

OF THE STATE OF NEVADA

O R D E R

Leslie and Joanne Kynett
P.O. Box 3014
Carson City, NV 89702
Certified Mail No. P 139 029 848

WHEREAS, The State Engineer has information that you are the owner of a lot described by Assessor's Parcel Number 09-311-03 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5, T.14N., R.20E., M.D.B.&M., Carson City, Nevada.

WHEREAS, a field investigation conducted on March 12, 1993 by staff of the Division of Water Resources revealed the approximate location of two wells which are below ground surface and were originally drilled for domestic purposes in 1962 to serve the Silver State Raceway and three mobile homes.

WHEREAS, the State Engineer determines that the Silver State Raceway is a commercial establishment and that the water from these two wells is used for commercial purposes.

WHEREAS, Chapter 534.020 of the Nevada Revised Statutes states: "All underground waters...are subject to appropriation for beneficial use only under the laws of this state ... and not otherwise."

WHEREAS, the records of the State Engineer do not reflect a water right for commercial purposes to serve the Raceway.

WHEREAS, Chapter 534.013 of the Nevada Revised Statutes defines domestic use as, "...culinary and household purposes, in a single-family dwelling, the watering of a family garden, lawn and the watering of domestic animals."

WHEREAS, Chapter 534.180 of the Nevada Revised Statutes states, "that this chapter does not apply in the matter of obtaining permits for the development and use of underground water from a well for domestic purposes where the draught does not exceed a daily maximum of 1,800 gallons."

WHEREAS, Chapter 534.185 of the Nevada Revised Statutes states:

The State Engineer shall upon written request...waive the requirements of this chapter regarding permits for the use and development of underground water from a well if:

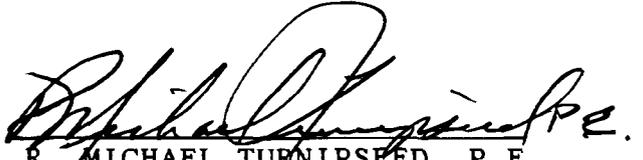
- (a) The well existed before July 1, 1983;
- (b) It was solely used for domestic purposes by not more than three single-family dwellings; and

ORDER
Leslie and Joanne Kynett
Page 2

- (c) Each of those dwellings do not draw more than 1,800 gallons of water in a day.

WHEREAS, the State Engineer's records indicate that no waiver has been requested or granted to allow more than one domestic use on a domestic well.

NOW THEREFORE, you are hereby ordered to discontinue water service to the Silver State Raceway within ninety (90) days of this Order and to cease the use of water from one (1) of the mobile homes.


R. MICHAEL TURNIPSEED, P.E.
State Engineer

Dated at Carson City, Nevada, this
30th, day of March, 1993.