

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 42839)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNNAMED SPRING IN)
TRUCKEE MEADOWS, WASHOE COUNTY,)
NEVADA.)

RULING

GENERAL

Application 42839 was filed on November 19, 1980, by Bella Vista Ranch, Inc., to appropriate 3.0 c.f.s. of water from an Unnamed Spring for quasi-municipal purposes within portions of Sections 3, 4 and 10, T.18N., R.20E.; and portions of Sections 28, 33 and 34, T.19N., R.20E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NW1/4 Section 33, T.19N., R.20E., M.D.B.&M.¹

This application was filed to be used in conjunction with Applications 42343, 42344, 42345, 42346, 42347, 42348, 42349 and 42619 from underground sources.¹

FINDINGS OF FACT

I.

Applications 42343, 42344, 42345, 42346, 42347, 42348, 42349 and 42619, which were to be used in conjunction with this application, were denied by the State Engineer by Ruling No. 2760 dated May 13, 1982.¹

II.

This spring is one of several springs that are the source of water for Truckee River Decree Claim No. 483.²

III.

A field investigation of January 24, 1985, disclosed and confirmed that the source is tributary to the Truckee River.³

¹ Public record in the office of the State Engineer.

² United States of America v. Orr Water Ditch Co. et al., Claim No. 483, page 51.

³ Report of field investigation is a public record in the office of the State Engineer filed under Application 42839.

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.⁴

II.

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

- A. there is no unappropriated water in 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.⁵

RULING

Application 42839 is hereby denied on the grounds that approval would interfere with and impair those existing rights set forth in the Truckee River Decree.

Respectfully submitted



Peter G. Morros
State Engineer

PGM/MT/bl

Dated this 20th day of
February, 1985.

⁴ NRS 533.025 and NRS 533.030(1).

⁵ NRS 533.370(3).