

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

ORDER

#1269

**CURTAILING NEW APPROPRIATIONS OF GROUNDWATER
WITHIN THE DESERT VALLEY HYDROGRAPHIC BASIN (031)**

WHEREAS, Nevada Revised Statutes (NRS) § 534.120 provides that within an area that has been designated by the State Engineer where, in his judgment, the groundwater basin is being depleted, the State Engineer in his administrative capacity is empowered to make such rules, regulations and orders as are deemed essential for the welfare of the area involved.

WHEREAS, the State Engineer designated the Desert Valley Hydrographic Basin, located within Humboldt County, Nevada, as provided under the provisions of NRS § 534.030, by Order No. 535 dated May 9, 1975.

WHEREAS, the Nevada Division of Water Resources estimates that 9,000 acre-feet of water annually are available as the perennial yield from the Desert Valley Hydrographic Basin.¹

WHEREAS, the committed groundwater appropriations of record in the Office of the State Engineer total 38,486.25 acre-feet annually, which greatly exceeds the perennial yield of the basin.²

WHEREAS, the State Engineer finds that the withdrawals of groundwater have exceeded the perennial yield of the basin at least since 1984, and therefore, the State Engineer finds that groundwater withdrawals have consistently exceeded the perennial yield.

WHEREAS, the State Engineer finds that the groundwater levels in the basin have declined over 20 feet since 1991 in portions of the basin, and that the water level continues to decline.³

WHEREAS, the State Engineer finds that conditions warrant the curtailment of new appropriations of groundwater within the Desert Valley Hydrographic Basin.

NOW THEREFORE, IT IS HEREBY ORDERED that, with the following exceptions, any application to appropriate groundwater pursuant to NRS Chapters 533 and 534 within the designated Desert Valley Hydrographic Basin will be denied. Applications filed under the exceptions below must also satisfy the criteria found in NRS Chapters 533 and 534.

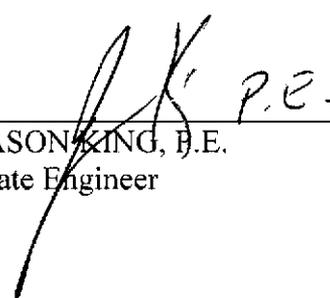
¹ Official records in the Office of the State Engineer.

² Official records in the Office of the State Engineer.

³ Water Level Database, official records in the Office of the State Engineer.

EXCEPTIONS:

1. Those wells drilled for domestic purposes as defined by NRS § 534.013.
2. Those applications filed for environmental permits filed pursuant to NRS §§ 533.437 to 533.4377, inclusive.
3. Those applications filed for temporary appropriations of groundwater for establishing fire-resistant vegetative cover filed pursuant to NRS § 533.436.
4. Those applications filed for temporary stockwater use pursuant to NRS § 533.504 that seek appropriations of less than two acre-feet of water annually.
5. Those applications filed for diversion rate only with no corresponding increase in duty of water.
6. Those applications filed for non-consumptive uses.



JASON KING, P.E.
State Engineer

Dated at Carson City, Nevada this

2nd day of December, 2015.