

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

975

O R D E R

Lionel W. and Marie Johnson  
1001 East 7th Street  
Silver Springs, NV 89429  
Certified Mail #P732 729084

Frehner Construction Company, Inc.  
124 West Brooks Avenue  
North Las Vegas, NV 89030  
Certified Mail #P732 729085

Nevada Department of Transportation  
1263 South Stewart Street  
Carson City, NV 89712  
Certified Mail #P732 729086

A field investigation was conducted on May 18 and 19, 1988, by the Nevada Division of Water Resources to investigate possible illegal diversion and use of water for highway construction purposes in the vicinity of Silver Springs, Nevada.

During the field investigation, a tanker truck was observed being filled with water from a well located on property in the vicinity of 1100 E. Seventh Street, Silver Springs, Nevada, within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 18, T.17N., R.25E., M.D.B.&M. Records at the Lyon County Assessor's office disclosed that Lionel W. and Marie Johnson own this property.

Records of the Nevada Division of Water Resources do not show a valid water right or waiver to divert water from any well within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 18, T.17N., R.25E., M.D.B.&M., for highway construction purposes.

This diversion and use is a violation of Nevada Revised Statutes (NRS), Chapter 534. NRS 534.020 specifies in part that "All underground waters within...the state belong to the public, and...are subject to appropriation for beneficial use only under the laws of this state relating to the appropriation and use of water and not otherwise".

YOU ARE HEREBY ORDERED to cease and desist immediately the diversion of water from said well for highway construction purposes.

  
Peter G. Morros  
State Engineer

Dated at Carson City, Nevada,  
this 20th day of May, 1988.