

IN THE MATTER OF APPLICATION )  
26267 FILED BY QUEEN VALLEY )  
RANCH CO., INC. TO APPROPRIATE )  
WATER FROM AN UNDERGROUND SOURCE )  
IN MINERAL COUNTY, NEVADA. )

R U L I N G

GENERAL:

Application 26267 was filed August 23, 1971, in the name of Queen Valley Ranch Co., Inc. to appropriate 0.5 c.f.s. of water from an underground source within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 27, T.2N., R.33E., M.D.B.&M. for the stockwatering of 132 head of cattle and for domestic use within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 16 and NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 13, T.2N., R.33E., M.D.B.&M. This application became ready for action on November 12, 1971.

Research of other water rights in the vicinity of the point of diversion of Application 26267, it was found that the water under this application was to be diverted from a well on which there existed Permit 23674 in the name of Grefco, Inc. issued November 21, 1967 in the amount of 0.50 c.f.s. for mining and milling purposes.

Queen Valley Ranch Co., Inc. was notified that such conflict of ownership of the well existed and that it would be necessary that an operational agreement be submitted to the Office of the State Engineer whereby both parties concerned agreed to the two separate appropriations from the single point of diversion and to joint use of the subject well.

A field investigation into the matter of Application 26267 was conducted on November 16, 1972, which was attended by representatives of both Queen Valley Ranch Co., Inc. and Grefco, Inc., (the successor in interest to Charles H. Smith, who was the original owner of record; under Permit 23674). As a result of the investigation, it was determined that both parties were agreeable to the issuance of a stockwatering permit out of this same well. However, Queen Valley Ranch Co. was informed during the investigation that although both parties agreed to the mutual use of the well a written agreement would nevertheless be required by the State Engineer's office before a permit under Application 26267 could be issued.

Subsequent to the formal field investigation, Queen Valley Ranch Co., Inc. has been advised by letters of January 31, 1973, March 6, 1973, and by certified letters of April 9, 1973 and July 30, 1974, that an agreement for the mutual use of the well under Permit 26267 will be required before a permit can be issued. To date, no such agreement has been filed in the State Engineer's office.

RULING:

Application 26267 is herewith denied on the grounds that the applicant has failed to submit information necessary for the issuance of a permit.

Respectfully submitted

  
Roland D. Westergard  
State Engineer

RDW/BAR/lk

Dated this 12th day  
of December 1974.