

IN THE MATTER OF APPLICATION)
27701 FILED FOR THE WATERS OF)
AN UNDERGROUND SOURCE IN SMITH)
VALLEY, LYON COUNTY, NEVADA.)

R U L I N G

GENERAL:

Application 27701 was filed on August 20, 1973 by Jay Rooker, Don Rooker and Richard Mihalyo for 2.70 c.f.s. of the waters of an underground source to be diverted within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T.11N., R.23E., M.D.B.&M. and to be used for the irrigation of 160 acres of land within the SW $\frac{1}{4}$ said Section 1.

This application was protested on November 19, 1973 by Dr. Maurice A. Bliss on the grounds "Due to close inter-relationship between wells in this area of Smith Valley, this permit if granted, could most certainly adversely affect the well of Dr. M. A. Bliss."

The proposed point of diversion under Application 27701 is in excess of $\frac{1}{2}$ mile from the well drilled under Permit 26399 in the name of Dr. Maurice A. Bliss. It is, however, only approximately $\frac{1}{2}$ mile from the well drilled under Permit 23800 and less than $\frac{1}{2}$ mile from the well drilled under Permit 25347.

Extensive pumping tests conducted in the area of the proposed appropriation indicate that additional withdrawals within this area will cause interference with existing wells.

OPINION:

It is our opinion that the granting of this application would tend to impair the value of existing rights.

RULING:

The protest to the granting of Application 27701 is hereby sustained and the application is denied on the grounds that its granting would tend to impair the value of existing rights.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:TJS:cm

Dated this 29th day
of April, 1974.