United States Department of the Interior

OFFICE OF THE SOLICITOR
Pacific Southwest Region
2800 Cottage Way
Room E-1712
Sacramento, California 95825-1890

IN REPLY
REFER TO:

June 27, 2013

Jason King, P.E., State Engineer
Nevada Division of Water Resources
901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701-5250

Subject: Report on Order 1169 Pumping Test

Dear Mr. King:

In accordance with your Order 1169A and on behalf of the U. S. Fish and Wildlife Service, National Park Service, and Bureau of Land Management (DOI Bureaus), we are submitting the DOI Bureaus' report on the Order 1169 Pumping Test. Order 1169 was issued by the State Engineer on March 8, 2002. That order held in abeyance pending applications in certain groundwater basins while additional information was obtained by conducting a long-term pumping test of the carbonate-rock aquifer under existing water rights permits. In addition to the parties specifically identified in the order, the State Engineer granted a request by the DOI Bureaus to participate in the study.[1]

The attached report addresses the three topics identified by the State Engineer in Order 1169A: (1) information obtained from the study/pumping test, (2) impacts of the pumping under the pumping test and (3) the availability of water pursuant to the pending applications. The report concludes that the pumping test provided useful information sufficient to draw certain conclusions about the carbonate-rock aquifer in the vicinity of the test, i.e., that groundwater withdrawn during the pumping test was primarily captured from storage, which indicates that the system has not reached a new equilibrium, and that continued or increased pumping will result in further declines in groundwater levels and spring discharge. Based on current information, the report's findings support the conclusion that there is no water available for appropriation in the system, and that additional groundwater withdrawal from the carbonate-rock aquifer in the area will have adverse impacts on the springs in the Muddy River Springs area, including those at the Moapa Valley National Wildlife Refuge. While the full extent of these impacts is currently unknown, due to the impacts that were evident from the current pumping levels under the Order

1 April 19, 2002 Letter from the Nevada State Engineer. The Bureau of Land Management (BLM) did not join in the request to the State Engineer to participate in the Order 1169 study, however, BLM has participated in various activities related to the order, so joins the other DOI Bureaus in submitting this report.

1169 pumping test, we propose that the State Engineer adopt a careful and measured approach to additional pumping of existing water rights from the Order 1169 basins and continue to monitor water levels and spring discharge rates.

We appreciate this opportunity to provide this information to your office and the opportunity to continue to work with you and the other interested parties to determine how best to manage these public resources. If you have any questions or need further information, please contact me at (916) 978-5683. Thank you.

Sincerely,

Stephen R. Palmer
Assistant Regional Solicitor

/s/
for Peter A. Fahmy
Attorney-Advisor