

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

1134

O R D E R

Rock Island Corporation  
P.O. Box 375  
Genoa, NV 89411  
Certified Mail No. P 187 503 400

Carson Valley Financial Corporation  
P.O. Box 375  
Genoa, NV 89411  
Certified Mail No. P 187 503 401

**WHEREAS**, the Douglas County Assessor's Office states Rock Island Corporation is the owner of land described by Assessor's Parcel Numbers 15-060-59, 15-060-60, and 15-060-61 in the N $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 31 and a portion of the SW $\frac{1}{4}$  of Section 30 all in T.14N., R.20E. M.D.B.& M.;

**WHEREAS**, a field investigation of the above property was conducted on July 25, 1997, by staff of the Nevada Division of Water Resources which indicates the irrigation of approximately 5 acres between Ambrosetti Pond and a north-south ditch on the above cited parcels;

**WHEREAS**, a portion of the water being used to irrigate the above cited acreage is from domestic wells located on the above referenced parcels and the remaining portion being pumped from Ambrosetti Pond;

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

**WHEREAS**, Nevada Revised Statutes Chapter 534.180(1) states, "...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**, Nevada Revised Statutes Chapter 534.013 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**, a search of the records of the of the State Engineer revealed three (3) wells (for domestic purposes) were drilled on the above cited parcels between October 27, 1994 and November 30, 1994;

**WHEREAS**, a field investigation conducted on the July 25, 1997, found a single travel trailer and an open barn but no permanent dwellings on the property;

**WHEREAS**, the records of the Nevada Division of Water Resources show no groundwater right, as appropriated under Nevada Revised Statutes, Chapter 533 and 534, has been issued on said property for any purpose;

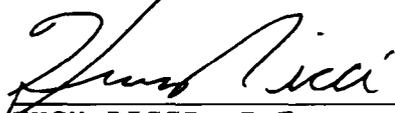
**WHEREAS**, Application 62138 was filed by Carson Valley Financial Corporation to change the place of use of a portion of Carson River Decree Claim 249 and Claim 817 and subsequently a permit was issued for the irrigation of 14.0 acres within the above cited parcels with the understanding that direct flow from Claim 249 and storage water from Claim 817 (Ambrosetti Pond) is required to deliver the full duty of water for the irrigation of 14.0 acres;

**WHEREAS**, the distribution of water under Permit 62138 falls under the jurisdiction of the Federal Water Master.

**NOW THEREFORE YOU ARE HEREBY ORDERED**, to Cease and Desist all diversion of water from domestic wells for uses other than domestic purposes.

Failure to cease irrigating with the domestic wells will result in the appropriate judicial action.

R. MICHAEL TURNIPSEED, P.E.  
State Engineer

  
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HUGH RICCI, P.E.  
Deputy State Engineer

Dated at Carson City, Nevada,  
this 1st day of August, 1997.

cc: Federal Water Master