

IN THE MATTER OF APPLICATION 26852)
FILED BY JAMES ROLPH III AND JUNE)
ROLPH TO APPROPRIATE WATER FROM AN)
UNDERGROUND SOURCE IN DOUGLAS COUNTY))
NEVADA)

R U L I N G

GENERAL:

Application 26852 was filed on July 27, 1972, by James Rolph III and June Rolph to appropriate 3.0 cfs from an underground source in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T. 14N., R.20E., M.D.B.&M. The water is to be used for irrigation and domestic purposes on 120 acres in S $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 31, T. 14N., R.20E., M.D.B.&M. The period of use is January 1st to December 31st of each year.

A protest to the granting of Application 26852 was filed on September 8, 1972, by Martin W. Johnson and Susan D. Johnson. The grounds given for the protest were: "The granting of permission for this well will definitely affect the capacity of, not only our well, but of the other six irrigation wells in the immediate area. This proposed well is very close to our irrigation well and extremely close to our artesian well, which will cease to flow when said well is being used. We have talked to other neighbors in the area with wells and they, as we, think the area is becoming saturated with wells. We feel the time has come for the Division of Water Resources to take a good hard look at wells in this area and come to an intelligent judgement restricting the drilling of new wells in the area".

A field investigation in the matter of this application was conducted on December 18, 1972.

RULING:

The protest to the granting of Application 26852 is herewith overruled on the grounds that the granting of the permit under this application will not adversely affect existing rights or be otherwise detrimental to the public welfare. A permit will be granted under Application 26852 subject to existing rights upon receipt of the statutory permit fees.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW:BAR:bs

Dated this 2nd day of
January, 1973.