

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

IN THE MATTER OF APPLICATION 61459 FILED)
TO APPROPRIATE THE UNDERGROUND WATERS OF)
THE COYOTE SPRING VALLEY GROUNDWATER BASIN)
(210), LINCOLN COUNTY, NEVADA.)

RULING

4619

GENERAL

I.

Application 61459 was filed on August 11, 1995, by Bedroc, Inc., to appropriate 2.5 cubic feet per second (cfs) of the underground waters of the Coyote Spring Valley Groundwater Basin, Lincoln County, Nevada, for irrigation and domestic purposes within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 24, T.11S., R.62E., M.D.B.&M. The proposed point of diversion is described as being located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 24.¹

FINDINGS OF FACT

I.

The State Engineer initially designated and described the Coyote Spring Valley Groundwater Basin on August 21, 1985, under the provisions of NRS § 534.030 as a basin in need of additional administration, and further designated preferred uses under the provisions of NRS § 534.120.² The State Engineer finds that the proposed point of diversion described under Application 61459 is within the designated area described as the Coyote Spring Valley Groundwater Basin.

II.

Application 61459 proposes to use ground water for irrigation purposes. The State Engineer has denied applications to appropriate water for irrigation purposes in the Coyote Spring

¹ File No. 61459, official records in the office of the State Engineer.

² State Engineer's Order No. 905, dated August 21, 1985, official records in the office of the State Engineer.

Valley Groundwater Basin in the past.³ The State Engineer finds that the use of ground water for irrigation purposes has been declared to be a non-preferred use of the limited water resources of the Coyote Spring Valley Groundwater Basin.²

III.

The State Engineer finds that the approval of Application 61459 would conflict with the many existing water rights in the Coyote Spring Groundwater Basin.

CONCLUSIONS

I.

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

II.

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

- A. there is no unappropriated water at the proposed source;
- 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 concludes that to grant a permit under Application 61459, when irrigation applications have been

³ See, State Engineer's Ruling No. 2947, dated April 19, 1984, denying Applications 33068, 33069, 33070, 33071, 33072, 34287, 34396, 34397, 34398, 34581, 34582, 34583, 34584, 35198, 35199, 35200, 35201, 37207, 37208, 37215, 37253, 38556, 38557 and 40268, official records in the office of the State Engineer.

⁴ NRS Chapters 533 and 534.

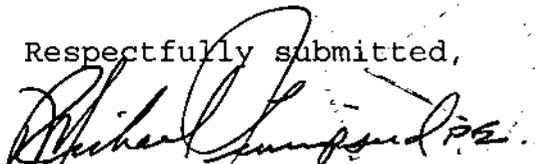
⁵ NRS 533.370.

previously denied, would conflict with existing water rights and be detrimental to the public interest.

RULING

Application 61459 is hereby denied on the grounds that the appropriation of additional underground water for irrigation purposes would be contrary to State Engineer's Order No. 905 and would interfere with existing rights and be detrimental to the public interest.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/RKM/cl .

Dated this 9th day of
April, 1998.