

IN THE MATTER OF APPLICATION NO. 18680, FILED BY E. SEMINARIO TO APPROPRIATE UNDERGROUND WATER FOR IRRIGATION PURPOSES IN LYON COUNTY, NEVADA. }

R U L I N G

General:

Application No. 18680 was filed to appropriate 5.0 c.f.s. within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, T. 10 N., R. 24 E., M.D.B.&M., for the irrigation of 300 acres of land.

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Protests to the granting of this application were filed as follows:

On July 7, 1960, by Alex Miller on grounds that its granting would impair the value of existing water rights and be detrimental to the public interests of the residents in Smith Valley and that there is insufficient unappropriated water in the source.

On August 8, 1960, by Norman D. Brown, Inc. This protest was received too late for filing as a formal protest. The protestant claims that its granting would destroy existing stock watering and domestic rights held by the protestant and its predecessors in interest for more than fifty years.

It is the opinion of this office that there is unappropriated water in this source.

RULING

The protests to the granting of Application No. 18680 are herewith overruled on grounds that its granting will not impair the value of existing rights or be otherwise detrimental to the public welfare.

A permit will be issued under this application on receipt of the statutory permit fee and subject to the following provisions:

- (1) The water must be used in conjunction with present water supplies;
- (2) The water granted will be limited to supplemental use and is appurtenant to the 300 acres having existing water rights.

Respectfully submitted,

Edmund A. Muth

EDMUND A. MUTH
State Engineer

Dated this 24th day of April, 1961.