

IN THE MATTER OF APPLICATION )  
31008 TO APPROPRIATE THE WATERS )  
OF AN UNDERGROUND SOURCE IN )  
CARSON VALLEY, DOUGLAS COUNTY, )  
NEVADA. )

R U L I N G

105

INTRODUCTION

Application 31008 was filed January 19, 1977 by Robert H. and Charlene G. Taylor. The applicants seek permission to appropriate 1.0 c.f.s. of water from well located in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 10, T.13N., R.19E., for irrigation and domestic purposes on 18.83 acres within portions of the NW $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NW $\frac{1}{4}$ , said Section 10.

In 1975, Water Resources - Reconnaissance Series Report 59, "Water Resources Appraisal of the Carson River Basin, Western Nevada" by Patrick A. Glancy and T. L. Katzer was prepared cooperatively by the Nevada Department of Conservation, Division of Water Resources and the United States Department of the Interior, Geological Survey. This report is available from the office of the State Engineer.

FINDINGS OF FACT

Application 31008 was filed to appropriate water from an underground source from the Carson Valley Ground Water Basin, Douglas County, Nevada.<sup>1/</sup>

II

By an order dated June 14, 1977, the State Engineer designated and described the Carson Valley Ground Water Basin under the provisions of NRS 534.<sup>2/</sup>

III

The proposed point of diversion under Application 31008 is within  $\frac{1}{2}$  mile of the following ground water permits: 15321, 20102, 26725, 27555, 28600, 28601, 28770, 28786, 30105 and 30706.<sup>3/</sup> In addition, there are numerous domestic wells in the vicinity of the proposed appropriation.

IV

Should Application 31008 be granted, and should subsequent development of ground water pursuant thereto detrimentally affect prior existing water rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights.<sup>4/</sup>

CONCLUSIONS

1. The State Engineer has jurisdiction of the parties and the subject matter of this action.<sup>5/</sup>

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

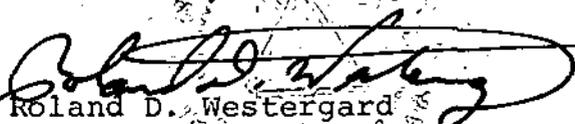
- A. There is no unappropriated water at the proposed source, or
- B. The proposed use conflicts with existing rights, or
- C. The proposed use threatens to prove detrimental to the public welfare.<sup>6/</sup>

3. The granting of a permit under Application 31008 for the amount of water and the use applied for in this concentrated area and in the proximity of existing rights would tend to impair the value of those existing rights and threaten to prove detrimental to the public welfare.

RULING

Application 31008 is herewith denied on the grounds that the appropriation of underground water for irrigation in the concentrated area described would tend to impair the value of existing rights and be detrimental to the public interest and welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW/BLR/bl

Dated this 26th day  
of October, 1977.

FOOTNOTES

1. Public Records within the Office of the State Engineer.
2. Public Records within the office of the State Engineer.
3. Public Records within the office of the State Engineer.
4. NRS 534.110, subsections 3 and 6.
5. NRS 533.025 and 533.030, subsection 1.
6. NRS 533.370, subsection 4.