

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

PROPOSED ORDER

**DESIGNATING, DESCRIBING, AND CURTAILING NEW
APPROPRIATIONS WITHIN THE EAST WALKER AREA
HYDROGRAPHIC BASIN (09-109) WITHIN LYON AND MINERAL
COUNTIES, 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.¹

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 East Walker area spans the border between Nevada and California, and the two portions of the area share a common groundwater supply.

WHEREAS, the Nevada Division of Water Resources estimates that 5,500 acre-feet of water annually is available as the perennial yield from the East Walker Area Hydrographic Basin, within Nevada.²

WHEREAS, groundwater committed is the sum of all permitted, certificated, decreed, reserved, relinquished, revocable, and unadjudicated vested claims to groundwater rights. The committed groundwater appropriations of record in the Division of Water Resources total 19,929.04 acre-feet annually.³

¹ NRS 532.120.

² Office of the State Engineer, *Water for Nevada, State of Nevada Water Planning Report No. 3*, October 1971, p. 20. See also Patrick A. Glancy, *Water-Resources Appraisal of Antelope Valley and East Walker Area, Nevada and California*, Water Resources—Reconnaissance Series Report 53, (Department of Conservation and Natural Resources and U.S. Geological Survey), October 1971, p. 52.

³ Nevada Division of Water Resources' Water Rights Database, Underground Active Basin Summary, East Walker Area Hydrographic Basin (109), accessed December 2, 2024, official records in the Division of Water Resources, available at <https://tools.water.nv.gov/UndergroundActive.aspx>

WHEREAS, domestic wells that are exempt from the permitting process represent an additional commitment of 2.0 acre-feet annually per well. There are 31 domestic wells recorded in the East Walker Area Hydrographic Basin, which total 62 acre-feet annually.⁴

WHEREAS, the total committed groundwater resource is 19,991.04 acre-feet annually.⁵

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 East Walker Area Hydrographic Basin using groundwater level measurements.⁶

WHEREAS, water use within the California portion of the area 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.

I. DESIGNATING AND DESCRIBING

WHEREAS, the State Engineer finds that conditions warrant the designation of the East Walker Area Hydrographic Basin (09-109), located within Lyon and Mineral Counties, 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:⁷

T.5N., R.26E., Mount Diablo Base and Meridian (M.D.B.&M.)

All of Section 1.

T.5N., R.27E., M.D.B.&M.

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

⁴ *Id.*

⁵ *Id.*

⁶ Nevada Division of Water Resources' Water Level Database, official records in the Division of Water Resources, available on-line at <https://tools.water.nv.gov/WaterLevelData.aspx>

⁷ See map of the East Walker Area Hydrographic Basin, official records in the Division of Water Resources.

T.5N., R.28E., M.D.B.&M.

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

T.5N., R.29E., M.D.B.&M.

All of Section 3 and 6 and those portions of Sections 1, 2, 4, 5, 7, 8, 9, 10, and 11 within the East Walker Area drainage basin.

T.5N., R.27AE., M.D.B.&M.

All of Sections 4, 5, 8, 9, 10, 14, 15, 23, 24, and 25.

T.5N., R.28AE., M.D.B.&M.

All of Section 30 and that portion of Section 31 within the East Walker Area drainage basin.

T.6N., R.25E., M.D.B.&M.

All of Sections 1, 2, and 12.

T.6N., R.26E., 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, 20, 21, 22, 23, 24, 25, 26, 27, 28, 35, and 36.

T.6N., R.27E., M.D.B.&M.

All Sections.

T.6N., R.28E., M.D.B.&M.

All Sections.

T.6N., R.29E., M.D.B.&M.

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

T.6N., R.30E., M.D.B.&M.

Those portions of Sections 18 and 19 within the East Walker Area drainage basin.

T.6N., R.26AE., M.D.B.&M.

All of Sections 5, 8, 9, 10, 13, 14, 15, 23, and 24.

T.6N., R.27AE., M.D.B.&M.

All of Sections 19, 29, 30, 32, and 33.

T.7N., R.24E., M.D.B.&M.

All of Sections 11 and 12 and those portions of Sections 1 and 2 within the East Walker Area drainage basin.

T.7N., R.25E., 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, 20, 21, 22, 23, 24, 25, 26, 27, 28, 34, 35, and 36.

T.7N., R.26E., M.D.B.&M.

All Sections.

T.7N., R.27E., M.D.B.&M.

All Sections.

T.7N., R.28E., M.D.B.&M.

All of Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 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 those portions of Sections 1, 12, and 13 within the East Walker Area drainage basin.

T.7N., R.29E., M.D.B.&M.

All of Sections 30 and 31 and those portions of Sections 18, 19, 20, 29, 32, and 33 within the East Walker Area drainage basin.

T.7N., R.26AE., M.D.B.&M.

All of Sections 30, 31, and 32.

T.8N., R.24E., M.D.B.&M.

Those portions of Sections 35 and 36 within the East Walker Area drainage basin.

T.8N., R.25E., M.D.B.&M.

Those portions of Sections 25, 31, 32, 33, 34, 35, and 36 within the East Walker Area drainage basin.

T.8N., R.26E., M.D.B.&M.

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

T.8N., R.27E., M.D.B.&M.

All Sections.

T.8N., R.28E., M.D.B.&M.

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

T.9N., R.26E., M.D.B.&M.

All of Sections 12, 13, 14, 15, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36 and those portions of Sections 1, 2, 3, 9, 10, 11, 16, 17, 20, 29, 30, and 32 within the East Walker Area drainage basin.

T.9N., R.27E., M.D.B.&M.

All of Sections 1, 2, 3, 4, 5, 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 6 within the East Walker Area drainage basin.

T.9N., R.28E., M.D.B.&M.

All of Sections 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 29, 30, 31, and 32 and those portions of Sections 3, 4, 10, 15, 22, 27, 28, 33, and 34 within the East Walker Area drainage basin.

T.10N., R.26E., M.D.B.&M.

All of Section 1 and those portions of Sections 2, 11, 12, 13, 24, and 25 within the East Walker Area drainage basin.

T.10N., R.27E., 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, 32, 33, 34, 35, and 36 and those portions of Sections 30 and 31 within the East Walker Area drainage basin.

T.10N., R.28E., M.D.B.&M.

All of Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33 and those portions of Sections 3, 10, 15, 22, 27, and 34 within the East Walker Area drainage basin.

T.11N., R.26E., M.D.B.&M.

All of Sections 24, 25, 26, and 36 and those portions of Sections 11, 12, 13, 14, 22, 23, 27, 34, and 35 within the East Walker Area drainage basin.

T.11N., R.27E., M.D.B.&M.

All of Sections 21, 25, 26, 27, 28, 29, 30, 31, 32, 32, 33, 34, 35, 36 and those portions of Sections 15, 16, 17, 18, 19, 20, 22, 23, 24 within the East Walker Area drainage basin.

T.11N., R.28E., M.D.B.&M.

All of Sections 28, 29, 30, 31, 32, and 33 and those portions of Sections 19, 20, 21, 22, 27, and 34 within the East Walker Area drainage basin.

II. 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, the State Engineer finds that conditions warrant the curtailment of new appropriations of groundwater within the East Walker Area Hydrographic Basin.

NOW THEREFORE, IT IS FURTHER ORDERED, pursuant to NRS 534.120, and with the following exceptions, any application to appropriate groundwater pursuant to NRS Chapters 533 and 534 within the designated East Walker Area Hydrographic Basin will be denied. Applications filed under the exceptions below must also satisfy the criteria found in NRS Chapters 533 and 534.

EXCEPTIONS:

1. Those applications filed for environmental use pursuant to NRS 533.437 to 533.4377, inclusive.
2. Those applications for temporary appropriations of groundwater for establishing fire-resistant vegetative cover filed pursuant to NRS 533.436.
3. Those applications filed for temporary stockwater use pursuant to NRS 533.504 that seek appropriations of less than two acre-feet of water annually.
4. Those applications filed for diversion rate only, with no corresponding increase in duty of water.
5. Those applications filed for non-consumptive uses.

ADAM SULLIVAN, P.E.
State Engineer

Dated at Carson City, Nevada this

_____ day of _____, _____.