IN THE OFFICE OF THE STATE ENGINEER

OF THE STATE OF NEVADA

ORDER

#1254A

AMENDED ORDER

DESIGNATING AND DESCRIBING THE CARICO LAKE VALLEY HYDROGRAPHIC BASIN (4-55) IN LANDER COUNTY, NEVADA AND ORDERING THE INSTALLATION OF TOTALIZING METERS

WHEREAS, the State Engineer finds that conditions warrant the designation of the Carico Lake Valley Hydrographic Basin, located within a portion of Lander County, Nevada, and by this Order, pursuant to Nevada Revised Statutes (NRS) § 534.030, designates the following described areas of land in need of additional administration.

T.21N., R.45E., Mount Diablo Base and Meridian (M.D.B.&M.)

That portion of Section 6 lying within the natural drainage basin of Carico Lake Valley.

T.22N., R.44E., M.D.B.&M.

All of Sections 1, 2 and 12 and those portions of Sections 3, 4, 10, 11, 13, 14, 24, 25 and 36 lying within the natural drainage basin of Carico Lake Valley.

T.22N., R.45E., M.D.B.&M.

All of Sections 3, 4 thru 9, 16, 17, and 20 and those portions of Sections 2, 10, 11, 12, 15, 18, 19, 21, 22, 28, 29, 30, 31 and 32 lying within the natural drainage basin of Carico Lake Valley.

T.23N., R.44E., M.D.B.&M.

All of Sections 1, 2, 3, 9 thru 17, 21 thru 28, 34, 35 and 36 and those portions of Sections 4, 5, 7, 8, 18, 19, 20, 29, 32 and 33 lying within the natural drainage basin of Carico Lake Valley.

T.23N., R.45E., M.D.B.&M.

All of Sections 2 thru 11, 14 thru 23 and 26 thru 34 and those portions of Sections 1, 12, 13, 24, 25, 35 and 36 lying within the natural drainage basin of Carico Lake Valley.

T.24N., R.43E., M.D.B.&M.

All of Section 13 and those portions of Sections 1, 2, 11, 12, 14, 23, 24 and 25 lying within the natural drainage basin of Carico Lake Valley.

T.24N., R.44E., M.D.B.&M.

All of Sections 1 thru 29 and 33 thru 36 and those portions of Sections 30, 31 and 32 lying within the natural drainage basin of Carico Lake Valley.

T.24N., R.45E., M.D.B.&M.

All of Sections 1 thru 35 and that portion of Section 36 within the natural drainage basin of Carico Lake Valley.

T.24N., R.46E., M.D.B.&M.

Those portions of Sections 5, 6, 7, 18, 19, 30 and 31 lying within the natural drainage basin of Carico Lake Valley.

T.25N., R.43E., M.D.B.&M.

Those portions of Sections 24, 25, 35 and 36 lying within the natural drainage basin of Carico Lake Valley.

T.25N., R.44E., M.D.B.&M.

All of Sections 1, 2, 3, 10 thru 16 and 20 thru 36 and those portions of Sections 4, 8, 9, 17, 18 and 19 lying within the natural drainage basin of Carico Lake Valley.

T.25N., R.45E., M.D.B.&M.

All of Sections 2 thru 36 and that portion of Section 1 lying within the natural drainage basin of Carico Lake Valley.

T.25N., R.46E., M.D.B.&M.

All of Sections 17 and 18 and those portions of Sections 6, 7, 8, 9, 16, 19, 20, 21, 29, 30, 31 and 32 lying within the natural drainage basin of Carico Lake Valley.

T.26N., R.44E., M.D.B.&M.

All of Sections 13, 23, 24, 25, 26, 34, 35 and 36 and those portions of Sections 1, 2, 11, 12, 14, 15, 21, 22, 27, 28 and 33 lying within the natural drainage basin of Carico Lake Valley.

T.26N., R.45E., M.D.B.&M.

All of Sections 1 thru 23 and 26 thru 34 and those portions of Sections 24, 25, 35 and 36 lying within the natural drainage basin of Carico Lake Valley.

T.26N., R.46E., M.D.B.&M.

All of Sections 6 and 7 and those portions of Sections 5, 8, 17, 18 and 19 lying within the natural drainage basin of Carico Lake Valley.

T.27N., R.44E., M.D.B.&M.

Those portions of Sections 12, 13, 24, 25 and 36 lying within the natural drainage basin of Carico Lake Valley.

T.27N., R.45E., M.D.B.&M.

All of Sections 1 thru 5, 8 thru 18, 20 thru 29 and 31 thru 36 and those portions of Sections 6, 7, 19 and 30 lying within the natural drainage basin of Carico Lake Valley.

T.27N., R.46E., M.D.B.&M.

All of Sections 5 thru 8, 17 thru 20, 29, 30, 31 and 32 and those portions of Sections 4, 9, 16, 21, 28 and 33 lying within the natural drainage basin of Carico Lake Valley.

T.28N., R.45E., M.D.B.&M.

All of Sections 21 thru 29 and 32 thru 36 and those portions of Sections 1, 8, 9, 10, 12 thru 17, 19, 20, 30 and 31 lying within the natural drainage basin of Carico Lake Valley.

T.28N., R.46E., M.D.B.&M.

All of Sections 18, 19, 20, 29 thru 33 and those portions of Sections 7, 8, 16, 17, 21, 22, 27, 28 and 34 lying within the natural drainage basin of Carico Lake Valley.

The designated Carico Lake Valley Hydrographic Basin is depicted and defined on Nevada Division of Water Resources, State Engineer's office maps.

WHEREAS, the State Engineer finds that a public hearing as required under NRS § 534.030, in the matter of the designation of Carico Lake Valley Hydrographic Basin was held in Battle Mountain, Nevada, on March 17, 2015. Based on information received at the hearing and other data and information available to the State Engineer, it is determined that this groundwater basin is in need of additional administration under the provisions of NRS Chapter 534.

WHEREAS, 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.

NOW THEREFORE, IT IS HEREBY ORDERED that all owners of underground water rights in the Carico Lake Valley Hydrographic Basin, 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 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 any working totalizing meter, *e.g.*, 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.

Jason King, P.E.
State Engineer

Dated at Carson City, Nevada,
this 25th day of September 2015.