

O R D E R

WITHIN THE PAHRUMP VALLEY ARTESIAN BASIN

WHEREAS, the State Engineer has designated the Pahrump Valley Artesian Basin as provided under NRS 534.010 to 534.190, inclusive, by the following Orders:

1. Order No. 176, dated March 11, 1941;
2. Order No. 193, dated January 15, 1948, extending the boundary of the Pahrump Valley Artesian Basin;
3. Order No. 205, dated January 23, 1953, extending the boundary of the Pahrump Valley Artesian Basin.

WHEREAS, NRS 534.120 provides that within an area that has been designated by the State Engineer where, in his judgment, the ground water 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 issued Order No. 206 on May 4, 1953, directing the installation of measuring devices on all permitted wells (excluding domestic wells) within the Pahrump Ground Water Basin.

WHEREAS, the State Engineer issued Order No. 381 on June 1, 1970, giving notice that no further appropriations would be approved for irrigation purposes in Pahrump Valley Ground Water Basin.

WHEREAS, the United States Geological Survey estimates that 19,000 acre-feet annually is the maximum amount of natural discharge available for capture. The State Engineer has determined that the perennial yield of the Pahrump Valley Artesian Basin may be on the order of 12,000 acre-feet annually based on an outflow to the Amargosa-Ash Meadows area of some 7,000 acre-feet annually. Existing ground water rights of record in the State Engineer's office total over 80,000 acre-feet annually. Of this amount, approximately 60,000 acre-feet annually is for irrigation purposes and approximately 20,000 acre-feet annually represents municipal, quasi-municipal and commercial uses.

WHEREAS, the records and information available to the State Engineer's office indicate there are currently approximately 39,830 approved subdivision lots within the Nye County portion of Pahrump Valley.

WHEREAS, the State Engineer has maintained pumpage inventories in Pahrump Valley since 1962 and has found a continual depletion of the ground water which is the sole source of water for agriculture and other development in Pahrump Valley. During the period 1962-1985, ground water withdrawals increased from 29,000 acre-feet annually in 1962 to a maximum of 48,000 acre-feet annually in 1968 and then steadily declined from about 44,500 acre-feet annually in 1976 to 23,000 acre-feet annually in 1985. The decrease in pumpage is due primarily to the transitional change of agricultural land to real estate development.

WHEREAS, the State Engineer has found ground water levels in Pahrump Valley are declining with the greatest declines along the base of the Pahrump and Manse fans located in the east side of the basin.

NOW, THEREFORE, it is ordered that:

1. All applications filed to appropriate water from the Pahrump Valley Artesian Basin in the east side of the basin on the Pahrump and Manse fans be denied.
2. All applications filed to appropriate water from the Pahrump Valley Artesian Basin for all uses except small commercial uses on the valley floor will be denied. Small commercial uses will be considered a preferred use of the limited ground water resource under the authority of NRS 534.120.
3. All applications filed to appropriate water from the Pahrump Valley Artesian Basin for commercial uses which require water in the amount of 5,000 gallons per day or less will be considered for approval on an individual basis and on their own merits.
4. Order No. 381 issued by the State Engineer on June 1, 1970, be amended in the following manner:

All applications filed to appropriate water for irrigation purposes on lands in Pahrump Valley that have had a certificated water right forfeited where the forfeiture has occurred prior to January 1, 1988, will be considered for approval on an individual basis and on their own merits. Such applications will only be considered if filed with the State Engineer's office within 60 days of the date the right has been declared forfeited.



PETER G. MORROS
State Engineer

Dated at Carson City, Nevada, this

26th day of OCTOBER, 1987