

IN THE MATTER OF APPLICATION)
NUMBER 33051 FILED TO)
APPROPRIATE THE WATERS OF AN)
UNDERGROUND SOURCE IN MIDDLE)
REESE VALLEY, LANDER COUNTY,)
NEVADA)

R U L I N G

58
INTRODUCTION

Application 33051 was filed in the State Engineer's Office August 5, 1977 and October 18, 1976 to appropriate underground water for irrigation purposes in Middle Reese Valley, Lander County, Nevada.

In 1963, Water Resources - Reconnaissance Series Report 19 by E. G. Crosthwaite, was prepared cooperatively by the Nevada Department of Conservation and Natural Resources, Division of Water Resources and U. S. Department of Interior, Geological Survey.

FINDINGS OF FACT

I

Application 33051 was filed on August 5, 1977 by Adolph John Seedig and Mary Ann Seedig to appropriate 5.4. c.f.s., of the waters of an underground source to be used for irrigation and domestic on 320 acres in W $\frac{1}{2}$ Section 10, T.26N., R.43E. The proposed point of diversion is located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T.26N., R.43E., M.D.B. & M.

II

Application 33051 was filed to appropriate water from an underground source within the Middle Reese Valley Ground Water Basin, Lander County, Nevada as designated and described by order of the State Engineer, August 5, 1964. 1/

III

Application 33051 was filed to appropriate water from an underground source. The land to be irrigated under this application has existing underground water rights. 2/

IV

The estimated perennial yield of the Middle Reese Valley ground water basin is 14,000 acre-feet per year. 3/

V

Certificates of appropriation have been issued within the Middle Reese Valley ground water basin in excess of 51,400 acre-feet per year and permits have been granted within the basin which allow for the diversion of an additional 5,131 acre-feet of water currently appropriated from the ground water basin. 4/

VI

Should Application 33051 be granted and subsequent development of groundwater under these permits detrimentally affect prior groundwater rights, the State Engineer is required by law to order withdrawals restricted to conform to priority rights. 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/

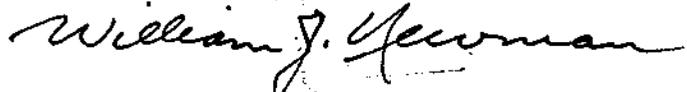
3. Existing water rights for the Middle Reese Valley Ground Water Basin exceed the estimated potential recharge from precipitation. The potential exists for additional pumpage under existing ground water rights which have not yet been developed. To grant additional water rights for irrigation from this limited ground water resource would adversely affect existing rights and threaten to prove detrimental to the public welfare.

4. The State Engineer is authorized and directed to designate preferred uses of water within designated ground water areas such as Middle Reese Valley. 8/ The consumptive use of additional ground water for irrigation is not considered to be a preferred use of the limited ground water resources of the Middle Reese Valley Ground Water Basin.

RULING

Application 33051 is herewith denied on the grounds that the appropriation of underground water for irrigation as applied for would tend to impair the value of existing rights and would be detrimental to the public interest and welfare.

Respectfully submitted,



William J. Newman
State Engineer

WJN/DLW/bk

Dated this 10th day

of October, 1979

FOOTNOTES

- 1 & 2. Public Records in the Office of the State Engineer.
3. Water Resources Reconnaissance Series Report 19, 0, 16.
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.
8. NRS 534.120, subsection 2.

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STATE ENGINEER