

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

ORDER

Theodora Peigh  
1660 White Creek Lane  
Reno, Nevada 89511  
Certified Mail No. P 058 558 387

M. H. Duxbury  
1 Booth Street  
Reno, Nevada 89509  
Certified Mail No. P 058 558 388

The office of the State Engineer has determined through investigation that a well (or wells) is being used to serve approximately 12 units. The said well (or wells) is located approximately in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 29, T.18N., R.20E., M.D.B.&M.

A review of the records in the office of the State Engineer shows that Permit 27266 was issued on June 20, 1973 to divert one cubic foot per second of water for quasi-municipal purposes. The Proof of Completion of Work for this permit was filed with the State Engineer on September 20, 1973.

Applications of Extension of Time to submit the Proof of Beneficial Use were approved by the State Engineer from September 20, 1976 to September 20, 1986. Permit 27266 was cancelled on June 25, 1987 for failure to file the Proof of Beneficial Use as set forth under Chapter 533 of the Nevada Revised Statutes (NRS).

Therefore, no permit exists to serve water to the aforementioned units. NRS 534.020(1) states that all underground water of the state "... are subject to appropriation for beneficial use only under the laws of this state relating to the appropriation and use of water and not otherwise."

The investigation also noted that one well was open to the surface. NRS 534.020(2) states that "(I)t is the intention of the legislation, ..., to prevent waste of underground waters and pollution and contamination thereof ...."

YOU ARE HEREBY ORDERED, pursuant to NRS 533 and 534, to take immediate action to correct this violation of the Nevada Water Law. If no corrective action is taken within ninety (90) days of the date of this Order, the well or wells on this property must be plugged and abandoned in accordance with the prescribed regulation or the State Engineer may, without further notice, pursue appropriate action.

  
R. MICHAEL TURNIPSEED, P.E.  
State Engineer

Dated at Carson City, Nevada,

this 28TH day of August, 1990.