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State of Nevada
 Department of Conservation & Natural Resources
Division of Water Resources
 Tracy Taylor, P. E. State Engineer

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Nevada Water Law *Environmental Protection*

The State Engineer has the authority to require a hydrological, environmental or any other study necessary prior to final determination of an application ([NRS 533.368](#)).

Proof of Completion

As one of the conditions of the permit's approval, the State Engineer requires that a Proof of Completion of the work be filed. This Proof of Completion usually must be filed within two years from the permit issuance. This affidavit provides information on the well construction and other information as requested by the State Engineer.

Proof of Beneficial Use

Beneficial use is the basis, the measure and the limit of the right to the use of the water. Each water permit issued is limited to the amount that can be applied to beneficial use, not to exceed a specified diversion rate and annual duty. The Proof of Beneficial Use is usually required within five years after the approval of the permit. The Proof of Beneficial Use identifies how

the property has been developed and indicates the amount of water placed to beneficial use. Once the Proof of Beneficial Use application has been filed and accepted, the water cannot be used for any additional development.

Extension of Time

The State Engineer may grant an Extension of time to comply with the permit requirements such as filing the Proof of Completion or the Proof of Beneficial Use, provided due diligence and good cause are demonstrated as to why such proofs cannot be submitted as required by the terms of the permit.

Abandonment and Forfeiture of Rights

Surface water rights are subject to abandonment as described in [NRS 533.060](#). Groundwater rights, once granted by the State Engineer, are subject to abandonment and forfeiture as described in [NRS 534.090](#). A water right holder who fails for five consecutive years to use all or any part of a water right for its acquired use runs the risk of forfeiting the water right to the extent of the non-use. In other words, the portion not used could be forfeited. However, a timely filed request for an Extension of Time may be granted by the State Engineer for good cause shown for a period not to exceed one year for any single extension.

Domestic Wells

A domestic well is one well that serves one home. Domestic wells

are exempt from the water-right permitting process when the pumpage does not exceed a daily maximum of 1,800 gallons ([NRS 534.180](#)) and water cannot be furnished by an entity such as a water district or municipality ([NRS 534.120](#)). The domestic well exemption is not subject to forfeiture or revocation, and a homeowner cannot be required to cease pumping as long as the domestic well is operating properly.

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