

IN THE MATTER OF APPLICATIONS )  
25697 AND 25698 TO APPROPRIATE )  
THE UNDERGROUND WATER IN THE )  
MUDDY RIVER SPRINGS AREA, CLARK )  
COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 25697 was filed on July 7, 1970 by G. M. Perkins to appropriate 1.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 22, T. 14 S., R. 65 E., M.D.B.&M., and to be used for the irrigation of 160 acres of land located within portions of Sections 22, 23, and 26, T. 14 S., R. 65 E., M.D.B.&M.

This application was protested on November 10, 1970 by the Muddy Valley Irrigation Company on the grounds that there are no public waters available for appropriation in the area designated in the application; the pumping of underground water would adversely affect the flow of the Muddy River; and that the Muddy River is fully appropriated. This application was also protested on November 10, 1970 by the Nevada Department of Fish and Game on the grounds that their granting might endanger the habitat of an endangered fish species known as the Moapa Dace.

Application 25698 was filed on July 7, 1970 by G. M. Perkins for the appropriation of 1.7 c.f.s. of the waters of an underground source to be diverted within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 22, T. 14 S., R. 65 E., M.D.B.&M., to be used for irrigation of 160 acres of land located within portions of Sections 22, 23, and 26, T. 14 S., R. 65 E., M.D.B.&M. This application was protested by the Muddy Valley Irrigation Company on October 23, 1970, and by the Nevada Department of Fish and Game on November 10, 1970 on the grounds as described above.

A field investigation in the matter of this application was made on July 30, 1971. The land covered by this application has actually been developed and crops have been harvested therefrom. No influence or diminishment of flows of the Muddy River have been experienced.

OPINION

It is our opinion that the granting of these applications in this area of the Muddy River Drainage Area will not influence or diminish the flow of the Muddy River in this area.

RULING

The protests to the granting of Applications 25697 and 25698 are hereby overruled on the grounds that their granting will not adversely affect the flow of the Muddy River, nor impair the value of existing rights or be otherwise detrimental to the public welfare

Permits will be granted upon receipt of the statutory permit fees, with the provision that water meters must be installed so that accurate measurements of the water place to beneficial use can be made.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW:TJS:gs

Dated this 18th day  
of April, 1972.