

IN THE OFFICE OF THE STATE ENGINEER
AND DIVISION OF ENVIRONMENTAL PROTECTION
OF THE STATE OF NEVADA

ORDER

G. Sterling Nixon
Metropolis Rte
Wells, NV 89835
Certified Mail #P732 756367

RAD Oil Company
5212 South 2200 West
Salt Lake City, UT 84118
Certified Mail #P732 756368

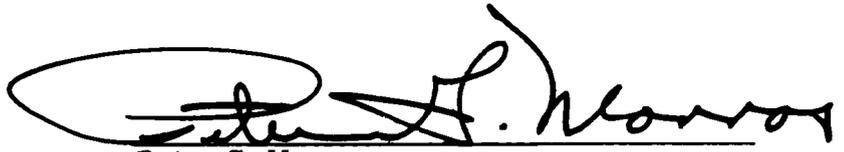
The office of the State Engineer has determined through investigation that you are the owner of that certain well located within the SW1/4 SW1/4 Section 28, T.39N., R.62E., M.D.B.&M., in the Mary's River Ground Water Basin and further described as the well completed by RAD Oil Company as "Nixon #1" under Nevada Department of Minerals oil well drilling Permit No. 502. Information available to this office indicates the subject well, though originally drilled as an oil well, is intended to be used as a water well. The State Engineer finds the construction of the well does not comply with the Regulations for Drilling Water Wells as adopted under Chapter 534 of the Nevada Administrative Code and pursuant to the authority under NRS 534.060(4), the State Engineer finds the well defective. The State Engineer further finds the well allows water to flow to waste in violation of NRS 534.060(3), and 534.070 and must be immediately plugged and abandoned.

The Well, Nixon #1, as constructed by RAD Oil Company apparently made no provisions for isolating the geothermal aquifer from the non-geothermal aquifer which is of potable quality. The geothermal fluid under artesian flow may be uncontrollably injected into a different aquifer, thereby degrading this underground water resource.

Pursuant to the powers and duties vested in the Director of the Department of Conservation and Natural Resources by Nevada Revised Statutes (NRS) Chapter 445.214, subsection 1 and 445.216, subsection 8, delegated to the Division of Environmental Protection (DEP) pursuant to NRS Chapter 445.216, subsection 9, and in accordance with NRS Chapter 445.307, NRS 445.317, subsection 1(a) and NRS 445.324, the Director alleges the unauthorized discharge of a pollutant from a point source to the waters of the state pursuant to NRS 445.221.

YOU ARE HEREBY ORDERED, pursuant to the authority of the Director under NRS 445.317 and 445.324 to immediately cease the unauthorized discharge.

YOU ARE FURTHER ORDERED, pursuant to the authority under NRS 534.060(4), to plug and abandon the well within 30 days of the date of this Order or the State Engineer may, without further notice, pursue appropriate action.



Peter G. Morros
State Engineer



L. H. Dodgion
Administrator
Division of Environmental Protection

Dated at Carson City, Nevada, this

10th day of February, 1989.