

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

#1314

ORDER

DESIGNATING AND DESCRIBING, ESTABLISHING PREFERRED USE,  
AND CURTAILMENT OF NEW APPROPRIATIONS WITHIN THE  
LONG VALLEY HYDROGRAPHIC BASIN (01-009)  
WITHIN WASHOE 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, the Nevada Division of Water Resources estimates that 10,000 acre-feet of water annually is available as the perennial yield from the Long Valley Hydrographic Basin.<sup>2</sup>

WHEREAS, groundwater committed is the sum of all permitted, certificated, decreed, reserved, relinquished, revocable, and adjudicated vested claims to groundwater rights. The committed groundwater appropriations of record in the Office of the State Engineer total 12,095.39 acre-feet annually (afa).<sup>3</sup>

WHEREAS, domestic wells that are exempt from the permitting process represent an additional commitment of 2 acre-feet annually per well. There are 6 domestic wells recorded in the Long Valley Hydrographic Basin, which total 12.0 afa.<sup>4</sup>

WHEREAS, the total committed groundwater resource is 12,107.39 afa.<sup>5</sup>

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<sup>1</sup> NRS 532.120.

<sup>2</sup> William C. Sinclair and Richard L. Malchow, *Ground-Water Appraisal of Long Valley Massacre Lake Region, Washoe County, Nevada*, Ground-Water Resources Reconnaissance Series Report 15, (Department of Conservation and Natural Resources - Division of Water Resources and U.S. Department of Interior Geological Survey), June 1963.

<sup>3</sup> Nevada Division of Water Resources' Water Rights Database, Hydrographic Basin Summary, Long Valley Hydrographic Basin (009), accessed August 24, 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.*

**WHEREAS**, applications to appropriate water from the groundwater source total 89.60 afa.<sup>6</sup>

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

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

**WHEREAS**, as required under NRS 534.030, a public hearing in the matter of the designation of the Long Valley Hydrographic Basin was held in Sparks, Nevada, on February 27, 2020, to take testimony concerning whether administration is justified.

**WHEREAS**, the State Engineer finds that conditions warrant the designation of the Long Valley Hydrographic Basin (01-009), located within Washoe County, Nevada, based on testimony received at the hearing and other 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, the following described areas of land are designated as in need of additional administration:<sup>7</sup>

**T.39N., R.21E., Mount Diablo Base and Meridian (M.D.B.&M.)**

Those portions of Sections 1, 2, 3, and 11 within the Long Valley drainage basin.

**T.39N., R.22E., M.D.B.&M.**

That portion of Section 6 within the Long Valley drainage basin.

**T.39½N., R.20E., M.D.B.&M.**

Those portions of Sections 23, 24, and 25 within the Long Valley drainage basin.

**T.39½N., R.21E., M.D.B.&M.**

All of Sections 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 35, and 36 and those portions of Sections 30, 31, 32, 33, and 34 within the Long Valley drainage basin.

**T.40N., R.19E., M.D.B.&M.**

That portion of Section 1 within the Long Valley drainage basin.

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<sup>6</sup> Nevada Division of Water Resources' Water Rights Database, Hydrographic Abstract, Long Valley Hydrographic Basin (009), accessed August 24, 2020, official records in the Office of the State Engineer, available at <http://water.nv.gov/HydrographicAbstract.aspx>.

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

**T.40N., R.20E., M.D.B.&M.**

All of Sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 23, 24, 25, and 26 and those portions of Sections 5, 6, 8, 16, 17, 21, 22, 27, 34, 35, and 36 within the Long Valley drainage basin.

**T.40N., R.21E., M.D.B.&M.**

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

**T.40N., R.22E., M.D.B.&M.**

All of Section 30 and those portions of Sections 18, 19, 20, 21, 28, 29, 31, and 32 within the Long Valley drainage basin.

**T.41N., R.18E., M.D.B.&M.**

Those portions of Sections 1 and 2 within the Long Valley drainage basin.

**T.41N., R.19E., M.D.B.&M.**

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

**T.41N., R.20E., M.D.B.&M.**

All Sections.

**T.41N., R.21E., M.D.B.&M.**

All of Sections 5, 6, 7, 8, 17, 18, 19, 20, 29, 30, 31, 32, and 33 and those portions of Sections 4, 9, 10, 15, 16, 21, 27, 28, and 34 within the Long Valley drainage basin.

**T.42N., R.18E., M.D.B.&M.**

All of Sections 25 and 36 and those portions of Sections 13, 14, 23, 24, 26, and 35 within the Long Valley drainage basin.

**T.42N., R.19E., M.D.B.&M.**

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

**T.42N., R.20E., M.D.B.&M.**

All of Sections 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, 31, 32, 33, 34, 35, and 36 and that portion of Section 1 within the Long Valley drainage basin.

**T.42N., R.21E., M.D.B.&M.**

All of Sections 19, 29, 30, and 31 and those portions of Sections 6, 7, 17, 18, 20, 21, 22, 27, 28, 32, and 33 within the Long Valley drainage basin.

**T.43N., R.18E., M.D.B.&M.**

Those portions of Sections 1, 12, 13, 24, and 25 within the Long Valley drainage basin.

**T.43N., R.19E., M.D.B.&M.**

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

**T.43N., R.20E., M.D.B.&M.**

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

**T.44N., R.18E., M.D.B.&M.**

Those portions of Sections 1 and 12 within the Long Valley drainage basin.

**T.44N., R.19E., M.D.B.&M.**

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

**T.44N., R.20E., M.D.B.&M.**

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

**T.44N., R.21E., M.D.B.&M.**

That portion of Section 6 within the Long Valley drainage basin.

**T.45N., R.18E., M.D.B.&M.**

That portion of Section 36 within the Long Valley drainage basin.

**T.45N., R.19E., M.D.B.&M.**

All of Sections 25, 29, 32, 33, 34, 35, and 36 and those portions of Sections 12, 13, 17, 19, 20, 21, 23, 24, 26, 27, 28, 30, and 31 within the Long Valley drainage basin.

**T.45N., R.20E., M.D.B.&M.**

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

**T.45N., R.21E., M.D.B.&M.**

All of Sections 7, 18, 19, and 30 and those portions of Sections 5, 6, 8, 9, 16, 17, 20, 21, 29, 31, and 32 within the Long Valley drainage basin.

**T.46N., R.20E., M.D.B.&M.**

All of Sections 11, 14, 23, 24, 25, 26, 34, 35, and 36 and those portions of Sections 1, 2, 3, 10, 12, 13, 15, 21, 22, 27, 28, and 33 within the Long Valley drainage basin.

**T.46N., R.21E., M.D.B.&M.**

Those portions of Sections 18, 19, 20, 29, 30, 31, and 32 within the Long Valley drainage basin.

**T.47N., R.20E., M.D.B.&M.**

Those portions of Sections 26, 27, 28, 34, and 35 within the Long 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 Long Valley Hydrographic Basin necessitates and demands that irrigation use be excluded from the preferred uses of groundwater resource and that no new appropriations for irrigation purposes be issued and that no change applications for manner of use to irrigation be granted.

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

**NOW THEREFORE, IT IS HEREBY ORDERED** that, pursuant to NRS 534.120, with the following exceptions, any application to appropriate groundwater pursuant to NRS Chapters 533 and 534 within the designated Long 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. Appropriation of two acre-feet or less;
2. Environmental use pursuant to NRS 533.437 to 533.4377, inclusive;

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

*Tim Wilson, P.E.*

TIM WILSON, P.E.  
State Engineer

Dated at Carson City, Nevada this  
24th day of September 2020.

