

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

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**PROPOSED ORDER**

**DESIGNATING AND DESCRIBING, ESTABLISHING PREFERRED USE,  
AND CURTAILING NEW APPROPRIATIONS WITHIN THE  
PUEBLO VALLEY HYDROGRAPHIC BASIN (01-001)  
WITHIN HUMBOLDT COUNTY, NEVADA**

**WHEREAS**, the State Engineer is empowered to make such reasonable rules and regulations as may be necessary for the proper and orderly execution of the powers conferred by law.<sup>1</sup>

**WHEREAS**, Nevada Revised Statute (NRS) § 534.030 provides that if after due investigation the State Engineer determines that administration of a basin is justified, the State Engineer shall designate the area by basin, or portion therein, and make an official order describing the boundaries by legal subdivision as nearly as possible.

**WHEREAS**, Pueblo Valley spans the border between Nevada and Oregon and the two portions of the valley share a common groundwater supply.

**WHEREAS**, water use within the Oregon portion of the valley is not regulated by the Nevada State Engineer.

**WHEREAS**, the State Engineer finds that when making rules, regulations and orders it is essential for the welfare of the area involved to consider existing uses of water in adjacent states where there is a shared groundwater supply.

**WHEREAS**, the Nevada Division of Water Resources estimates that 2,000 acre-feet of water annually is available as the perennial yield from the Pueblo Valley Hydrographic Basin, within Nevada.<sup>2</sup>

**WHEREAS**, groundwater committed is the sum of all permitted, certificated, decreed, reserved, relinquished, revocable, and unadjudicated vested claims to groundwater rights. The

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<sup>1</sup> NRS 532.120.

<sup>2</sup> William C. Sinclair, *Ground-water Appraisal of the Pueblo Valley—Continental Lake Region, Humboldt County, Nevada*, Ground-Water Resources—Reconnaissance Series Report 22, (Department of Conservation and Natural Resources and United States Geological Survey), November 1963.

committed groundwater appropriations of record in the Office of the State Engineer total 5,602.32 acre-feet annually.<sup>3</sup>

**WHEREAS**, domestic wells that are exempt from the permitting process represent an additional commitment of 2.0 acre-feet annually per well. There are 22 domestic wells recorded in the Pueblo Valley Hydrographic Basin, which total 44.0 acre-feet annually.<sup>4</sup>

**WHEREAS**, the total committed groundwater resource is 5,646.32 acre-feet annually.<sup>5</sup>

**WHEREAS**, the State Engineer finds that the current committed groundwater appropriations exceed the perennial yield.

**WHEREAS**, the Nevada Division of Water Resources actively monitors the Pueblo Valley Hydrographic Basin using groundwater level measurements and crop inventory reports.<sup>6</sup>

### **I. DESIGNATING AND DESCRIBING**

**WHEREAS**, the State Engineer finds that conditions warrant the designation of the Pueblo Valley Hydrographic Basin (01-001), located within Humboldt County, Nevada, based on data and information available to the State Engineer, under the provisions of NRS Chapter 534.

**NOW THEREFORE, IT IS HEREBY ORDERED**, pursuant to NRS 534.030, that the following described areas of land are designated as in need of additional administration:<sup>7</sup>

**T.45N., R.29E., Mount Diablo Base and Meridian (M.D.B.&M.)**

Those portions of Sections 1, 12, and 13 within the Pueblo Valley drainage basin.

**T.45N., R.30E., M.D.B.&M.**

Those portions of Sections 5 and 6 within the Pueblo Valley drainage basin.

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<sup>3</sup> Nevada Division of Water Resources' Water Rights Database, Hydrographic Basin Summary, Pueblo Valley Hydrographic Basin (001), accessed August 9, 2020, official records in the Office of the State Engineer, available at <http://water.nv.gov/undergroundactive.aspx>.

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Nevada Division of Water Resources' Water Level Database, official records in the Office of the State Engineer, available at <http://water.nv.gov/WaterLevelData.aspx>; Nevada Division of Water Resources, Pueblo Valley Hydrographic Basin (001) Crop Inventory, available at <http://water.nv.gov/CropInventories.aspx>.

<sup>7</sup> See map of the Pueblo Valley Hydrographic Basin, official records in the Office of the State Engineer.

**T.46N., R.30E., M.D.B.&M.**

All of Sections 3, 4, 5, 8, 9, 10, 15, 16, 17, 19, 20, 21, 22, 28, and 29 and those portions of Sections 1, 2, 6, 7, 11, 14, 18, 23, 26, 27, 30, 31, 32, 33, and 34 within the Pueblo Valley drainage basin.

**T.46N., R.31E., M.D.B.&M.**

All of Section 1 and those portions of Sections 2, 3, 4, 5, 11, 12, and 13 within the Pueblo Valley drainage basin.

**T.46N., R.32E., M.D.B.&M.**

All of Section 6 and those portions of Sections 5, 7, 8, and 18 within the Pueblo Valley drainage basin.

**T.47N., R.28E., M.D.B.&M.**

All of Section 24 and those portions of Sections 23, 25, 26, and 36 within the Pueblo Valley drainage basin.

**T.47N., R.29E., M.D.B.&M.**

Those portions of Sections 1, 12, and 13 within the Pueblo Valley drainage basin.

**T.47N., R.30E., M.D.B.&M.**

All of Sections 0, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 33, 34, and 35 and those portions of Sections 18, 19, 30, 31, 32, and 36 within the Pueblo Valley drainage basin.

**T.47N., R.31E., M.D.B.&M.**

All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 35, and 36 and those portions of Sections 31 and 32 within the Pueblo Valley drainage basin.

**T.47N., R.32E., M.D.B.&M.**

All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, and 31 and those portions of Sections 11, 12, 14, 15, 21, 22, 28, 29, 30, and 32 within the Pueblo Valley drainage basin.

**T.47N., R.33E., M.D.B.&M.**

Those portions of Sections 5, 6, and 7 within the Pueblo Valley drainage basin.

**II. PREFERRED USE AND CURTAILING NEW APPROPRIATIONS**

**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.

**WHEREAS**, in accordance with NRS 534.120, the safeguarding of the limited groundwater supply within the Pueblo Valley Hydrographic Basin necessitates and demands that irrigation use be excluded from the preferred uses of the groundwater resource and that applications to change the manner of use of existing rights to irrigation will be denied.

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

**NOW THEREFORE, IT IS FURTHER ORDERED**, pursuant to NRS 534.120, that irrigation is excluded from the preferred uses of the groundwater resource, and with the following exceptions, any application to appropriate groundwater pursuant to NRS Chapters 533 and 534 within the designated Pueblo Valley Hydrographic Basin will be denied. Applications filed under the exceptions below must also satisfy the criteria found in NRS Chapters 533 and 534.

**EXCEPTIONS**, those applications filed for:

1. Environmental use pursuant to NRS 533.437 to 533.4377, inclusive;
2. Temporary appropriations of groundwater for establishing fire-resistant vegetative cover, filed pursuant to NRS 533.436;
3. Temporary stockwater use pursuant to NRS 533.504 that seek appropriations of two acre-feet or less of water annually;
4. Diversion rate only, with no corresponding increase in duty of water; or,
5. Non-consumptive uses.

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TIM WILSON, P.E.  
State Engineer

Dated at Carson City, Nevada this

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