

IN THE OFFICE OF THE STATE ENGINEER

OF THE STATE OF NEVADA

A M E N D E D O R D E R 1 0 5 4

LAS VEGAS VALLEY GROUNDWATER BASIN

WHEREAS, the State Engineer designated and extended the designated areas of the Las Vegas Artesian Basin; ordered the curtailment of the use of groundwater for irrigation in certain areas of the Las Vegas Valley; and ordered a notice of regulation concerning water appropriation to the Las Vegas area as provided under the appropriate Statutes of Nevada or Nevada Revised Statutes by the following Orders of the State Engineer

1. Order No. 175, dated January 10, 1941
2. Order No. 182, dated February 29, 1944
3. Order No. 189, dated November 22, 1946
4. Order No. 196, dated December 1, 1949
5. Order No. 212, dated November 20, 1953
6. Order No. 249, dated April 18, 1961
7. Order No. 275, dated May 25, 1964

WHEREAS, the 1955 Nevada State Legislature enacted Senate Bill No. 104, which allowed the State Engineer to issue temporary permits to appropriate groundwater which may be revoked when water service can be furnished by an entity such as a water district or a municipality; and

WHEREAS, the State Engineer amended the description of the designated area of the Las Vegas Artesian Basin; and declared irrigation not to be a preferred use of the limited underground water resource by Order of the State Engineer (No. 833) dated December 27, 1983; and

WHEREAS, The State Engineer continually reviews the amount of water delivered to the Las Vegas Valley from the Colorado River through the Southern Nevada Water System and has noted significant increases for the calendar years 1988 through 1991, and that total pumpage plus commitments to planned projects are nearing the contractual obligations of the various water purveyors; and

WHEREAS, the State Engineer has issued approximately 19,000 acre-feet of revocable groundwater permits in the Las Vegas Valley Groundwater Basin which will be subject to revocation when Colorado River water is made available through the utilities utilizing Colorado River water; and

WHEREAS, the State Engineer currently has an ongoing program for revocation of permits in areas of the Las Vegas Valley Groundwater Basin that can be served by a water district or a municipality; and

WHEREAS, with continued increases in the amount of Colorado River water delivered through the Southern Nevada Water System as seen over the past four years, full commitment of Nevada's allocation of Colorado River water will occur in the near future; and

WHEREAS, the amount of groundwater pumped in the Las Vegas Valley under both non-revocable and revocable permits exceed the safe yield of the groundwater basin on an annual basis; and

WHEREAS, the groundwater levels continue to decline in some areas in the Las Vegas Valley Groundwater Basin where revocable permits are being issued; and

WHEREAS, a recently completed final project report by Nevada Bureau of Mines & Geology confirms that land subsidence continues to remain active in areas of the Las Vegas Groundwater Basin as a result of continued overdraft of the groundwater resource; and

WHEREAS, the State Engineer under the authority of NRS 534.120, section 1, is empowered to make rules, regulations and orders in an area that has been designated as deemed essential for the welfare of the area involved; and

WHEREAS, all water purveyors in the Las Vegas Valley are assessing or reassessing their resources to determine if they have water available to serve new development; and

WHEREAS, the volume of water available to the utilities and municipalities to replace temporary underground water uses is unquantifiable at this time.

NOW THEREFORE, it is ordered that with the following exceptions applications filed after March 23, 1992 pursuant to NRS 534.120 within the designated Las Vegas Artesian Basin will be denied:

1. Applications filed for commercial or industrial purposes which seek to appropriate 1,800 gallons per day or less and where the property is zoned for such purpose shall be processed and subject to NRS Chapter 533 and 534.
2. Applications filed for the purpose of reinstating a permit that has been cancelled and where some use has been made of the water, will be processed according to NRS Chapter 533, but only for the uses that are existing.

3. Applicants who began the process of filing an application before March 23, 1992, may file the application which will be processed according to NRS Chapter 533. The applicant must demonstrate that the process began before March 23, 1992 by attaching a copy of a contract or agreement with a licensed water right surveyor. The application and copy of the contract must be received in the office of the State Engineer no later than 5:00 p.m. May 1, 1992.

Order 1054 issued on March 23, 1992 is hereby amended after comments taken at a public hearing held April 13, 1992, and for public interest reasons rather than hydrologic reasons.


R. MICHAEL TURNIPSEED, P.E.
State Engineer

Dated at Carson City, Nevada,

this 15TH day of APRIL, 1992.