

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

1162

ORDER

**ADOPTING RULES FOR WELL SPACING AND MODIFICATION
OF REGULATIONS FOR WATER WELL AND RELATED DRILLING
NEVADA ADMINISTRATIVE CODE CHAPTER 534 (JANUARY 1998)
IN A PORTION OF THE BUFFALO VALLEY GROUNDWATER BASIN
(10-131) AND IN A PORTION OF THE LOWER REESE RIVER VALLEY
GROUNDWATER BASIN (4-059) LANDER COUNTY, NEVADA**

This Order is issued pursuant to Chapter 534 of the Nevada Revised Statutes, which authorizes the State Engineer to prescribe and adopt rules and regulations for the administration of ground water. In accordance with statutory provisions, the State Engineer gave due notice of a public administrative hearing. The hearing was held on April 13, 2000, in Battle Mountain, Lander County, Nevada, to receive testimony and determine possible spacing requirements for pumping ground water relating to mine dewatering in the eastern portion of the Buffalo Valley Groundwater Basin, Hydrographic Area 10-131 and in the western portion of the Lower Reese River Valley Groundwater Basin, Hydrographic Area 4-059. Upon full consideration of the evidence presented at the hearing, and other relevant facts, the State Engineer finds that conditions warrant the adoption of well spacing requirements and the modification of rules and regulations for water well and related drilling under Chapter 534 of the Nevada Administrative Code (NAC) to accommodate the necessities and unique characteristics of mine dewatering within the following described area in the eastern portion of the Buffalo Valley Groundwater Basin (10-131):

T. 31N., R. 43E., M.D.B.&M.

the SE $\frac{1}{4}$ of Section 16, the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 21, the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 22, the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 27, the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 28, the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 33, the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 34, lying within the natural drainage basin of Buffalo Valley,

and within the following described area in the western portion of the Lower Reese River Valley Groundwater Basin (4-059):

T. 31N., R. 43E., M.D.B.&M.

the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 22, and the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 27 all lying within the natural drainage basin of the Lower Reese River Valley,

as delineated on the attached exhibit hereto and fully incorporated herein by this reference.

Within the above-described area, the following rules shall apply:

1. Applications to appropriate underground water for mining, milling and dewatering purposes may be filed describing a point of diversion at or near the center of a block delineated on the attached exhibit, but not to exceed 160 acres. Upon approval of any such application, wells may be located in the respective hydrographic basin and drilled anywhere within said block and respective hydrographic basin as required for mine dewatering purposes without filing for a temporary change of point of diversion prior to any pumping. However, a temporary change application must be filed on or before January 30th of each year for the amount of water pumped the preceding year from each well. Each application must specify the exact location for each producing well drilled within the respective hydrographic basin and any such delineated block during that year. If a permanent water right already exists at any well within any block, a temporary change application must only be filed if the pumping for the previous year exceeds the permitted duty under the permanent water right. However, pumping within a specified block area cannot exceed the total water right permitted within that block area.
2. The following sections under Chapter 534 of the Nevada Administrative Code (Regulations for Water Well and Related Drilling January 1998) are modified or waived by this Order for mine dewatering permits within the area described in this Order:
 - a. NAC § 534.300 is modified to allow for the drilling of alternate wells anywhere within a specified block permit which has been approved by the State Engineer, as long as the new well remains within the same hydrographic basin as the delineated block.
 - b. NAC §§ 534.380, 534.420, 534.424, 534.427, and 534.430 are hereby waived except as provided for in Paragraph 3 of this Order.
3. This Order, with the aforementioned waivers or modifications, will apply only during mine dewatering operations. At the time of permanent cessation of mining activity, the requirement for permanent well closure shall apply to all wells drilled pursuant to this Order as provided in NAC § 534.420. Any well, which is not permanently closed, shall be modified as necessary to comply with all applicable statutes, rules and regulations.


R. Michael Turnpseed, P.E.
State Engineer

Dated at Carson City, Nevada

this 13th day of June, 2000.

