

IN THE OFFICE OF THE STATE ENGINEER

IN THE MATTER OF APPLICATION 48522)
FILED TO APPROPRIATE THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN)
TRUCKEE MEADOWS, WASHOE COUNTY,))
NEVADA.)

RULING

GENERAL

I.

Application 48522 was filed on October 24, 1984, by W. B. McDonald to appropriate 0.01382 c.f.s. of water from an underground source for commercial purposes within the NE1/4 SW1/4 Section 31, T.19N., R.20E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SW1/4 Section 31, T.19N., R.20E., M.D.B.&M. ¹

The estimated consumptive use under Application 48522 is 6.16 acre-feet annually. ¹

II.

In 1973, Water Resources Reconnaissance Series Report 57, "A Brief Water Resources Appraisal of the Truckee River Basin, Western Nevada", by A. S. Van Denburgh, R. D. Lamke and J. L. Hughes, was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources, and the U.S. Department of the Interior, Geological Survey. This report is available from the office of the State Engineer.

Nevada Bureau of Mines and Geology Report 25 (1975) titled "Evaluation of Geothermal Activity in the Truckee Meadows, Washoe County, Nevada". This report is available in the office of the State Engineer.

Water-Supply Paper 1779-S titled "Evaluation of Hydrogeology and Hydrogeochemistry of Truckee Meadows Area, Washoe County, Nevada", by Philip Cohen and Omar J. Loeltz, was prepared cooperatively by the U.S. Geological Survey and the Nevada Department of Conservation and Natural Resources. This report is available in the office of the State Engineer.

III.

Hearings in the matter of pending applications to divert water from the Truckee Meadows Ground Water Basin were held by the State Engineer on May 24, 1978, and on August 17, 1978. ²

¹ Public record in the office of the State Engineer.

² See transcripts of hearings dated May 24, 1978, and August 17, 1978, public record in the office of the State Engineer.

FINDINGS OF FACT

I.

Application 48522 was filed to appropriate water from an underground source from the Truckee Meadows Ground Water Basin, Washoe County, Nevada.¹

II.

By an order dated March 1, 1978, the State Engineer designated and described the Truckee Meadows Ground Water Basin as a ground water basin coming under the provisions of NRS Chapter 534.³

III.

It is estimated that the potential annual recharge to the ground water basin from precipitation is 27,000 acre-feet. The estimated annual sub-surface inflow of ground water is less than 1,200 acre-feet.⁴ Any consumptive withdrawal in excess of the natural recharge will either deplete the ground water reservoir or cause additional surface water to percolate into the ground water reservoir.

IV.

Sierra Pacific Power Company has a water supply main bordering the property described in the place of use under Application 48522.⁵

V.

Existing certificated and permitted ground water rights in the Truckee Meadows Ground Water Basin for municipal, wildlife, commercial, irrigation and other purposes now exceed estimates of potential natural recharge.¹

³ Order No. 708 dated March 1, 1978, public record in the office of the State Engineer.

⁴ Water Resources Reconnaissance Series Report 57, pp. 38, 44 and 45, public record in the office of the State Engineer. In a preliminary report titled Hydrology Evaluation of the Truckee Meadows Basin, Washoe County, prepared by LeRoy Crandall and Associates, the perennial yield of the basin was estimated on the order of 25,000 acre-feet. The report further concluded, based on qualitative methods, that the "permissible" yield of the basin was 8,000 acre-feet, assuming all pumped ground water meets drinking water standards. The report also estimated that the total ground water in storage had decreased approximately 16,000 acre-feet in the period 1960 to 1977.

⁵ Sierra Pacific Power Company records.

VI.

Previous applications for additional underground appropriation from the Truckee Meadows Ground Water Basin have been denied by the State Engineer.⁶

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action and determination.⁷

II.

The State Engineer is prohibited by law from granting a permit under an application to appropriate the public waters where:⁸

- 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 interest.

III.

Existing water rights for ground water in the Truckee Meadows Ground Water Basin exceed the annual recharge from precipitation and underflow. To grant additional appropriations would result in additional consumptive use in this designated basin. The additional withdrawals and consumption would remove water from the ground water reservoir which:

- A. Would not be replaced resulting in depletion of the ground water reservoir, or
- B. Would be replaced by infiltrating surface water that would otherwise remain in or return to the stream system.

The additional withdrawal and consumption of underground water as applied for would, therefore, conflict with and tend to impair the value of existing rights and threaten to prove detrimental to the public interest and welfare.

⁶ See denied Applications 29430, 29442, 30923, 30924, 30925, 31503, 31504, 31505, 31823, 31824, 32539, 33124, 33125, 33126, 33289, 33357, 34548, 34549, 34550, 34551, 34552, 34553, 34554, 34555, 34556, 34641, 34642, 34683, 34684, 34717, 34718, 34719, 34723, 34756, 34895, 34896, 34943, 34972, 35034, 35035, 35036, 35037, 35071, 35076, 35132, 35205, 35485, 35514, 35635, 36184, 38037, 38038, 39399, 39878, 40988, 40989, 40990, 40991, 41034, 41035, 41036, 43788 and 48038, public record in the office of the State Engineer.

⁷ NRS 533.025 and NRS 533.030, subsection 1.

⁸ NRS 533.370, subsections 1 and 4.

RULING

Application 48522 is herewith denied on the grounds that the appropriation of additional ground water as applied for would conflict with and tend to impair the value of existing rights and threaten to prove detrimental to the public interest and welfare.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter G. Morros", is written over a horizontal line. The signature is stylized and cursive.

PETER G. MORROS
State Engineer

PGM/DLW/bl

Dated this 23rd day of
April, 1986.