

IN THE MATTER OF APPLICATION 33865 )  
TO APPROPRIATE WATER FROM AN UNDER- )  
GROUND SOURCE IN COLD SPRING VALLEY, )  
WASHOE COUNTY, NEVADA )

R U L I N G

100

INTRODUCTION

Application 33865 was filed by Karl Kastner to appropriate underground water in Cold Spring Valley.

In 1967, Water Resources - Reconnaissance Series Report 43, "Water - Resources Appraisal of the Warm Springs - Lemmon Valley Area, Washoe County Nevada" by F. Eugene Rush and Patrick A. Glancy was prepared cooperatively by the Nevada Department of Conservation and Natural Resources and the Geological Survey, U. S. Department of the Interior. A copy of this report may be viewed in the Office of the State Engineer.

FINDINGS OF FACT

I

Application 33865 was filed on September 28, 1977 by Karl Kastner to appropriate 0.5 c.f.s., of underground water for quasi-municipal purposes. The point of diversion and place of use are within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 20, T.21N., R.18E., M.D.B. & M. The proposed well is to serve two residential units. 1/

II

Cold Spring Valley was designated on January 18, 1977 by the State Engineer as a groundwater basin coming under the provisions of Chapter 534 NRS:

III

The perennial yield from the Cold Spring Valley groundwater reservoir is estimated by the U. S. Geological Survey to be 500 acres-feet of water per year. 2/

IV

Permits have been issued in Cold Spring Valley which could be developed to divert up to 960 acre-feet of underground water per year. 3/

V

Approximately 75 residential units are now served by domestic wells which require no permit to appropriate groundwater. 4/ Additional residential units with domestic wells may be installed on lots in existing subdivisions.

VI

Applications to appropriate underground water in Cold Spring Valley have been denied on the grounds that their granting would conflict with existing water rights and be detrimental to the public interest. 5/

CONCLUSIONS

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

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. 7/

3. Existing water rights for groundwater in Cold Spring Valley exceed the estimated perennial yield for the Cold Spring Valley groundwater reservoir.

To grant an additional water right under the subject application would conflict with existing rights and threaten to prove detrimental to the public welfare.

4. The potential exists for additional development of the Cold Spring Valley groundwater reservoir. Continuing urbanization of the area indicates pumpage will increase.

To grant additional water rights from the Cold Spring Valley groundwater reservoir under the subject application, would overcommit this limited natural resource, conflict with existing rights, and threaten to prove detrimental to the public welfare.

RULING

Application 33865 is denied on the grounds that the granting of water rights for additional groundwater development from the designated Cold Spring Valley basin would conflict with existing rights and threaten to prove detrimental to the public welfare in this area where appropriations exceed estimates of perennial yield.

Respectfully submitted,

RDW/JC/jv

  
Roland D. Westergard  
State Engineer

Dated this 14th day  
of AUGUST, 1978.

FOOTNOTES

1. Public records located within the Office of the State Engineer.
2. Water Resources - Reconnaissance Series Report No. 43, p. 2 and 49.
3. Public records located within the Office of the State Engineer.
4. Estimate made by the Regional Planning Commission of Reno, Sparks and Washoe County.
5. Public records located within the Office of the State Engineer. Denied applications are 27611, 27612, 27613, 28216, 29126, 29582, 30260, 30755, 32112, and 32113.
6. NRS 533.025 and 533.030, subsection 1.
7. NRS 533.370, subsection 4.