

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

819

O R D E R

Summit Mining Company  
Route #1 Box 322  
Kimberly, Idaho 83344

Kinetic Minerals, Inc.  
1012 North Beck Street  
Salt Lake City, Utah 84103

On September 26, 1982, during a field investigation, representatives of this office observed water being used and impounded from a surface source in the NW $\frac{1}{4}$  of Section 23, T.32N., R.43E., M.D.B.&M. On March 26, 1983, representatives of this office once again conducted a field investigation and found that the water within the NW $\frac{1}{4}$  of Section 23, T.32N., R.43E., M.D.B.&M., was still impounded and the solution used in the leeching process is now washing or running over the top of the pond and running out of the fenced area of the pond. A letter dated December 13, 1982, was sent to Summit Mining Company advising them to cease use until the provisions of NRS 533 had been complied with. The March 26, 1983, field investigation revealed that additional violations were taking place; a spring in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 23, T.32N., R.43E., M.D.B.&M., has been diverted through installation of a dam.

You are hereby advised that you are in violation of NRS 533.325, which states that any corporation authorized to do business in this state, as defined in NRS 533.010, desiring 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 of place of use, make an application to the state engineer for a permit to make the same. Further, NRS 535.010 prohibits the construction of any obstruction in any stream, or natural stream channel and watercourse. NRS 535.050 provides for removal of any dam or obstruction not in compliance with said statute.

Therefore, you are hereby ordered to cease the use of said water and immediately remove said obstruction and restore said natural stream and watercourse to its natural condition.



Peter G. Morros  
State Engineer

Dated at Carson City, Nevada, this

5th day of MAY, 1983.