

IN THE OFFICE OF THE STATE ENGINEER

IN THE STATE OF NEVADA

O R D E R

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Spanish Springs Acquisition
Limited Liability Company
P.O. Box 170
Tahoe City, CA 96145
Cert. Mail No. P 139 029 575

Royce Aller Hardy, Jr.
6745 E. Tivani Dr.
Tucson, AZ 85715
Cert. Mail No. P 139 029 576

Alice Hardy Paulson
80 Atherton Ave.
Atherton, CA 94025
Cert. Mail No. P 439 029 577

WHEREAS, the records of the Washoe County Assessor's Office state that Spanish Springs Acquisition Limited Liability Company is the owner of record of a parcel of land as described by Washoe County Assessor's Parcel No. 83-021-14, which is within a portion of Sections 1 and 12, T.20N., R.20E., M.D.B.&M. and the office of the State Engineer has documents on file to support an assignment to this effect; and

WHEREAS, the records of the Nevada Division of Water Resources show that certificate 7148 was issued September 9, 1969 under Permit 21479, for 0.5 c.f.s. but not to exceed 361.9 ac. ft. annually for irrigation and domestic purposes on 564 acres from an underground source located within Parcel No. 83-021-14. The current owner of record of certificate 7148 is Royce Aller Hardy, Jr. and Alice Hardy Paulson; and

WHEREAS, a field investigation was conducted on June 29, 1994 by staff of the Division of Water Resources, which indicates that a portion of the water being discharged from the well located in the above mentioned parcel is being used to fill water trucks that are being used for dust control outside of the place of use of Certificate 7148; and

WHEREAS, Nevada Revised Statutes 533.325 states, "Any person who wishes to appropriate any of the public waters, or to change the place of diversion, manner of use or place of use of water already appropriated, shall, before performing any work in connection with such appropriation, change in place of diversion or change in manner or place of use, apply to the state engineer for a permit to do so"; and

WHEREAS, the records of the Nevada Division of Water Resources do not reflect that an application is on file or that there is an existing water right for any other use than irrigation from said well; and

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NOW THEREFORE, YOU ARE HEREBY ORDERED to cease and desist immediately the use of water from this well for dust control purposes and reduce the diversion rate to 0.5 c.f.s. as granted in Certificate 7148


R. MICHAEL TURNIPSEED, P.E.
State Engineer

Dated at Carson City, Nevada, this

1st day of July, 1994