

IN THE MATTER OF APPLICATION 29628 FILED)  
BY QUEEN VALLEY RANCH COMPANY, INC., TO )  
STORE THE WATERS OF QUEEN CANYON CREEK )  
LOCATED IN MINERAL COUNTY, NEVADA )

R U L I N G

Application 29628 was filed on September 4, 1975, by Queen Valley Ranch Company, Inc., to appropriate 25 acrefeet of water from Queen Canyon Creek for storage for irrigation and domestic purposes. The point of diversion is within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 24, T1N, R32E, MDB&M; and the proposed place of use is 480 acres of land within Section 13 of T1N, R32E, MDB&M, and within the W $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 18, T1N, R33E, MDB&M.

This application was protested by John Daynes for Benton Land and Cattle Co. on the following grounds:

"Said application and appropriation of the waters from Queen Canyon may cause serious depletion of the underground waters in the Benton Valley water basin . . . Whereas; Queen Canyon is the main supply of subsurface water to this well, and any additional appropriation of said waters could drastically affect our ranching operation resulting in substantial damages."

A field investigation into this matter was conducted August 14, 1981.

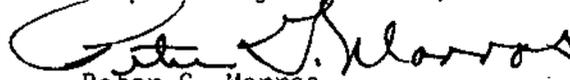
The protestant was notified by certified mail of the field investigation, but neither the protestant nor a designated representative was present for the field investigation.

The field investigation revealed that the entire flow from Queen Canyon Creek was piped from the point of diversion to either a small storage reservoir near the proposed point of diversion under Application 29628 or directly to a sprinkler distribution system on the ranch below, so that there would be little difference between storing 25 acrefeet of the waters from Queen Canyon Creek or using the flow from Queen Canyon Creek directly.

RULING

The protest to the granting of Application 29628 is herewith overruled on the grounds that its granting would not impair existing rights. A permit will be issued upon receipt of the statutory permit fees.

Respectfully submitted,

  
Peter G. Morros  
State Engineer

PGM/KN/ja

Dated this 13th day

of AUGUST, 1982.