

IN THE MATTER OF APPLICATION)
29635 FILED FOR THE WATERS OF)
PIUTE CREEK, PARADISE VALLEY,)
HUMBOLDT COUNTY, NEVADA)

R U L I N G

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GENERAL:

Application 29635 was filed on September 8, 1975 by Sand Hill Feed Lot, Inc. to appropriate 0.5 cfs of the waters of Piute Creek to be diverted within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T.39N., R.38E. to be used for stock watering and domestic purposes within the W $\frac{1}{2}$ E $\frac{1}{2}$ Section 34, T.38N., R.38E. This water is to be used for the watering of 15,000 head of cattle for a feed lot operation.

This application was protested on December 18, 1975 by Mr. Alvin Miller and T Quarter Circle Ranches, Inc.

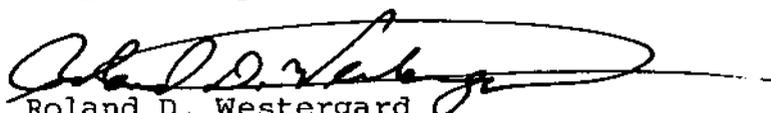
OPINION:

It is our opinion that the granting of this application for the period requested would tend to be detrimental to the livestock users of this particular area of the federal range. However, Piute Creek is a perennial stream to below the proposed point of diversion and there is unappropriated water in the stream for those periods of the year when cattle are not being grazed on the federal range. There is open water above the point of diversion for the watering of wildlife and wild game.

RULING:

The protest to the granting of Application 29635 is sustained in part for that period of April 1 to August 1. The protest to the granting of this application is overruled for that period of August 1 to April 1 of the following year. Upon receipt of the statutory permit fees a permit will be granted only for that period of August 1 to April 1 of the following year.

Respectfully submitted,


Roland D. Westergard
State Engineer

RDW/TJS/lk

Dated this 15th day
of October, 1976.