

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

1112

ORDER

John Lawrence (Nevada)  
P.O. Box 1349  
Dayton, NV 89403  
Certified Mail No. P 866 993 977

WHEREAS, the records of the State Engineer indicate that a dam permit was granted for the construction of Eldorado Canyon Dam on October 13, 1972; and

WHEREAS, the records of the State Engineer indicate that John Lawrence (Nevada), Inc. is the owner of record of Eldorado Canyon Dam as well as water rights for water stored in Eldorado Canyon Dam, located in Section 31, T.16N., R.22E., M.D.B.&M., Lyon County, Nevada; and

WHEREAS, the records of the State Engineer show that State Engineer's Order Number 913 was issued on February 25, 1986, after a field investigation found the condition of the dam to be a threat to public safety and private property. The Order stipulated four (4) criteria that were to be met by the owner; and

WHEREAS, a waiver was granted by the State Engineer on August 14, 1986 allowing for the spillway floor to be excavated to a lower elevation to prevent overtopping of the dam, and giving to the owner a time extension until June 1, 1988 in which to submit a final plan for removal or repair to be submitted to the State Engineer; and

WHEREAS, an engineering report titled "*Dam Failure Analysis*" prepared by a consulting engineer for the owner and submitted to the State Engineer's office sometime in early 1990 was not comprehensive and was never accepted by the State Engineer as complying with the criteria set forth in Order 913; and

WHEREAS, the records of the State Engineer show that a letter was received by the State Engineer from the consulting engineer on September 10, 1990 detailing an ongoing engineering and geotechnical analysis of the structure, and that a remedial analysis and design would be prepared and submitted to the State Engineer; and

WHEREAS, the records of the State Engineer indicate that no such final plan for either removal or repair to the dam has been submitted to the State Engineer's office. The State Engineer finds that the owner is in violation of both Order 913 dated February 25, 1986, and the waiver granted in August 1986; and

WHEREAS, a field investigation conducted at the dam after heavy precipitation in early March of this year found that the pool had risen to the point that it was spilling through the spillway and there was evidence that the flow through the spillway had been higher as shown by the high water mark on the embankment and the cutting and unravelling of the spillway channel. Although the reservoir was spilling, the outlet conduit was only discharging at half of its capacity, evidence that the intake was clogged by debris; and

WHEREAS, no final plan for removal or repair has been submitted to the State Engineer as prescribed by Order 913, and the dam is in worse condition today than it was nine (9) years ago and remains a threat to public safety and private property;

THEREFORE, UNDER THE AUTHORITY SET FORTH UNDER NRS 535.030, YOU ARE HEREBY ORDERED TO:

1. Clear the outlet conduit of all debris and sediment within 15 days of the date of this order, and maintain the outlet control fully open;
2. Submit to the State Engineer within 60 days of the date of this order, a final set of plans and specifications prepared by a registered Civil Engineer to either completely remove the structure or to rebuild the structure to the necessary capacity and integrity;
3. Carry out the construction, whether it be removal or remediation, during the 1995 calendar year.

**FAILURE TO COMPLY WITH THE ABOVE, WILL RESULT IN THE STATE ENGINEER REMOVING THE ELDORADO CANYON DAM PURSUANT TO NRS 535.050. ALL EXPENSES INCURRED IN REMOVING THE DAM WILL BE CHARGED TO THE OWNER PURSUANT TO NRS 535.050(4).**

  
R. MICHAEL TURNIPSEED, P.E.  
State Engineer

Dated at Carson City, Nevada, this

31st day of MARCH, 1995