

IN THE MATTER OF APPLICATIONS 34908,)
34909 AND 34910 FILED FOR THE WATERS)
OF AN UNDERGROUND SOURCE IN MESQUITE)
VALLEY, CLARK COUNTY, NEVADA.)

R U L I N G

GENERAL

Applications 34908, 34909 and 34910 were filed on January 24, 1978 by Dr. H. V. Ueckert to appropriate the waters of an underground source within the Mesquite Ground Water Basin, Clark County, Nevada.

Application 34908 is to appropriate 2.23 c.f.s. to be diverted within the NW1/4 SW1/4 Section 25, T.24S., R.56E., M.D.B.&M.

Application 34909 is to appropriate 2.23 c.f.s. to be diverted within the NE1/4 SE1/4 Section 26, T.24S., R.56E., M.D.B.&M.

Application 34910 is to appropriate 1.45 c.f.s. to be diverted within the NW1/4 NW1/4 Section 36, T.24S., R.56E., M.D.B.&M.

The water under all three applications is to be used to irrigate 200 acres of land within the NW1/4 SW1/4 Section 25, NE1/2 SE1/4 Section 26, NE1/4 NE1/4 Section 35 and the NW1/4 NW1/4 Section 36, T.24S., R.56E., M.D.B.&M.

43.0 acres within the described place of use has existing water rights. 18.65 acres within the NE1/4 SE1/4 and 1.25 acres within the SE1/4 SE1/4 Section 26 has an existing right under Permit 16793, Certificate 5303. 23.10 acres within the NW1/4 NW1/4 Section 36 has an existing right under Permit 20257, Certificate 5893.

In 1968 Water Resources - Reconnaissance Series Report #46, "Water Resources Appraisal of Mesquite - Ivanpah Valley Area, Nevada and California", by Patrick A. Glancy, was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources and U. S. Department of the Interior, Geological Survey. This report is available from the State Engineer's office.

FINDINGS OF FACT

I

The Mesquite Valley Ground Water Basin was designated and described under the provisions of Chapter 534 NRS (Conservation and Distribution of Underground Waters) by Order of the State Engineer dated January 5, 1978.

II

The source of water to be used to reclaim lands under the subject applications listed is water from an underground source within the Mesquite Valley Ground Water Basin, Clark County, Nevada.

III

Ground water recharge in the Mesquite Valley area is derived mainly from precipitation within the area. The estimated annual recharge to the Mesquite Valley ground water reservoir is 2200 acre-feet. 1500 acre-feet of this is derived from precipitation and 700 acre-feet is underflow from Pahrump Valley to the northwest. 2/

IV

Estimated average annual ground water consumption in Mesquite Valley due to development was 1400 acre-feet in 1968. Nearly all of this development was in the California portion of the valley. 3/ Since 1968, the Nevada State Engineer has issued permits to appropriate an additional 1710 acre-feet per year from the Nevada portion of the basin. Total existing ground water rights in the Nevada portion amount to 2300 acre-feet per year. 4/

V

There is potential for additional ground water development in the California portion of Mesquite Valley.

VI

Should additional water be allowed for appropriation for the reclamation of lands under the subject applications and subsequent development of ground water pursuant thereto detrimentally affect ground water rights, the State Engineer is required by law to order withdrawals be restricted to conform to priority rights. 5/

VII

The Pahrump Valley Artesian Basin is presently over-appropriated. Expected continued heavy use of ground water in Pahrump Valley may cause a reduction of ground water under flow to Mesquite Valley. 6/

CONCLUSIONS

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

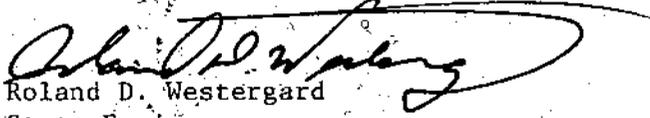
- A. There is no unappropriated water at the proposed source, or
- B. The proposed use conflicts with existing rights, or
- C. The proposed use threatens to prove detrimental to the public welfare. 7/

2. If subject applications were granted, additional lands would be irrigated. This would result in additional consumptive use by farmland irrigation. The additional withdrawals and consumption would remove water from the ground water reservoir which would not be replaced resulting in depletion of the ground water reservoir. The additional withdrawals and consumption of underground water for irrigation would, therefore, conflict with existing rights and threaten to prove detrimental to the public welfare.

RULING

Applications 34908, 34909 and 34910 are hereby denied on the grounds that their granting would tend to impair the value of existing rights and be detrimental to the public welfare.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/TJS/bl

Dated this 8th day
of DECEMBER, 1978.

State of Oregon

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