

**IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA**

**#1271**

**ORDER**

**FURTHER CURTAILMENT OF GROUNDWATER APPROPRIATIONS  
WITHIN THE SMITH VALLEY HYDROGRAPHIC BASIN (107),  
DOUGLAS COUNTY AND LYON COUNTY, NEVADA**

**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 issued Order No. 245 on June 27, 1960, designating a portion of the Smith Valley Hydrographic Basin as provided under NRS §§ 534.010 to 534.190, inclusive.

**WHEREAS**, the State Engineer issued Order No. 253 on August 2, 1961, directing the installation of suitable measuring devices on all permitted wells within the Smith Valley Hydrographic Basin.

**WHEREAS**, the State Engineer issued Order No. 1126 on February 4, 1997, curtailing water appropriations within the designated Smith Valley Hydrographic Basin to those applications which seek to appropriate 1,800 gallons per day or less for commercial, stockwater or industrial purposes where the property is zoned for such purposes and those applications for environmental permits filed pursuant to NRS § 533.437.

**WHEREAS**, the State Engineer issued Order No. 1159 on February 1, 2000, directing all owners of underground water rights in the Smith Valley Hydrographic Basin to install and maintain, in accordance with manufacturer's specifications, a totalizing meter in the discharge pipeline near the point of diversion prior to using the well for the 2000 irrigation season, or not later than April 1, 2000.

**WHEREAS**, the State Engineer issued Order No. 1177 on July 8, 2005, extending the designated area of the Smith Valley Hydrographic Basin as provided under NRS § 534.030.

**WHEREAS**, the Division of Water Resources estimates that the perennial yield of the Smith Valley Hydrographic Basin is 17,000 acre-feet.<sup>1</sup>

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<sup>1</sup> F.E. Rush and C.V. Schroer, *Geohydrology of Smith Valley, Nevada, With Special Reference to the Water-Use Period, 1953-72*, Water Resources Bulletin No. 43, (Department of Conservation and Natural Resources, Division of Water Resources and U.S. Department of the Interior, Geological Survey), p. 49, 1976.

**WHEREAS**, the committed groundwater rights of record in the Office of the State Engineer for the Smith Valley Hydrographic Basin total approximately 55,000 acre-feet annually, which greatly exceeds the perennial yield of the Smith Valley Hydrographic Basin.<sup>2</sup>

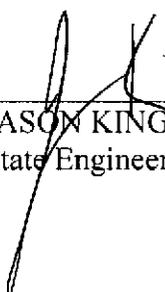
**WHEREAS**, the Nevada Division of Water Resources measures groundwater levels at 30 active well net sites, and the State Engineer finds that in many areas of Smith Valley, the water table is declining at a rate that justifies additional administration.<sup>3</sup>

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

**NOW THEREFORE, IT IS HEREBY ORDERED** that, with the following exceptions, any application to appropriate groundwater pursuant to NRS Chapters 533 and 534 within the designated Smith Valley Hydrographic Basin will be denied. Applications filed under the exceptions listed below must also satisfy the criteria found in NRS Chapters 533 and 534.

**EXCEPTIONS:**

1. Those applications filed for environmental use pursuant to NRS §§ 533.437 to 533.4377, inclusive.
2. Those applications for temporary appropriations of groundwater for establishing fire-resistant vegetative cover filed pursuant to NRS § 533.436.
3. Those applications filed for temporary stockwater use pursuant to NRS § 533.504 that seek appropriations of less than two acre-feet of water annually.
4. Those applications filed for diversion rate only, with no corresponding increase in duty of water.
5. Those applications filed for non-consumptive uses.

 P.E.  
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JASON KING, P.E.  
State Engineer

Dated at Carson City, Nevada this  
29<sup>th</sup> day of December, 2015.

<sup>2</sup> Nevada Division of Water Resources' Water Rights Database, Hydrographic Basin Summary, Smith Valley Hydrographic Basin (107), December 10, 2015, official records in the Office of the State Engineer.

<sup>3</sup> Nevada Division of Water Resources' Water Level Database, Smith Valley Hydrographic Basin (107), December 10, 2015, official records in the Office of the State Engineer.