

IN THE OFFICE OF THE STATE ENGINEER

OF THE STATE OF NEVADA

#1251

ORDER

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 all or a portion of most groundwater basins within the Humboldt River Basin Hydrographic Region (4) as provided under the provisions of NRS § 534.030, by the following State Engineer's Orders:

<u>Basin</u>	<u>No.</u>	<u>S.E. Order</u>	<u>Date</u>
Marys River Area	042	837	02/14/1984
Starr Valley Area	043	867	07/10/1985
North Fork Area	044	744	05/28/1980
Lamoille Valley	045	869	07/18/1985
South Fork Area	046	870	07/18/1985
Huntington Valley	047	865	07/10/1985
Dixie Creek - Tenmile Creek Area	048	848	09/06/1984
Elko Segment	049	778	12/08/1981
Elko Segment	049	864	07/10/1985
Susie Creek Area	050	866	07/10/1985
Maggie Creek Area	051	863	07/10/1985
Marys Creek Area	052	868	07/18/1985
Pine Valley	053	862	07/10/1985
Crescent Valley	054	755	03/20/1981
Antelope Valley	057	276	08/05/1964
Middle Reese River Valley	058	276	08/05/1964
Lower Reese River Valley	059	739	03/27/1980
Whirlwind Valley	060	799	10/05/1982
Boulder Flat	061	799	10/05/1982
Clovers Area	064	700	12/30/1977
Pumpnickel Valley	065	1241	10/03/2014
Kelly Creek Area	066	536	05/09/1975
Little Humboldt Valley	067	1242	10/03/2014
Paradise Valley	069	408	10/22/1971
Winnemucca Segment	070	464	07/24/1972
Winnemucca Segment	070	534	05/06/1975
Winnemucca Segment	070	1246	11/24/2014
Grass Valley	071	464	07/24/1972
Grass Valley	071	1247	11/24/2014
Imlay Area	072	702	01/31/1978
Lovelock Valley - Oreana Subarea	073A	369	02/25/1969
White Plains	074	716	07/06/1978

**WHEREAS**, the State Engineer finds that it is in the public interest to ensure that the diversions of underground water in those designated groundwater basins comprising the Humboldt River Basin Hydrographic Region (4) are within the limits set forth in each water right permit, certificate or other authorization to divert groundwater.

**WHEREAS**, NRS § 534.110 provides that the State Engineer may require periodic statements of water elevations, water used, and acreage upon which water was used from all holders of permits and claimants of vested rights.

**NOW THEREFORE, IT IS HEREBY ORDERED** that all owners of underground water rights in the above described hydrographic basins, with the following exceptions, shall install and maintain, in accordance with manufacturer's specifications, a totalizing meter in the discharge pipeline near the point of diversion by **February 1, 2016**. Additionally, all wells drilled after **February 1, 2016**, shall be subject to this requirement.

**EXCEPTIONS:**

1. Those wells drilled for domestic purposes as defined by NRS § 534.013.
2. Those wells drilled for stockwater purposes, unless otherwise required by the terms of the permit or certificate.
3. Those wells with a total authorized withdrawal that does not exceed five acre-feet annually, unless otherwise required by the terms of the permit or certificate.

**IT IS FURTHER ORDERED** that **within thirty days** of installation, each owner who installs a totalizing meter in accordance with this order shall file with the State Engineer a report of installation on the form provided by the Nevada Division of Water Resources.

**IT IS FURTHER ORDERED** that once the totalizing meter is installed, monthly records shall be kept of the amount of water pumped from each well subject to this order, and the records shall be submitted to the State Engineer **within 15 days after the end of each calendar quarter**, or more frequently if required by the terms of the permit or certificate.

**IT IS FURTHER ORDERED** that:

1. Each water right owner shall expeditiously correct totalizing meter failure or deficiencies in metering equipment or installations that cause the meter to fail to meet the requirements of this order.
2. The State Engineer may authorize the temporary estimation of the amount of water pumped during the time period required to repair a non-functional totalizing meter. Estimation of the amount of water pumped must be based upon the number of hours the pump was operated, multiplied by the well discharge diversion rate. This estimation must be submitted to the State Engineer in the

form of a sworn affidavit from the water right owner, but is in no way a direct substitute for a totalizing meter installed in the discharge pipeline.

3. Each water right owner shall provide access to the totalizing meter by State Engineer staff without prior notice for reading and inspection.
4. Any tampering with a working totalizing meter, *i.e.*, reprogramming, such that the totalizing meter provides a false measurement is prohibited. If upon inspection, the State Engineer finds discrepancies between the totalizing meter reading and actual discharge from the well, an independent certification of the flow measurement may be required at the expense of the water right holder.

  
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JASON KING, P.E.  
State Engineer

Dated at Carson City, Nevada this

5<sup>th</sup> day of February, 2015.