

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

971

O R D E R

L.T.R. Enterprises
304 Surprise Avenue
Yerington, Nevada 89447

This office has determined through investigation that you are the owner of a well located within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, T.13N., R.25E., M.D.B.&M., as further described under Permit 18704, Certificate 5912. This certificate was granted for irrigation purposes on 84.8 acres of land and not to exceed a diversion rate of 1.9 cubic feet per second and a seasonal duty of 339.2 acre-feet.

You were notified by certified mail on May 4, 1987, that you were exceeding the allowable pumpage rate and advised by this office to take corrective action to limit the diversion rate to comply with the terms of the certificate.

This office has further determined by field measurement that the subject well was discharging water at the following rates:

4.5 cubic feet per second on April 24, 1987

5.34 cubic feet per second on June 23, 1987

4.10 cubic feet per second on April 21, 1988.

NRS 533.460 states:

"The unauthorized use of water to which another person is entitled, or the willful waste of water to the detriment of another, shall be a misdemeanor, and the possession or use of such water without legal right shall be prima facie evidence of the guilt of the person using or diverting it."

NRS 533.480 states:

"Any person violating any of the provisions of NRS 533.010 to 533.475, inclusive, shall be guilty of a misdemeanor."

NRS 533.030(1) provides that:

"Subject to existing rights, all water may be appropriated for beneficial use as provided in this chapter and not otherwise."

You are clearly exceeding the limit and extent of the right under Permit 18704, Certificate 5912, and are hereby ordered to cease and desist any pumpage of water that exceeds the diversion rate and seasonal duty as set forth under Permit 18704, Certificate 5912.


Peter G. Morros
State Engineer

Dated at Carson City, Nevada,
this 27th day of APRIL, 1988

Certified Mail No. P491 802 334