

IN THE OFFICE OF THE STATE ENGINEER

OF THE STATE OF NEVADA

1149

ORDER

Karen or William Casey, Jr.
P.O. Box 20802
Sparks, Nevada 89433
Certified Mail No. Z185862118

WHEREAS, the records of the Pershing County Assessor's Office show that Karen or William Casey, Jr., is the owner of a parcel of land described by the Pershing County Assessor as Parcel Number 09-330-03 within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T.33N., R.38E., M.D.B.&M., in Grass Valley;

WHEREAS, on or about June 19, 1999, a water well proposed to be for domestic use as defined by Nevada Revised Statutes (NRS) 534.013 and 534.180, was drilled on Parcel Number 09-330-03;

WHEREAS, NRS 534.013 defines domestic use or domestic purpose as extending to "... to culinary and household purposes DIRECTLY RELATED TO A SINGLE FAMILY DWELLING ..." (Emphasis added);

WHEREAS, a field investigation of Parcel Number 09-330-03 conducted by staff of the Nevada Division of Water Resources on July 2, 1999, found that no single-family dwelling existed and that the well was being used to supply water to approximately 50 cattle and 15 horses;

WHEREAS, NRS 534.020(1), states, "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". (Emphasis added);

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

WHEREAS, the records of the Nevada Division of Water Resources show no claims of vested rights appurtenant to said parcel;

WHEREAS, this well is not serving a domestic use, nor does a permit exist for any other purpose;

NOW, THEREFORE, YOU ARE HEREBY ORDERED to cease and desist all
diversion of water for uses to supply water for stockwatering use on this parcel.


R. MICHAEL TURNIPSEED, P.E.
State Engineer

Dated at Carson City, Nevada

this 9th day of July, 1999.