

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

O R D E R

Mr. Ralph Conway
Bee Bee Construction
P. O. Box 1057
Susanville, California 96130

This office has determined by field investigation that water is being diverted from the Truckee River by means of a pump located in the NE $\frac{1}{4}$ of Section 32, T.20N., R.22E., M.D.M., for use in a gravel plant operation.

Chapter 533 of the Nevada Revised Statutes requires compliance therewith for the diversion and use of the public waters of the State of Nevada. There is no record in the office of the State Engineer granting a right for the above described diversion and use of the Truckee River.

Therefore, you are hereby ordered to immediately remove said pump and cease the illegal diversion and use of the waters of the Truckee River.


William J. Newman
State Engineer

Dated this 29th day of
JUNE, 1981.

3. Serve a copy of this order and a copy of their respective outlines to the persons whose water right certificates are claimed to have been abandoned or forfeited. Personal service is required on all persons using water under the certificate or with permission of the holder of the certificate and on all persons owning land within the place of use of the certificate contended to have been abandoned or forfeited.

Otherwise, service may be by certified or registered mail. The affidavits of process servers and postal return receipts must be offered into evidence at the hearing. Failure to attempt service in the manner specified will preclude a party from offering evidence on or asserting a claim of abandonment or forfeiture.

Persons served may within 60 days file a written response with the State Engineer and may appear at the hearing. Persons served should notify the State Engineer in writing of an address at which the notice of hearing is to be sent. After the expiration of the 60 day period a notice of hearing will be mailed to the affected parties. The hearing will be no earlier than 60 days from the date of the notice.

A review of the previous administrative hearing and the records of this office shows that there are existing wells in the vicinity of the points of diversion proposed by the applicant. The protestant contends that the rights in certain wells operated by Carson City would be adversely affected by the proposed wells. At the hearing to be scheduled the protestant and applicant will be expected to present evidence in this regard. The parties must file with the State Engineer a summary of their respective positions and the evidence to be offered. The summary must be filed within 30 days after the notice of hearing is sent.



Peter G. Morros
State Engineer

Dated at Carson City, Nevada, this
3rd day of AUGUST, 1981.

Copies mailed to:

Aram and Stella Harootunian
George Abbott
Carson City
Ross de Lipkau