

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

**PROPOSED ORDER**

**ESTABLISH REPORTING REQUIREMENTS OF METER  
INSTALLATION AND MONTHLY METER READINGS WITHIN THE  
SMITH VALLEY (09-107) AND MASON VALLEY (09-108)  
HYDROGRAPHIC BASINS, WITHIN DOUGLAS, 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 the following orders:

- 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 the following orders:

- 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 issued orders directing the installation of suitable measuring devices on all permitted wells by all owners of water rights:

- Order 253 on August 2, 1961, within Smith Valley Hydrographic Basin,
- Order 1159 on February 1, 2000, within Smith Valley Hydrographic Basin, and
- Order 1158 on February 1, 2000, within Mason Valley Hydrographic Basin.

**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 periodic statements of water elevations, water used, and acreage on which water was used from all holders of permits and claims of vested rights.

**NOW THEREFORE, IT IS HEREBY ORDERED** that all owners of underground water rights in the above described hydrographic basins, subject to the above described orders with the following exceptions, shall submit a report of installation by *[date to be decided]*. This form may be submitted for any new or replacement totalizing meter installed on any permitted 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 shall 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 15 days after the beginning of each month**, 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 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.
3. Each water right owner shall provide access to the totalizing meter by Division of Water Resources' staff without prior notice for reading 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 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 holder.

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TIM WILSON, P.E.  
State Engineer

Dated at Carson City, Nevada this

\_\_\_\_\_ day of \_\_\_\_\_ 2020.