

IN THE MATTER OF APPLICATIONS )  
30923, 30924 and 30925 TO )  
APPROPRIATE UNDERGROUND WATERS) )  
IN PANTHER VALLEY, WASHOE )  
COUNTY, NEVADA )

R U L I N G

Applications 30923, 30924 and 30925 were filed on December 13, 1976 by Harold L. and Lois Roberts to appropriate 0.8 c.f.s. under each application of the waters of an underground source to be diverted within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 14, T.20N., R.19E., MDB & M. and to be used for the irrigation of 150 acres of land within the S $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{2}$ , W $\frac{1}{2}$  SE $\frac{1}{4}$  SE $\frac{1}{4}$ , W $\frac{1}{2}$  E $\frac{1}{2}$  SE $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 14, T.20NR 19 E. MDB & M. and domestic purposes.

In 1973 Water Resources - Reconnaissance Series Report #57, "A Brief Water-Resources Appraisal of the Truckee River Basin, Western Nevada", by A. S. VanDenburgh, 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 in the State Engineer's office.

FINDINGS OF FACT

I

The source of water to be used to irrigate the lands under Applications 30923, 30924 and 30925 is water from an underground source within Panther Valley, Washoe County, Nevada. 1/

II

Panther Valley is topographically similar but only a fraction of the size of neighboring Sun Valley. 2/ Groundwater recharge is provided by precipitation in mountainous areas. 3/ The estimated potential recharge to Sun Valley is 50 ac.ft. annually. 4/ The estimated potential recharge to Panther Valley is less than 50 ac.ft. annually.

III

The State Engineer has issued certificates and permits in Panther Valley for the use of 57.01 ac.ft. of ground water annually. 5/

IV

Should water be allowed for the irrigation of the lands under Applications 30923, 30924 and 30925 and subsequent development of ground water pursuant there to detrimentally affect prior ground water rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights. 6/

CONCLUSIONS

1. The State Engineer is prohibited by law from granting a permit where:
  - 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 welfare. 2/

RULING

Applications 30923, 30924 and 30925 are hereby denied on the grounds that their granting would conflict with existing rights and would tend to impair the value of the existing right and be otherwise detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW/TJS/bc

Dated this 25th

day of November, 1977

FOOTNOTES

1. Public Records in the State Engineer's Office.
2. Water Resources Reconnaissance Report #57, Plate 1.
3. Water Resources Reconnaissance Report #57, Page 37.
4. Water Resources Reconnaissance Report #57, Page 40.
5. Public Records in the State Engineer's Office.
6. NRS 534.110, Subsections 3 and 6.
7. NRS 533.370, Subsection 4.