N., R.19E., M.D.B.&M.¹

Application 47984 was filed on April 13, 1984, by Elizabeth M. Raffetto to appropriate 1.0 c.f.s. of water from an underground source for quasi-municipal purposes to serve 500 single family units. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 19, T.17N., R.20E., M.D.B.&M. The proposed place of use is described as being Section 19, T.17N., R.20E., M.D.B.&M.¹

II.

Water Resources Report No. 57 published in 1973 titled "A Brief Water Resources Appraisal of the Truckee River Basin, Western Nevada", was prepared cooperatively by the Geological Survey, U.S. Department of Interior and State of Nevada, Department of Conservation and Natural Resources.

Open-File Report 84-443 published in 1984 titled "Water Resources Appraisal of the Galena Creek Basin, Washoe County, Nevada", was prepared cooperatively by the Geological Survey, U.S. Department of Interior and State of Nevada, Department of Conservation and Natural Resources.

¹ public record on file in the office of the Nevada State Engineer under Applications 47951, 47952 and 47984.

Open-File Report 84-465 published in 1984 titled "Hydrology of Washoe Valley, Washoe County, Nevada", was prepared cooperatively by the Geological Survey, U.S. Department of Interior and State of Nevada, Department of Conservation and Natural Resources.

FINDINGS OF FACT

I.

The proposed points of diversion for Applications 47951, 47952 and 47984 are within the Pleasant Valley Ground Water Basin which was designated on March 1, 1978, by the State Engineer as a Ground Water Basin coming under the provisions of Chapter 534^{1, 2}

II.

Applications to appropriate water for irrigation and quasi-municipal purposes have been previously denied in the Pleasant Valley Ground Water Basin³

CONCLUSIONS

I.

The State Engineer has jurisdiction under the provisions of NRS Chapters 533 and 534.

II.

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

- A. there is no unappropriated water at the proposed source;
- B. the proposed use conflicts with existing rights;
- C. the proposed use threatens to prove detrimental to the public welfare.⁴

² State Engineer's Order No. 709, public record in the office of the State Engineer.

³ See Transcript of the public hearing of May 21 through 23, 1984, on file in the office of the State Engineer. See also public records on file in the State Engineer's office.

⁴ NRS 533.370.

III.

The State Engineer is authorized to deny applications prior to publication when a previous application for a similar use of water within the same basin has been rejected.⁵

IV.

The granting of permits under Applications 47951, 47952 and 47984 would result in the withdrawal of additional ground water in a basin which has been determined to be fully appropriated.⁴

RULING

Applications 47951, 47952 and 47984 are herewith denied on the following grounds:

1. There is no unappropriated water in the source;
2. the granting of additional appropriations would affect exiting rights; and
3. The granting of additional appropriations would be detrimental to the public interest and welfare.

Respectfully submitted



Peter G. Morros
State Engineer

PGM/CT/bl

Dated this 13th day of
AUGUST, 1984.

⁵ NRS 533.370.