

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

#1339

ORDER

**CURTAILMENT OF GROUNDWATER APPROPRIATIONS
WITHIN THE RED ROCK VALLEY HYDROGRAPHIC BASIN (099),
WASHOE COUNTY, 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, NRS 532.120 authorizes the State Engineer to establish reasonable rules and regulations necessary for the proper and orderly execution of the powers conferred by law.

WHEREAS, NRS 533.024(1) establishes Nevada's policy to recognize the importance of domestic wells, create protectable interests in such wells and protect their supply of water from unreasonable adverse effects, and encourage the State Engineer to consider the best available science in rendering decisions concerning the state's available surface and underground sources of water.

WHEREAS, NRS 534.110(3) requires the State Engineer to determine whether there is unappropriated water in the area affected and provides for the issuance of permits only if the determination is affirmative.

WHEREAS, on August 3, 1978, the State Engineer issued Order No. 718 designating Red Rock Valley Hydrographic Basin under the provisions of NRS 534.030.

WHEREAS, previous estimates of perennial yield for Red Rock Valley Hydrographic Basin were 1,000 acre-feet annually.¹ More recently, the Division of Water Resources has estimated the sustainable yield of the basin to be between 1,200 and 2,400 acre-feet annually.²

¹ F. Eugene Rush and Patrick A. Glancy, *Water-Resources Appraisal of the Warm Springs-Lemmon Valley Area, Washoe County, Nevada* (Rush and Glancy, Water Resources—Reconnaissance Series Report 43, (Department of Conservation and Natural Resources, Division of Water Resources and U.S. Department of the Interior, Geological Survey), p. 49, 1967.

² State Engineer's Ruling No. 5816, dated January 15, 2008, official records in the Division of Water Resources.

WHEREAS, the appropriated groundwater rights on record in the Division of Water Resources for the Red Rock Valley Hydrographic Basin total are approximately 1,456 acre-feet annually.³ Additionally, there are a total of 435 exempt domestic wells with an annual groundwater commitment of 870 acre-feet within the Basin to serve those wells.⁴ Therefore, the existing groundwater commitment in the basin is approximately 2,326 acre-feet annually.

WHEREAS, there are approximately 247 existing undeveloped parcels within Red Rock Valley Hydrographic Basin, representing a potential additional annual commitment of 494 acre-feet if these parcels are ultimately developed.⁵

WHEREAS, a total of 1,118 acre-feet of the appropriated groundwater rights have been retired in Red Rock Valley Hydrographic Basin.⁶ The retired water will remain a committed resource and will never be available for reappropriation.⁷

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

NOW THEREFORE, IT IS HEREBY ORDERED that, with the following exceptions, any application to appropriate groundwater pursuant to NRS Chapters 533 and 534 within Red Rock Valley Hydrographic Basin will be denied. Applications filed under the exceptions listed below must also meet the criteria outlined in NRS Chapters 533 and 534.

EXCEPTIONS:

1. Those applications filed to appropriate no more than two acre-feet annually, equivalent to the maximum draught for domestic wells as set forth under NRS 534.180(1).
2. Those applications filed for environmental use pursuant to NRS 533.437 to 533.4377, inclusive.

³ Nevada Division of Water Resources' Water Rights Database, Hydrographic Basin Summary, Commitments and availability, Red Rock Valley Hydrographic Basin (099), last accessed June 4, 2025, official records in the Division of Water Resources, available on-line at: <https://tools.water.nv.gov/UndergroundActive.aspx>

⁴ *Id.*; 534.180(1).

⁵ The additional annual commitment of 494 acre-feet is derived from the total number of undeveloped parcels and assumes a maximum draught of 2 acre-feet per year per undeveloped parcel, as provided for under NRS 534.180; for the undeveloped parcels, see Washoe County Assessor's Office, Washoe County Regional Mapping System, Red Rock Valley, Assessor's map book No. 078, Available online at: <https://gis.washoecounty.us/wrms/?apn=078-172-15&lat=39.900789248704946&lon=-119.932622183014&scale=36111.909643&showmarker=false>

⁶ File Nos. 73960, 73961, 73962, 73963, 73965, 73966 and 74368, letter, signed December 31, 2024, official records in the Division of Water Resources.

⁷ Nevada Department of Conservation and Natural Resources, Nevada Water Conservation and Infrastructure Initiative, Water Rights Retirement Program, available on-line at: <https://dcnr.nv.gov/nwcii>

3. Those applications for temporary appropriations of groundwater for establishing fire-resistant vegetative cover filed pursuant to NRS 533.436.
4. Those applications filed for temporary stockwater use pursuant to NRS 533.504.
5. Those applications filed for diversion rate only, with no corresponding increase in duty of water.
6. Those applications filed for non-consumptive uses.



ADAM SULLIVAN, P.E.

State Engineer

Dated at Carson City, Nevada this

4th day of June, 2025.

