

IN THE MATTER OF APPLICATIONS 31169,  
31170, 31171, 31182, 31258 AND 31259  
FILED TO APPROPRIATE THE WATERS OF )  
AN UNDERGROUND SOURCE, IN CARSON )  
VALLEY, DOUGLAS COUNTY, NEVADA. )

R U L I N G

INTRODUCTION

Applications 31169, 31170, 31171, 31182, 31258 and 31259 were filed to appropriate water from an underground source in the Carson Valley Ground Water Basin, Douglas County, Nevada.

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 and Natural Resources, Division of Water Resources and the U. S. Department of the Interior, Geological Survey. This report is available from the Office of the State Engineer.

FINDINGS OF FACT

Application 31169 was filed on March 8, 1977 by Herman S. and Orvina J. Andrews for permission to appropriate 1.0 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is within the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.&M., and the place of use is 7.76 acres within a portion of the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.&M.

Application 31170 was filed on March 8, 1977 by Herman S. and Orvina J. Andrews for permission to appropriate 1.0 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is within the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.&M., and the place of use is 7.76 acres within a portion of the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.&M.

Application 31171 was filed on March 8, 1977 by Herman S. and Orvina J. Andrews for permission to appropriate 1.0 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is within the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.&M., and the place of use is 7.76 acres within a portion of the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.&M.

Application 31182 was filed on March 14, 1977 by Elsie N. Colvin or Veda N. Mills for permission to appropriate 0.33 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is within the SW1/4 SW1/4 Section 28, T.14N., R.20E., M.D.B.&M., and the place of use is 3.5 acres within the SW1/4 SW1/4 Section 28, T.14N., R.20E., M.D.B.&M.

Application 31258 was filed on March 30, 1977 by Dennis E. and Marilyn J. Wills for permission to appropriate 1.0 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is within the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.& M., and the place of use is 2.0 acres within a portion of the NE1/4 NE1/4 Section 33, T.14N., R.20E., M.D.B.& M.

Application 31259 was filed on March 30, 1977 by Herman Andrews, Jr. and Dani Lynn Andrews for permission to appropriate 1.0 c.f.s. of water from an underground source for irrigation and domestic purposes. The point of diversion is within the NW1/4 NW1/4 NW1/4 Section 34, T.14N., R.20E., M.D.B.&M., and the place of use is 2.0 acres within a portion of the N1/2 NW1/4 NW1/4 NW1/4 Section 34, T.14N., R.20E., M.D.B.&M. 1/

II

Applications 31169, 31170, 31171, 31182, 31258 and 31259 were filed to appropriate water from an underground source in the Carson Valley Ground Water Basin, Douglas County, Nevada. 2/

III

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. 3/

IV

The proposed points of diversion under Applications 31169, 31170, 31171, 31182, 31258 and 31259 are within a concentrated area on the eastern side of Carson Valley. The applications lie within a short distance of several irrigation wells lying directly to the west and south of the proposed appropriations. There is a large residential area supplied by domestic wells in the immediate vicinity of the proposed appropriations. 4/

V

Should Applications 31169, 31170, 31171, 31182, 31258 and 31259 be granted, and 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. 5/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 6/

II

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. 7/

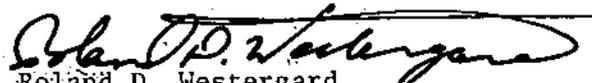
III

The granting of permits under Applications 31169, 31170, 31171, 31182, 31258 and 31259 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

Applications 31169, 31170, 31171, 31182, 31258 and 31259 are herewith denied on the grounds that the appropriation of additional 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 10th day  
of APRIL, 1978.



FOOTNOTES

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