

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

**ORDER**

**#1318**

**ESTABLISH REPORTING REQUIREMENTS OF METER  
INSTALLATION AND MONTHLY METER READINGS WITHIN THE  
SMITH VALLEY HYDROGRAPHIC BASIN (09-107), WITHIN LYON  
AND DOUGLAS COUNTIES, NEVADA AND MASON VALLEY  
HYDROGRAPHIC BASIN (09-108), WITHIN LYON AND MINERAL  
COUNTIES, 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 designated the Smith Valley Hydrographic Basin (107), located within Lyon and Douglas Counties pursuant to NRS 534.030 by Order 245, dated June 27, 1960, designating a portion of the basin, and Order 1177, dated July 8, 2005, extending the designated area.

**WHEREAS**, the State Engineer designated the Mason Valley Hydrographic Basin (108), located within Douglas and Mineral Counties pursuant to NRS 534.030 by Order 627, dated January 20, 1977, designating the entirety of the basin, and Order 691, dated September 7, 1977, amending the area described by Order 627.

**WHEREAS**, the State Engineer finds that it is in the public interest to ensure that the diversions of underground water in those designated basins 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 from all holders of permits and claims of vested rights, periodic statements of water elevations, water used, and acreage on which water was used.

**WHEREAS**, the State Engineer issued Order 253, dated August 2, 1961, directing the installation of suitable measuring devices on all permitted wells by all owners of water rights within the Smith Valley Artesian Basin.

**WHEREAS**, the State Engineer issued Orders 1158 and 1159, dated February 1, 2000, within Mason Valley and Smith Valley Hydrographic Basins, respectively, requiring all owners of underground water rights 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 year 2000 irrigation season, or not later than April 1, 2000.

**WHEREAS**, a public hearing was held on June 30, 2020, to provide notice and take public comment on the proposed requirements to report meter installation and monthly meter readings within the Smith Valley and Mason Valley Hydrographic Basins.

**WHEREAS**, the State Engineer has considered the public comment on the proposed requirements to report meter installation and monthly meter readings.

**NOW THEREFORE, IT IS HEREBY ORDERED** that all owners of underground water rights in the Smith Valley and Mason Valley Hydrographic Basins, with the following exceptions, shall submit a report of installation of totalizing meter form by March 1, 2021, to the Division of Water Resources (Division). This form must be submitted within 30 days of installation for any new or replacement totalizing meter installed on any well subject to this order.

**EXCEPTIONS:**

1. Those wells drilled for domestic purposes as defined by NRS 534.013, unless otherwise required by an order of the State Engineer or by NRS 534.180(4).
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 5.0 acre-feet annually, unless otherwise required by the terms of the permit or certificate.

**IT IS FURTHER ORDERED** that monthly records must be kept of the amount of water pumped from each well subject to this order, and the records shall be submitted to the Division of Water Resources **within 7 days after the beginning of each month**. Existing wells must report their first month of pumping on or before **March 7, 2021**.

**IT IS FURTHER ORDERED** that:

1. Each water right owner is responsible to ensure that their totalizing meter is installed and maintained in accordance with manufacturer's specifications and is accurately reporting. The meter shall have an accuracy of +/- 10% of flow rate, as determined by the State Engineer.
2. Meter installation requirements for new wells will be included in the terms of the water right permit.
3. Each water right owner shall correct totalizing meter failure or deficiencies within 30 days, and shall submit the report of installation of totalizing meter form for any new or replacement totalizing meter installed within 30 days of installation. Failure to comply may result in an assessment of fines and penalties against the water right owner pursuant to NRS 534.193.
4. 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 Division of Water Resources 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 and required reporting.

5. Each water right owner shall provide access to the totalizing meter by Division staff without prior notice for reading inspection, pursuant to NRS 533.0247 and 534.130. The owner may be required to power up a meter to collect a reading if it has been turned off for any reason.
6. 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 Division of Water Resources find discrepancies between the totalizing meter reading and actual discharge from the well, an independent certification of the flow measurements may be required at the expense of the water right owner.

  
ADAM SULLIVAN, P.E.  
Acting State Engineer

Dated at Carson City, Nevada this

8<sup>th</sup> day of December, 2020.

