

IN THE MATTER OF APPLICATION)
27152 FILED BY MARTHA D. AND)
VICTOR J. BARNDT TO APPROPRIATE)
WATER FROM AN UNDERGROUND SOURCE)
IN CARSON VALLEY, DOUGLAS COUNTY)
NEVADA)

R U L I N G

GENERAL:

Application 27152 was filed on November 30, 1972 by Martha D. and Victor J. Barndt to appropriate 1.0 c.f.s. of water from an underground source located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 9, T.13N., R.19E., M.D.B.& M. The water is to be used for Quasi-Municipal and Domestic purposes in a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 9.

A protest to the granting of Application 27152 was filed on March 7, 1973 by Arnold R. Trimmer as agent for twenty-three Citizens of the Town of Genoa and the surrounding area. The reasons and grounds for the protest were listed as follows:

"1. The existing well referred to in said application has not been sealed in the manner required for wells from which water will be withdrawn for human consumption. This requirement is particularly important in this case as the well is located down-hill or below the streets, lots and septic tanks proposed in the subdivision.

2. The application does not provide enough information regarding number of units and layout of water lines, fire hydrants and storage facilities to permit the State Engineer to determine the proposed appropriations effect on existing water rights and the surface water or ground water resources of the area.

3. The existing map on file in the State Engineers Office under cancelled Application #23249 does not truly delineate how the applicant intends to place the water to beneficial use.

4. The withdrawal of water from said well will adversely affect the flow of springs below the well which have vested water rights established prior to 1905."

A field investigation in the matter of this Application was made on May 14, 1973.

The point of diversion under Application 27152 is at least 1/4 mile from any existing water right of record. Springs which may have vested rights also are at least 1/4 mile away.

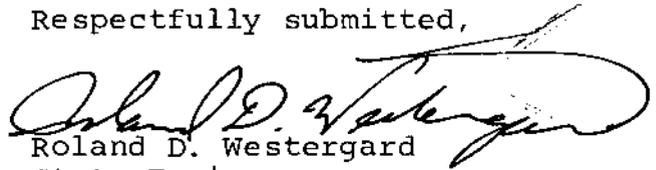
The existing well under Application 27152 does not have an adequate sanitary seal.

RULING:

The protest to the granting of Application 27152 is herewith overruled on the grounds that the granting of Application 27152 will not impair the value of existing rights and further that there is unappropriated water at the proposed source. Before water from the existing well may be used for human consumption an adequate sanitary seal must be constructed to prevent contamination of the well water.

A permit will be granted under Application 27152 upon receipt of statutory permit fees.

Respectfully submitted,



Roland D. Westergard
State Engineer

Dated this 22nd
day of May, 1973.

RDW/JLC/bs