

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

IN THE MATTER OF APPLICATION 63512)
FILED TO APPROPRIATE THE PUBLIC)
WATERS FROM AN UNDERGROUND SOURCE)
WITHIN THE WASHOE VALLEY GROUNDWATER)
BASIN (089), WASHOE COUNTY, NEVADA.)

RULING

4589

GENERAL

I.

Application 63512 was filed on October 20, 1997, by Remolino Ranch, Inc. to appropriate 0.144 cubic foot per second (cfs) for irrigation purposes within a portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15 and a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T.16N., R.19E., M.D.B.&M. from underground waters within the Washoe Valley Groundwater Basin, Washoe County, Nevada. The proposed point of diversion is described as being located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 15.¹

FINDINGS OF FACT

I.

The State Engineer initially described and designated the Washoe Valley Groundwater Basin March 1, 1978, under the provisions of NRS § 534.030 as a basin in need of additional administration.²

II.

Application 63512 proposes to use groundwater for irrigation purposes. The State Engineer has denied applications to appropriate water for irrigation and other purposes in the Washoe Valley Groundwater Basin in the past. Additionally, the State Engineer has declared the use of ground water for irrigation purposes to be a non-preferred use of the limited resource.³ The

¹ File No. 63512, official records in the office of the State Engineer.

² State Engineer's Order No. 707, dated March 1, 1978, official records in the office of the State Engineer.

³ See Ruling No. 3201, dated June 5, 1985, denying Applications 35202, 38076, 38077, 38344, 38345, 41458, 41459, 41450, 43700, 45674, 46367, 46451, 46475, 46476, 46477, 46478, 46479, 46480, 46481, 46482, 46483, 46486, 46487 and 47662, official

State Engineer finds that irrigation is not considered to be a preferred use of the limited water resources of the Washoe Valley Groundwater Basin.

III.

The State Engineer finds that approval of Application 63512 would result in withdrawal and consumptive use of the groundwater resource and would adversely affect the availability of the ground water of Washoe Valley. Such withdrawal and use of the ground water would deplete the water resource and thereby interfere with and impair the value of existing water rights and be detrimental to the public interest.

CONCLUSIONS OF LAW

I.

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

II.

The State Engineer is prohibited by law from granting a permit under an application to appropriate the public waters where:⁵

- 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.

The State Engineer may deny an application without going to publication where a previous application for a similar use in the same basin has been denied.⁶

records in the office of the State Engineer.

⁴ NRS Chapters 533 and 534.

⁵ NRS § 533.370(3).

⁶ NRS § 533.370(3).

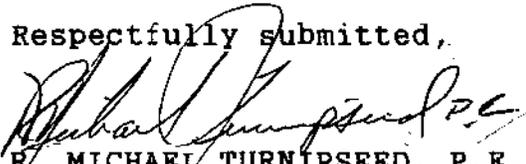
IV.

The State Engineer concludes that the approval of Application 63512 would result in withdrawal and consumptive use of the groundwater resource and would adversely affect the availability of the ground water of Washoe Valley. Such use would deplete the water resource and thereby interfere with and impair the value of existing water rights and be detrimental to the public interest.

RULING

Application 63512 is hereby denied on the grounds that the appropriation of additional underground water for irrigation purposes would impair the value of existing rights and be detrimental to the public welfare.

Respectfully submitted,


R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/RKM/ab

Dated this 15th day of
December, 1997.