

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 36212 )  
FILED TO APPROPRIATE THE PUBLIC )  
WATERS OF AN UNDERGROUND SOURCE IN )  
THE LAS VEGAS ARTESIAN BASIN, CLARK )  
COUNTY, NEVADA. )

RULING

GENERAL

Application 36212 was filed on November 29, 1978, by Ray G. and Joan R. Buckwalter to appropriate 0.2 c.f.s. of water from an underground source for quasi-municipal and domestic purposes to serve 4 residences on one-half acre lots within the NE1/4 NE1/4 Section 31, T.21S., R.62E., M.D.B.&M. The point of diversion is described as being within the NE1/4 NE1/4 Section 31, T.21S., R.62E., M.D.B.&M.<sup>1</sup>

FINDINGS OF FACT

I.

Application 36212 is located within the area of the Las Vegas Artesian Basin designated by the State Engineer under the provisions of NRS Chapter 534.<sup>2</sup>

II.

Application 36212 was protested on April 9, 1979, by the Las Vegas Valley Water District (LVVWD). The protest prayed that Application 36212 be denied on the grounds that "(T)he Las Vegas Valley Water District can supply the proposed place of use with water of adequate supply and at proper pressure".<sup>1</sup>

III.

Maps on file in the office of the State Engineer show a six-inch water line is within approximately 100 feet of the proposed place of use of Application 36212.<sup>3</sup>

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<sup>1</sup> Public record in the office of the State Engineer under Application 36212.

<sup>2</sup> See State Engineer's Orders Nos. 175, 182, 189, 249, 275 and 833, public record in the office of the State Engineer.

<sup>3</sup> Public record in the office of the State Engineer under water line maps in the Las Vegas Artesian Basin.

CONCLUSIONS

I.

NRS 534.120, subsection 3, provides that in a designated basin, the State Engineer may:

- a) Issue temporary permits to appropriate ground water which can be limited as to time and which may be revoked if and when water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.
- b) Deny applications to appropriate ground water for any purpose in areas served by such an entity.
- c) Limit depth of domestic wells.
- d) Prohibit the drilling of wells for domestic use, as defined in NRS 534.010 and NRS 534.180, in areas where water can be furnished by an entity such as a water district or a municipality presently engaged in furnishing water to the inhabitants thereof.

RULING

The protest to Application 36212 is upheld and Application 36212 is hereby denied on the grounds that the place of use has water service furnished by the Las Vegas Valley Water District.

Respectfully submitted



Peter G. Morros  
State Engineer

PGM/HR/bl

Dated this 15th day of  
November, 1984.