

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

10564

ORDER

Princeline Roxbury
725 E. Tuckey Lane
Phoenix, AZ 85014
Certified Mail No. P 019 021 543

A field investigation by the State Engineer's Office on April 6, 1992 found an opened abandoned well located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 30, T.17N., R.25E., M.D.B.M., Lyon County, Nevada. This well is on a 40 acre parcel of land identified by the Lyon County Assessor's Office as Assessor's Parcel number 15-581-01, with the owner of record being Princeline Roxbury.

Records in the office of the State Engineer indicate that no water right exists for this particular well or parcel. Records indicate that the State Engineer issued Permit 13431 December 30, 1950 for this location, but this permit was cancelled on September 8, 1957.

Nevada Revised Statutes (NRS) 533.030, Subsection 1 states,

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

NRS 534.020, Subsection 1 and 2 states,

"1. All underground waters within the boundaries of the state belong to the public, and subject to all existing rights to the use thereof, 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.

2. It is the intention of the legislature, by this Chapter, to prevent the waste of underground waters and pollution and contamination thereof and provide for the administration of the provisions thereof by the state engineer, who is hereby empowered to make such rules and regulations within the terms of this chapter as may be necessary for the proper execution of the provisions of this Chapter."

Nevada Administrative Code (NAC) 534.420, Subsections 1 and 2 state,

"1. Water wells must be plugged by a driller licensed by the State Engineer.

2. On abandonment or order of the State Engineer, a water well must be plugged by:

(a) Removing the casing from the well if the well is not sealed and if removal will not cause caving or, if it cannot be removed, by perforating or ripping it to allow the plugging fluid to penetrate the area between the casing and the wall of the drill hole; and

(b) Using neat cement or a bentonite product specifically designed to plug abandoned wells.

And NAC 534.428, Subsection 2 states:

"On private land, the owner is responsible for the cost of plugging the well."

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The State Engineer finds that the condition of the well does not comply with the Nevada Administrative Code (NAC) Chapter 534 and pursuant to the authority under NRS 534.060(4), the State Engineer finds that the well is defective and must be immediately plugged and abandoned.

YOU ARE HEREBY 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.


R. MICHAEL TURNIPSEED, P.E.
State Engineer

Dated at Carson City, Nevada, this

9th, day of April, 1992.