

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION 58330)
FILED TO APPROPRIATE THE WATERS OF)
AN UNDERGROUND SOURCE WITHIN THE)
INDIAN SPRINGS VALLEY GROUNDWATER)
BASIN, CLARK, NYE AND LINCOLN)
COUNTIES, NEVADA.)

RULING
3986

GENERAL

I.

Application 58330 was filed on November 17, 1992 by Frank Norwood to appropriate 5.4 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is within the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 12, Township 16 South, Range 55 $\frac{1}{2}$ East, M.D.B.&M., and the place of use is 320 acres within the N $\frac{1}{2}$ of Section 12, Township 16 South, Range 55 $\frac{1}{2}$ East, M.D.B.&M.¹

II.

By Order 728, dated August 1, 1979, the State Engineer designated and described the Indian Springs Valley Groundwater Basin under the provisions of NRS 534.²

FINDINGS OF FACT

I.

It is estimated that the perennial yield of the Indian Springs Valley Groundwater Basin is 500 acre feet annually.³

II.

The perennial yield of a hydrologic basin is the maximum amount of water of usable chemical quality that can be consumed economically each year for an indefinite period of time. Perennial yield cannot exceed the natural replenishment to an area indefinitely, and ultimately is limited to the maximum amount of natural recharge that can be salvaged for beneficial use. If the

¹ Public record in the office of the State Engineer.

² Public record in the office of the State Engineer, Order File Index Book Number 5.

³ Public record in the office of the State Engineer, Hydrographic Basin Abstract 10-161 and United States Geological Survey Reconnaissance Series Report Number 54.

perennial yield is continually exceeded, ground water levels will decline until the ground water reservoir is depleted. Withdrawals of ground water in excess of the perennial yield contribute to adverse conditions such as water quality degradation, storage depletion, diminishing yield of wells, increased economic pumping lifts, land subsidence and possible reversal of ground water gradients which could result in significant changes in the recharge-discharge relationship.

III.

The State Engineer finds that existing certificated and permitted ground water rights in the Indian Springs Valley Groundwater Basin exceed 1348 acre feet annually.³

IV.

The State Engineer finds that existing ground water rights in the Indian Springs Valley Groundwater Basin exceed the perennial yield of the basin. Should additional water be allowed for large appropriations under new applications and subsequent detrimental effects occur, the State Engineer is required by law to order that withdrawals be restricted to conform to priority rights.⁴

V.

The State Engineer finds that Application 58330 proposes to divert an additional 1600 acre feet per year from the Indian Springs Valley Groundwater Basin, and further finds that irrigation is not a preferred use in Indian Springs Valley.

VI.

The State Engineer has previously denied applications to appropriate ground water for irrigation and domestic purposes in the Indian Spring Valley Groundwater Basin.⁵

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.⁶

⁴ NRS 534.110(6).

⁵ Ruling 2765, public record in the office of the State Engineer.

⁶ NRS 533.025 and 533.030 subsection 1.

II.

The State Engineer is authorized by law to deny applications prior to publication when applications in the same basin for the same purpose were previously denied.¹

III.

The State Engineer is prohibited by law from granting a permit where:¹

1. There is no unappropriated water at the proposed source, or
2. The proposed use conflicts with existing rights, or
3. The proposed use threatens to prove detrimental to the public welfare.

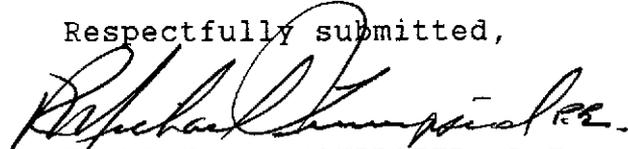
IV.

The State Engineer concludes that existing ground water rights exceed the estimates of perennial yield in the Indian Springs Valley Groundwater Basin and that to approve an additional appropriation for irrigation under Application 58330 from the limited ground water reservoir would adversely affect existing rights and be detrimental to the public interest.

RULING

Application 58330 is denied on the grounds that the granting of this application for an appropriation for irrigation of 320 acres would conflict with existing rights and be detrimental to the public interest.

Respectfully submitted,


E. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/MB/pm

Dated this 14th day of
May, 1993.

¹ NRS 533.370 subsection 3.