IN THE OFFICE OF THE STATE ENGINEER

OF THE STATE OF NEVADA

ORDER

WHEREAS, Nevada Revised Statute (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 Diamond Valley Hydrographic Basin as provided under the provisions of NRS § 534.030, by the following Orders:

1. Order No. 277, dated August 5, 1964.
2. Order No. 280, dated August 28, 1964.
3. Order No. 541, dated December 22, 1975.
4. Order No. 717, dated July 10, 1978.
5. Order No. 809, dated December 1, 1982.
6. Order No. 813, dated February 7, 1983.
7. Order No. 815, dated April 4, 1983.

WHEREAS, by Order No. 541 and Order No. 717, the State Engineer declared, that within the Diamond Valley Hydrographic Basin the groundwater supply is being depleted in portions of the basin. Further, Order No. 717 specified that all applications filed after December 31, 1978, to appropriate groundwater for irrigation purposes will be denied.

WHEREAS, by Order No. 815, the area previously designated under Order Nos. 277 and 280 was amended to describe and encompass the entire Diamond Valley Hydrographic Basin.

WHEREAS, the Nevada Division of Water Resources estimates the perennial yield of the Diamond Valley Hydrographic Basin at 30,000 acre-feet annually.

WHEREAS, committed groundwater rights of record in the Office of the State Engineer greatly exceed the perennial yield.

WHEREAS, the Diamond Valley Crop Inventory consistently shows the pumpage of groundwater within the Diamond Valley Hydrographic Basin is in excess of the perennial yield.

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

NOW THEREFORE, it is ordered that, with the following exceptions, any application to appropriate groundwater within the designated Diamond Valley Hydrographic Basin will be denied. Applications filed under the exceptions below must also satisfy the criteria found in NRS Chapters 533 and 534.

EXCEPTIONS:

1. Those applications filed for environmental permits filed pursuant to NRS 533.437 to 533.4377, inclusive.
2. Those applications filed for diversion rate only with no corresponding increase in duty of water.
3. Those applications filed for non-consumptive uses.
4. Those applications filed to mitigate senior surface water rights that have been impacted by groundwater pumping under junior water rights.

JASON KING, P.E.
State Engineer

Dated at Carson City, Nevada this

26th day of March, 2013.