

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

ORDER

Elko Sand & Gravel
dba Elko Redi-Mix
c/o Kent Brown
Suite 302, Henderson Bank Bldg.
Elko, Nevada 89801
Certified Mail #P117 624488

Julian Tomera
Julian Tomera Ranches, Inc.
Stonehouse Division
Carlin, Nevada 89822
Certified Mail #P117 624487

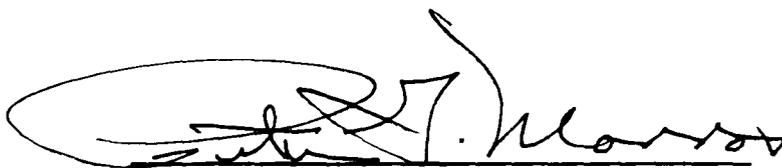
A field inspection made by the State Engineer's office on October 5, 1989, revealed a gravel pit and gravel washing operation in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T.33N., R.52E., M.D.B.&M., and the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4, T.32N., R.52E., M.D.B.&M. Associated with the gravel plant is a sump pump, ditch and pipeline from an open pit within 300 feet of the Humboldt River.

A search of the records in the office of the State Engineer reveals no water rights from either a surface or underground source for commercial, industrial or gravel plant use.

NRS 533.325 provides as follows:

"Any corporation authorized to do business in this state or any person, as defined in NRS 533.010, or any citizen of the United States, or any person who has legally declared his intention to become a citizen of the United States, over the age of 21 years, desiring to appropriate any of the public waters, or to change the place of diversion, manner of use or place of use of water already appropriated, shall, before performing any work in connection with such appropriation, change in place of diversion or change in manner of place of use, make an application to the state engineer for a permit to make the same."

THEREFORE, YOU ARE HEREBY NOTIFIED AND ORDERED to cease and desist from unlawfully diverting water from the described point of diversion.



Peter G. Morros
State Engineer

Dated at Carson City, Nevada,
this 13th day of OCTOBER, 1989.