



Nevada Division of
WATER RESOURCES

STATE OF NEVADA
Department of Conservation and Natural Resources
Joe Lombardo, *Governor*
James A. Settelmeyer, *Director*
Adam Sullivan, P.E., *State Engineer*

April 3, 2025

NOTICE OF HEARING ON PROPOSED ORDERS FOR EAST WALKER HYDROGRAPHIC BASIN 109 LOCATED WITHIN MINERAL AND LYON COUNTIES

The State Engineer will hold a public hearing on proposed orders in the East Walker Area Hydrographic Basin (109), located in Mineral and Lyon Counties. Pursuant to NRS 534.030(2)(b), the hearing may be held in the county where the major portion of the basin lies (here, Lyon County).

The public hearing will be held to provide notice and to take testimony on the proposed orders. The hearing is open to the public and will convene at:

1:00 P.M., THURSDAY, MAY 8, 2025

**Walker River Irrigation District
410 N. Main St.
Yerington, Nevada**

Oral testimony will be accepted during the hearing. Written testimony will be accepted until Monday, June 9, 2025, and may be mailed to the Nevada Division of Water Resources at the below address.

The public is encouraged to read the proposed orders. The proposed orders may be obtained from the Nevada Division of Water Resources website at <http://water.nv.gov>, or by contacting the Division of Water Resources in writing at 901 S. Stewart Street, Suite 2002, Carson City, Nevada, 89701, or by calling (775) 684-2800. A reasonable fee for copying may be charged for items printed and mailed from the Division.

This Notice of Hearing on the Proposed Orders has been sent to the county commissioners and is also posted on the Division's website.

A Public Notice of Hearing will be published in the legal section once per week for the weeks of April 21, 2025, and April 28, 2025, in the Independence News, a newspaper of general circulation in Mineral County, and the Lyon County News Leader, a newspaper of general circulation in Lyon County.

The Nevada Division of Water Resources is pleased to make reasonable accommodations for members of the public who are disabled and wish to participate in the hearing. If special arrangements for the hearing are necessary, please call (775) 684-2800.

**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 _____, _____.

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

PROPOSED ORDER

**ESTABLISHING REPORTING REQUIREMENTS OF METER
INSTALLATION AND MONTHLY METER READINGS WITHIN THE
EAST WALKER AREA HYDROGRAPHIC BASIN (09-109), WITHIN
LYON AND MINERAL COUNTIES, NEVADA**

WHEREAS, Nevada Revised Statute (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 it is in the public interest to ensure that the diversions of underground water in those designated basins are within the limits set forth in each water right permit, certificate or other authorization to divert groundwater.

WHEREAS, NRS 534.110 provides that the State Engineer may require from all holders of permits and claims of vested rights, periodic statements of water elevations, water used, and acreage on which water was used.

NOW THEREFORE, IT IS HEREBY ORDERED that all owners of underground water rights in the East Walker Area Hydrographic Basin, with the following exceptions, shall submit a report of installation of totalizing meter form by **TBD**, to the Division of Water Resources (Division). This form must be submitted within 30 days of installation for any new or replacement totalizing meter installed on any well subject to this order.

EXCEPTIONS:

1. Those wells drilled for domestic purposes as defined by NRS 534.013, unless otherwise required by an order of the State Engineer or by NRS 534.180(4).
2. Those wells drilled for stockwater purposes, unless otherwise required by the terms of the permit or certificate.
3. Those wells with a total authorized withdrawal that does not exceed 5.0 acre-feet annually, unless otherwise required by the terms of the permit or certificate.

IT IS FURTHER ORDERED that monthly records must be kept of the amount of water pumped from each well subject to this order, and the records shall be submitted to the Division of Water Resources **within 7 days after the beginning of each month**. Existing wells must report their first month of pumping on or before **TBD**.

IT IS FURTHER ORDERED that:

1. Each water right owner is responsible to ensure that their totalizing meter is installed and maintained in accordance with manufacturer's specifications and is accurately

- reporting. The meter shall have an accuracy of +/- 10% of flow rate, as determined by the State Engineer.
2. Meter installation requirements for new wells will be included in the terms of the water right permit.
 3. Each water right owner shall correct totalizing meter failure or deficiencies within 30 days, and shall submit the report of installation of totalizing meter form for any new or replacement totalizing meter installed within 30 days of installation. Failure to comply may result in an assessment of fines and penalties against the water right owner pursuant to NRS 534.193.
 4. The State Engineer may authorize the temporary estimation of the amount of water pumped during the time period required to repair a non-functional totalizing meter. Estimation of the amount of water pumped must be based upon the number of hours the pump was operated, multiplied by the well discharge diversion rate. This estimation must be submitted to the Division in the form of a sworn affidavit from the water right owner but is in no way a direct substitute for a totalizing meter installed in the discharge pipeline and required reporting.
 5. Each water right owner shall provide access to the totalizing meter by Division staff without prior notice for reading inspection, pursuant to NRS 533.0247 and 534.130. The owner may be required to power up a meter to collect a reading if it has been turned off for any reason.
 6. Any tampering with any working totalizing meter, i.e., reprogramming, such that the totalizing meter provides a false measurement is prohibited. If upon inspection, the Division finds discrepancies between the totalizing meter reading and actual discharge from the well, an independent certification of the flow measurements may be required at the expense of the water right owner.

ADAM SULLIVAN, P.E.
State Engineer

Dated at Carson City, Nevada this

_____ day of _____, _____.