

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

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O R D E R

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You have caused a well to be drilled within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 26, T.26N., R.18E., M.D.B.&M., in clear violation of NRS 534.050, Section 1, which in applicable part provides:

"...every person desiring to sink or bore a well in any basin or portion therein in the state designated by the state engineer, as provided for in this chapter shall first make application to and obtain from the state engineer a permit to appropriate the water, in accordance with the provisions of Chapter 533 of NRS relating to the appropriation of the public waters, before performing any work in connection with the boring or sinking of the well". (Emphasis added.)

The location of the well is within the area designated and described under State Engineer's Order No. 849 "Designating and Describing the Honey Lake Valley Ground Water Basin, Washoe County, Nevada", dated January 15, 1985, made and entered in accordance with the provisions of NRS 534.

On May 9, 1985, a request was submitted for a waiver to drill "an exploration well... within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 26, T.26N., R.18E., M.D.B.&M." On May 16, 1985, a waiver was granted:

"...to drill one exploration well located within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 26, T.26N., R.18E." (Emphasis added.)

The waiver further stated the exploratory well:

"... will not be reamed out or a well drilled as a production well until a permit has been granted by the Division of Water Resources."

Finally, the subject waiver required:

"Upon the determination that the exploratory well will be used as a pilot hole for the production well, the exploratory well must be filled with drilling fluid."

A September 19, 1985 field inspection by staff of the State Engineer's office revealed that a well was drilled in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 26, T.26N., R.18E., M.D.B.&M., and has been completed, and equipped with pump and motor for purposes of irrigation in clear violation of NRS 534.050.