

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

O R D E R

ADOPTING RULES FOR WELL SPACING  
AND MODIFICATION OF REGULATIONS FOR  
WATER WELL AND RELATED DRILLING  
(JANUARY, 1990) IN THE NORTHERN PORTION  
OF THE HERETOFORE DESIGNATED  
KELLEY CREEK GROUND WATER BASIN (4-66)  
HUMBOLDT COUNTY, NEVADA

This Order is issued pursuant to Chapter 534 of Nevada Revised Statutes which authorized the State Engineer to prescribe and adopt rules and regulations for the administration of groundwater. In accordance with statutory provisions the State Engineer gave due notice of a public hearing. The hearing was held on November 9, 1993, in Winnemucca, Humboldt County, Nevada to receive testimony and determine possible spacing requirements for pumping groundwater relating to mine dewatering in the northern portion of the Kelley Creek Ground Water Basin, Hydrographic Area (4-66). Upon full consideration of the evidence presented at the hearing and other relevant facts, the State Engineer finds that conditions warrant the adoption of spacing requirements and the modification of rules and regulations to accommodate the necessities and unique characteristics of mine dewatering within the following described area in the northern portion of the Kelley Creek Ground Water Basin (4-66):

T.39N., R.42E., M.D.B. & M.

All of Sections 1, 12, 13, 24, 25 and 36

T.39N., R.43E.,

All of Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33 and 34

T.38N., R.42E.,

All of Sections 1, 28, 32 and 33

T.38N., R.43E.,

All of Sections 3, 4, 5, and 6

T.37N., R.42E.,

All of Section 5

The above described area is shown as Exhibits 4 and 9 (received into evidence at the November 9, 1993 hearing) a copy of which is attached hereto and fully incorporated herein by this reference.

Within the above-described area, the following rules shall apply:

1. Applications to appropriate underground water for mining, milling and dewatering purposes may be filed describing a point of diversion at or near the center of an area not to exceed 160 acres. Upon approval of any such application, wells may be located and drilled anywhere within said 160 acre area as required for mine dewatering purposes without filing for a temporary change of point of diversion. A change application shall be filed on or before January 15th of each year setting forth more exact location(s) of each then producing well drilled within any such 160 acre area during that year.

2. Cumulation and rotation procedures using other permits may be utilized to allow a maximum flow rate greater than the diversion rate for any single permit in a 160 acre area provided that the total combined diversion rate authorized under all related permits is not exceeded.

3. The following rules and regulations are modified or waived by this Order for mine dewatering permits within the area described in this Order:

a. NAC Section 534.300 is modified to allow for the drilling of alternate or replacement wells anywhere within a 160 acre area encompassing the originally described point of diversion for an application to appropriate.

b. NAC Sections 534.410 and 534.430 are hereby waived except as provided for in Paragraph 4 of this Order. Any request to waive the provisions of NAC 534.380 (Construction of Well: Seals) must be done in accordance with NAC 534.450 (Waiver of Requirements of this Chapter).

4. This Order with the aforementioned waivers or modifications will apply only during mine dewatering operations. At the time of permanent cessation of mining activity, the requirements for permanent well closure shall apply to all wells drilled pursuant to this Order. Any well which is not permanently closed shall be modified, as necessary, to comply with all the applicable rules and regulations.

  
R. MICHAEL TURNIPSEED, P.E.  
State Engineer

Dated at Carson City, Nevada

this 30TH day of DECEMBER, 1993