

IN THE MATTER OF APPLICATIONS 34548, )  
34549, 34550, 34551, 34552, 34553, )  
34554, 34555, 34556, 34683, 34684, )  
34717 AND 34718 FILED TO APPROPRIATE )  
THE WATERS OF AN UNDERGROUND SOURCE )  
IN TRUCKEE MEADOWS, WASHOE COUNTY, )  
NEVADA. )

R U L I N G

INTRODUCTION

Applications 34548, 34549, 34550, 34551, 34552, 34553, 34554, 34555, 34556, 34683, 34684, 34717 and 34718 were filed in the Office of the State Engineer to appropriate water from an underground source for irrigation purposes in Truckee Meadows, Washoe County, Nevada, and to be used for irrigation of 320 acres within the NW 1/4 Section 8, T.18N., R.20E., M.D.B.&M. In 1973, Water Resources - Reconnaissance Series Report 57, "A Brief Water - Resources Appraisal of the Truckee River Basin, Western Nevada" by A. S. VanDunburgh, R. D. Lamke and J. E. 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 from the office of the State Engineer.

FINDINGS OF FACT

Application 34548 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the NW 1/4 SE 1/4 Section 8, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 320 acres within the E 1/2 Section 8, T.18N., R.20E., M.D.B.&M.

Application 34549 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the SW 1/4 NE 1/4 Section 8, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 320 acres within the E 1/2 Section 8, T.18N., R.20E., M.D.B.&M.

Application 34550 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the NW 1/4 NE 1/4 Section 8, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 320 acres within the E 1/2 Section 8, T.18N., R.20E., M.D.B.&M.

Application 34551 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the SE 1/4 NW 1/4 Section 9, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 400 acres within the NE 1/2 SW 1/4 and NE 1/2 Section 9, T.18N., R.20E., M.D.B.&M.

Application 34552 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the NW1/4 SW1/4 Section 9, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 400 acres within the N1/2 SW1/4 and N1/2 Section 9, T.18N., R.20E., M.D.B.&M.

Application 34553 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the SW1/4 NW1/4 Section 16, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 320 acres within the N1/2 Section 16, T.18N., R.20E., M.D.B.&M.

Application 34554 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the SE1/4 NE1/4 Section 17, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 320 acres within the N1/2 Section 16, T.18N., R.20E., M.D.B.&M.

Application 34555 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the NE1/4 NW1/4 Section 16, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 320 acres within the N1/2 Section 16, T.18N., R.20E., M.D.B.&M.

Application 34556 was filed on November 3, 1977 by Wilbur D. May to appropriate 0.25 c.f.s. of the waters of an underground source to be diverted within the SW1/4 SE1/4 Section 8, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 320 acres within the E1/2 Section 9, T.18N., R.20E., M.D.B.&M.

Application 34683 was filed on December 2, 1977 by Washoe County to appropriate 2.0 c.f.s. of the waters of an underground source to be diverted within the NW1/4 SE1/4 Section 27, T.19N., R.19E., M.D.B.&M., and to be used for irrigation of 168 acres within the E1/2 W1/2 and W1/2 E1/2 Section 23, T.19N., R.19E., M.D.B.&M.

Application 34684 was filed on December 2, 1977 by Washoe County to appropriate 2.0 c.f.s. of the waters of an underground source to be diverted within the NW1/4 NW1/4 Section 26, T.19N., R.19E., M.D.B.&M., and to be used for irrigation of 168 acres within the E1/2 W1/2 and W1/2 E1/2 Section 23, T.19N., R.19E., M.D.B.&M.

Application 34717 was filed on December 8, 1977 by H. Sahrakar and M. Dorostkar to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SE1/4 SW1/4 Section 20, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 80 acres within the W1/2 SE1/4 Section 20, T.18N., R.20E., M.D.B.&M.

Application 34718 was filed on December 8, 1977 by H. Sahrakar and M. Dorostkar to appropriate 2.7 c.f.s. of the waters of an underground source to be diverted within the SW1/4 SW1/4 Section 20, T.18N., R.20E., M.D.B.&M., and to be used for irrigation of 160 acres within the SW1/4 Section 20, T.18N., R.20E., M.D.B.&M. 1/

II

Applications 34548, 34549, 34550, 34551, 34552, 34553, 34554, 34555, 34556, 34683, 34684, 34717 and 34718 were filed to appropriate water from an underground source from the Truckee Meadows Ground Water Basin, Washoe County, Nevada. 2/

III

By an order dated March 1, 1978, the State Engineer designated and described the Truckee Meadows Ground Water Basin as a ground water basin coming under the provisions of NRS 534. 3/

IV

It is estimated that the potential annual recharge to the ground water basin from precipitation is 27,000 acre-feet. The estimated annual sub-surface inflow of ground water is less than 500 acre-feet. 4/ The safe perennial yield of the Truckee Meadows Ground Water Basin is considerably less than 27,000 acre-feet and has been estimated to be in the order of 12,000 acre-feet per year. Any consumptive withdrawal in excess of the natural recharge will either deplete the ground water reservoir or cause additional surface water to percolate into the ground water reservoir. Withdrawals in excess of the safe perennial yield will adversely affect the resource and existing rights.

V

Existing certificated and permitted ground water rights in the Truckee Meadows Ground Water Basin for municipal, wildlife, commercial, irrigation and other purposes now exceed estimates of safe perennial yield and natural recharge. 5/

VI

A hearing in the matter of seven pending applications proposing to divert water from the Truckee Meadows Ground Water Basin for irrigation purposes was held by the State Engineer on May 24, 1978. 6/ These seven applications were denied on the grounds as set forth in the State Engineer's Ruling Number 2372 of July 6, 1978. 7/ 11/

VII

Should Applications 34548, 34549, 34550, 34551, 34552, 34553, 34554, 34555, 34556, 34683, 34684, 34717 and 34718 be granted and should subsequent development affect prior ground water rights or surface water rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights. 8/

CONCLUSIONS

I

The State Engineer has jurisdiction of the parties and the subject matter of this action. 9/

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. 10/

III

Existing water rights for ground water in the Truckee Meadows Ground Water Basin exceed the annual recharge from precipitation and underflow. To grant irrigation rights that consume additional water in this designated basin would adversely affect existing rights and threaten to prove detrimental to the public welfare.

IV

If Applications 34548, 34549, 34550, 34551, 34552, 34553, 34554, 34555, 34556, 34683, 34684, 34717 and 34718 are granted, additional land would be irrigated or land that is irrigated only part time would be irrigated more intensively and frequently. This would result in additional consumptive use by farm land irrigation. The additional withdrawals and consumption would remove water from the ground water reservoir which:

- A. Would not be replaced resulting in depletion of the ground water reservoir, or
- B. Would be replaced by infiltrating surface water that would otherwise remain in or return to the stream system.

The additional withdrawal and consumption of underground water for irrigation would therefore conflict with existing rights and threaten to prove detrimental to the public welfare.

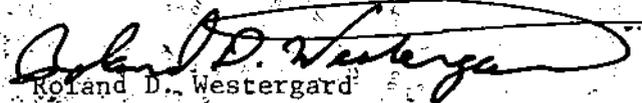
V

The State Engineer is authorized and directed to designate preferred uses of water within designated ground water basins such as the Truckee Meadows Ground Water Basin. 12/ The consumptive use of additional ground water to irrigate additional land or to more intensively and frequently irrigate other land is not considered to be a preferred use of the limited water resources of the Truckee Meadows Ground Water Basin within a rapidly growing metropolitan area.

RULING

Applications 34548, 34549, 34550, 34551, 34552, 34553, 34554, 34555, 34556, 34683, 34684, 34717 and 34718 are herewith denied on the grounds that the appropriation of additional underground water for irrigation in the designated area described would tend to impair the value of existing rights and be detrimental to the public welfare.

Respectfully submitted,

  
Roland D. Westergard  
State Engineer

RDW/VRH/bl

Dated, this 14th day

of JULY, 1978.



ment to bond

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. Water Resources - Reconnaissance Series, Report 57, pp. 38, 44, 55.
5. Public records in the office of the State Engineer.
6. Public records in the office of the State Engineer.
7. Applications 31503, 31504, 31505, 31823, 33124, 33125 and 33357 were denied on the grounds that the appropriation of additional underground water for irrigation in the designated area described would tend to impair the value of existing rights and be detrimental to the public welfare.
8. NRS 534.110, subsections 3 and 6.
9. NRS 533.025 and NRS 533.030, subsection 1.
10. NRS 533.370, subsection 4.
11. Transcript of the Hearing on the Matter of Pending Applications to Appropriate Water in Truckee Meadows Ground Water Basin, May 24, 1978.
12. NRS 534.120, subsection 2.