

ASSEMBLY BILL NO. 387—COMMITTEE ON NATURAL RESOURCES

(ON BEHALF OF THE JOINT INTERIM STANDING
COMMITTEE ON NATURAL RESOURCES)

MARCH 23, 2023

Referred to Committee on Natural Resources

SUMMARY—Revises provisions relating to water. (BDR 48-338)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to water; requiring the State Engineer to consider the best available science when rendering decisions; revising provisions relating to the appropriation of underground water; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law declares that it is the policy of this State to encourage the State
2 Engineer to consider the best available science in rendering decisions concerning
3 the available surface and underground sources of water in this State. (NRS
4 533.024) **Sections 3 and 5** of this bill remove this provision from the legislative
5 declaration and instead require the State Engineer to consider the best available
6 science.

7 Existing law provides that all underground waters within the boundaries or the
8 State, subject to all existing rights to the use thereof, are subject to appropriation for
9 beneficial use under the laws of this State. (NRS 534.020) **Section 10** of this bill
10 provides that the appropriation or use of underground waters is subject to all
11 existing rights to the use of the source thereof, if the State Engineer finds that a
12 hydrologic connection exists that is sufficient to cause a conflict with existing
13 rights.

14 Under existing law, the State Engineer is required to determine whether there is
15 unappropriated water in an affected area and may issue permits for a well only if
16 the determination is affirmative. (NRS 534.110) Existing law prohibits the State
17 Engineer from issuing a permit to appropriate water under certain circumstances,
18 including, without limitation, if there is no unappropriated water or where the
19 proposed use or change conflicts with existing rights or with protectable interests or
20 threatens to prove detrimental to the public interest. (NRS 533.370) **Section 6** of
21 this bill requires the State Engineer, in determining whether there is unappropriated
22 water, to consider whether the permit would conflict with any hydrologically



23 connected surface water or groundwater. **Section 13** of this bill clarifies that the
24 State Engineer must determine whether there is unappropriated water in an affected
25 area in accordance with existing law governing the issuance of permits to
26 appropriate water. **Sections 11 and 12** of this bill make conforming changes to
27 revise certain internal references.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 533 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** (Deleted by amendment.)

4 **Sec. 3. 1. *The State Engineer shall consider the best***
5 ***available science in rendering decisions concerning the surface***
6 ***and underground sources of water in this State.***

7 **2. *As used in this section, "best available science" means the***
8 ***use of credible information and data that is specific to the decision***
9 ***being made and the time frame available for making such a***
10 ***decision and consistent with professional scientific and***
11 ***engineering standards and practices.***

12 **Sec. 4.** (Deleted by amendment.)

13 **Sec. 5.** NRS 533.024 is hereby amended to read as follows:

14 533.024 The Legislature declares that:

15 1. It is the policy of this State:

16 (a) To encourage and promote the use of effluent, where that use
17 is not contrary to the public health, safety or welfare, and where that
18 use does not interfere with federal obligations to deliver water of the
19 Colorado River.

20 (b) To recognize the importance of domestic wells as
21 appurtenances to private homes, to create a protectable interest in
22 such wells and to protect their supply of water from unreasonable
23 adverse effects which are caused by municipal, quasi-municipal or
24 industrial uses and which cannot reasonably be mitigated.

25 (c) ~~To encourage the State Engineer to consider the best~~
26 ~~available science in rendering decisions concerning the available~~
27 ~~surface and underground sources of water in Nevada.~~

28 ~~(d)~~ To encourage and promote the use of water to prevent or
29 reduce the spread of wildfire or to rehabilitate areas burned by
30 wildfire, including, without limitation, through the establishment of
31 vegetative cover that is resistant to fire.

32 ~~(e)~~ (d) To manage conjunctively the appropriation, use and
33 administration of all waters of this State, regardless of the source of
34 the water.

35 2. The procedures in this chapter for changing the place of
36 diversion, manner of use or place of use of water, and for



1 confirming a report of conveyance, are not intended to have the
2 effect of quieting title to or changing ownership of a water right and
3 that only a court of competent jurisdiction has the power to
4 determine conflicting claims to ownership of a water right.

5 **Sec. 6.** NRS 533.370 is hereby amended to read as follows:

6 533.370 1. Except as otherwise provided in this section and
7 NRS 533.0241, 533.345, 533.371, 533.372 and 533.503, the State
8 Engineer shall approve an application submitted in proper form
9 which contemplates the application of water to beneficial use if:

10 (a) The application is accompanied by the prescribed fees;

11 (b) The proposed use or change, if within an irrigation district,
12 does not adversely affect the cost of water for other holders of water
13 rights in the district or lessen the efficiency of the district in its
14 delivery or use of water; and

15 (c) The applicant provides proof satisfactory to the State
16 Engineer of the applicant's:

17 (1) Intention in good faith to construct any work necessary to
18 apply the water to the intended beneficial use with reasonable
19 diligence; and

20 (2) Financial ability and reasonable expectation actually to
21 construct the work and apply the water to the intended beneficial use
22 with reasonable diligence.

23 2. Except as otherwise provided in subsection 10, where there
24 is no unappropriated water in the proposed source of supply, where
25 the groundwater that has not been committed for use has been
26 reserved pursuant to NRS 533.0241 or where its proposed use or
27 change conflicts with existing rights, *including, without limitation,*
28 *conflicts from any hydrologically connected surface water or*
29 *groundwater* or with protectable interests in existing domestic wells
30 as set forth in NRS 533.024, or threatens to prove detrimental to the
31 public interest, the State Engineer shall reject the application and
32 refuse to issue the requested permit. If a previous application for a
33 similar use of water within the same basin has been rejected on
34 those grounds, the new application may be denied without
35 publication.

36 3. In addition to the criteria set forth in subsections 1 and 2, in
37 determining whether an application for an interbasin transfer of
38 groundwater must be rejected pursuant to this section, the State
39 Engineer shall consider:

40 (a) Whether the applicant has justified the need to import the
41 water from another basin;

42 (b) If the State Engineer determines that a plan for conservation
43 of water is advisable for the basin into which the water is to be
44 imported, whether the applicant has demonstrated that such a plan
45 has been adopted and is being effectively carried out;



1 (c) Whether the proposed action is environmentally sound as it
2 relates to the basin from which the water is exported;

3 (d) Whether the proposed action is an appropriate long-term use
4 which will not unduly limit the future growth and development in
5 the basin from which the water is exported; and

6 (e) Any other factor the State Engineer determines to be
7 relevant.

8 4. Except as otherwise provided in this subsection and
9 subsections 6 and 10 and NRS 533.365, the State Engineer shall
10 approve or reject each application within 2 years after the final date
11 for filing a protest. The State Engineer may postpone action:

12 (a) Upon written authorization to do so by the applicant.

13 (b) If an application is protested.

14 (c) If the purpose for which the application was made is
15 municipal use.

16 (d) In areas where studies of water supplies have been
17 determined to be necessary by the State Engineer pursuant to
18 NRS 533.368.

19 (e) Where court actions or adjudications are pending, which may
20 affect the outcome of the application.

21 (f) In areas in which adjudication of vested water rights is
22 deemed necessary by the State Engineer.

23 (g) On an application for a permit to change a vested water right
24 in a basin where vested water rights have not been adjudicated.

25 (h) Where authorized entry to any land needed to use the water
26 for which the application is submitted is required from a
27 governmental agency.

28 (i) On an application for which the State Engineer has required
29 additional information pursuant to NRS 533.375.

30 5. If the State Engineer does not act upon an application in
31 accordance with subsections 4 and 6, the application remains active
32 until approved or rejected by the State Engineer.

33 6. Except as otherwise provided in this subsection and
34 subsection 10, the State Engineer shall approve or reject, within 6
35 months after the final date for filing a protest, an application filed to
36 change the point of diversion of water already appropriated when
37 the existing and proposed points of diversion are on the same
38 property for which the water has already been appropriated under
39 the existing water right or the proposed point of diversion is on real
40 property that is proven to be owned by the applicant and is
41 contiguous to the place of use of the existing water right. The State
42 Engineer may postpone action on the application pursuant to
43 subsection 4.

44 7. If the State Engineer has not approved, rejected or held a
45 hearing on an application within 7 years after the final date for filing



1 a protest, the State Engineer shall cause notice of the application to
2 be republished pursuant to NRS 533.360 immediately preceding
3 the time at which the State Engineer is ready to approve or reject the
4 application. The cost of the republication must be paid by the
5 applicant. After such republication, a protest may be filed in
6 accordance with NRS 533.365.

7 8. If a hearing is held regarding an application, the decision of
8 the State Engineer must be in writing and include findings of fact,
9 conclusions of law and a statement of the underlying facts
10 supporting the findings of fact. The written decision may take the
11 form of a transcription of an oral ruling. The rejection or approval of
12 an application must be endorsed on a copy of the original
13 application, and a record must be made of the endorsement in the
14 records of the State Engineer. The copy of the application so
15 endorsed must be returned to the applicant. Except as otherwise
16 provided in subsection 11, if the application is approved, the
17 applicant may, on receipt thereof, proceed with the construction of
18 the necessary works and take all steps required to apply the water to
19 beneficial use and to perfect the proposed appropriation. If the
20 application is rejected, the applicant may take no steps toward the
21 prosecution of the proposed work or the diversion and use of
22 the public water while the rejection continues in force.

23 9. If a person is the successor in interest of an owner of a water
24 right or an owner of real property upon which a domestic well is
25 located and if the former owner of the water right or real property on
26 which a domestic well is located had previously filed a written
27 protest against the granting of an application, the successor in
28 interest must be allowed to pursue that protest in the same manner
29 as if the successor in interest were the former owner whose interest
30 he or she succeeded. If the successor in interest wishes to pursue the
31 protest, the successor in interest must notify the State Engineer in a
32 timely manner on a form provided by the State Engineer.

33 10. The provisions of subsections 1 to 9, inclusive, do not
34 apply to an application for an environmental permit or a temporary
35 permit issued pursuant to NRS 533.436 or 533.504.

36 11. The provisions of subsection 8 do not authorize the
37 recipient of an approved application to use any state land
38 administered by the Division of State Lands of the State Department
39 of Conservation and Natural Resources without the appropriate
40 authorization for that use from the State Land Registrar.

41 12. As used in this section, "domestic well" has the meaning
42 ascribed to it in NRS 534.350.

43 **Sec. 7.** (Deleted by amendment.)

44 **Sec. 8.** (Deleted by amendment.)

45 **Sec. 9.** (Deleted by amendment.)



1 **Sec. 10.** NRS 534.020 is hereby amended to read as follows:
2 534.020 1. *Any appropriation or use of underground waters*
3 *within the boundaries of this State is subject to all existing rights*
4 *to the use of the source thereof, if the State Engineer finds that a*
5 *hydrologic connection exists that is sufficient to cause a conflict*
6 *with existing rights.*

7 2. All underground waters within the boundaries of the State
8 belong to the public, and, subject to all existing rights to the use
9 thereof ~~[]~~ *as set forth in subsection 1*, are subject to appropriation
10 for beneficial use only under the laws of this State relating to the
11 appropriation and use of water and not otherwise.

12 ~~[2.]~~ 3. It is the intention of the Legislature, by this chapter, to
13 prevent the waste of underground waters and pollution and
14 contamination thereof and provide for the administration of the
15 provisions thereof by the State Engineer, who ~~is hereby empowered~~
16 ~~to~~ *shall* make such rules and regulations within the terms of this
17 chapter as may be necessary for the proper execution of the
18 provisions of this chapter.

19 **Sec. 11.** NRS 534.037 is hereby amended to read as follows:

20 534.037 1. In a basin that has been designated as a critical
21 management area by the State Engineer pursuant to subsection ~~[7]~~ 8
22 of NRS 534.110, a petition for the approval of a groundwater
23 management plan for the basin may be submitted to the State
24 Engineer. The petition must be signed by a majority of the holders
25 of permits or certificates to appropriate water in the basin that are on
26 file in the Office of the State Engineer and must be accompanied by
27 a groundwater management plan which must set forth the necessary
28 steps for removal of the basin's designation as a critical
29 management area.

30 2. In determining whether to approve a groundwater
31 management plan submitted pursuant to subsection 1, the State
32 Engineer shall consider, without limitation:

- 33 (a) The hydrology of the basin;
- 34 (b) The physical characteristics of the basin;
- 35 (c) The geographic spacing and location of the withdrawals of
36 groundwater in the basin;
- 37 (d) The quality of the water in the basin;
- 38 (e) The wells located in the basin, including, without limitation,
39 domestic wells;
- 40 (f) Whether a groundwater management plan already exists for
41 the basin; and
- 42 (g) Any other factor deemed relevant by the State Engineer.

43 3. Before approving or disapproving a groundwater
44 management plan submitted pursuant to subsection 1, the State
45 Engineer shall hold a public hearing to take testimony on the plan in



1 the county where the basin lies or, if the basin lies in more than one
2 county, within the county where the major portion of the basin lies.
3 The State Engineer shall cause notice of the hearing to be:

4 (a) Given once each week for 2 consecutive weeks before the
5 hearing in a newspaper of general circulation in the county or
6 counties in which the basin lies.

7 (b) Posted on the Internet website of the State Engineer for at
8 least 2 consecutive weeks immediately preceding the date of the
9 hearing.

10 4. The decision of the State Engineer on a groundwater
11 management plan may be reviewed by the district court of the
12 county pursuant to NRS 533.450.

13 5. An amendment to a groundwater management plan must be
14 proposed and approved in the same manner as an original
15 groundwater management plan is proposed and approved pursuant
16 to this section.

17 **Sec. 12.** NRS 534.090 is hereby amended to read as follows:

18 534.090 1. Except as otherwise provided in this section,
19 failure for 5 successive years after April 15, 1967, on the part of the
20 holder of any right, whether it is an adjudicated right, an
21 unadjudicated right or a right for which a certificate has been issued
22 pursuant to NRS 533.425, and further whether the right is initiated
23 after or before March 25, 1939, to use beneficially all or any part of
24 the underground water for the purpose for which the right is
25 acquired or claimed, works a forfeiture of both undetermined rights
26 and determined rights to the use of that water to the extent of the
27 nonuse.

28 2. If the records of the State Engineer or any other documents
29 obtained by or provided to the State Engineer indicate 4 or more
30 consecutive years of nonuse of all or any part of a water right which
31 is governed by this chapter:

32 (a) The State Engineer shall notify the owner of the water right,
33 as determined in the records of the Office of the State Engineer, by
34 registered or certified mail of the nonuse and that the owner has 1
35 year after the date of the notice of nonuse in which to use the water
36 right beneficially and to provide proof of such use to the State
37 Engineer or apply for relief pursuant to subsection 3 to avoid
38 forfeiting the water right.

39 (b) If, after 1 year after the date of the notice of nonuse pursuant
40 to paragraph (a), proof of resumption of beneficial use is not filed in
41 the Office of the State Engineer, the State Engineer shall, unless the
42 State Engineer has granted a request to extend the time necessary to
43 work a forfeiture of the water right, send a final notice to the owner
44 of the water right, as determined in the records of the Office of the
45 State Engineer, by registered or certified mail, that the water right is



1 held for forfeiture. If the owner of the water right, within 30 days
2 after the date of such final notice, fails to file the required proof of
3 resumption of beneficial use or an application for an extension of
4 time to prevent forfeiture, the State Engineer shall declare the right,
5 or the portion of the right not returned to beneficial use, forfeited.
6 The State Engineer shall send notice of the declaration of forfeiture,
7 by registered or certified mail, to the owner of record, as determined
8 in the records of the Office of the State Engineer, of the water right
9 that has been declared forfeited.

10 (c) If, after receipt of a notice of the declaration of forfeiture
11 pursuant to paragraph (b), the owner of record of the water right
12 fails to appeal the ruling in the manner provided for in
13 NRS 533.450, and within the time provided for therein, the
14 forfeiture becomes final. Upon the forfeiture of the water right, the
15 water reverts to the public and is available for further appropriation,
16 subject to existing rights.

17 3. The State Engineer may, upon the request of the holder of
18 any right described in subsection 1, extend the time necessary to
19 work a forfeiture under subsection 2 if the request is made before
20 the expiration of the time necessary to work a forfeiture. Except as
21 otherwise provided in subsection 4, the State Engineer may grant,
22 upon request and for good cause shown, any number of extensions,
23 but a single extension must not exceed 1 year. In determining
24 whether to grant or deny a request, the State Engineer shall, among
25 other reasons, consider:

26 (a) Whether the holder has submitted proof and evidence that
27 the holder is proceeding in good faith and with reasonable diligence
28 to resume use of the water beneficially for the purpose for which the
29 holder's right is acquired or claimed;

30 (b) The number of years during which the water has not been
31 put to the beneficial use for which the right is acquired or claimed;

32 (c) Any economic conditions or natural disasters which made
33 the holder unable to put the water to that use;

34 (d) Whether the water right is located in a basin within a county
35 under a declaration of drought by the Governor, United States
36 Secretary of Agriculture or the President of the United States;

37 (e) Whether the holder has demonstrated efforts to conserve
38 water which have resulted in a reduction in water consumption;

39 (f) Whether the water right is located in a basin that has been
40 designated as a critical management area by the State Engineer
41 pursuant to subsection ~~7~~ 8 of NRS 534.110;

42 (g) The date of priority of the water right as it relates to the
43 potential curtailment of water use in the basin;



1 (h) The availability of water in the basin, including, without
2 limitation, whether withdrawals of water consistently exceed the
3 perennial yield of the basin; and

4 (i) Any orders restricting use or appropriation of water in the
5 basin.

6 ↪ The State Engineer shall notify, by registered or certified mail,
7 the owner of the water right, as determined in the records of the
8 Office of the State Engineer, of whether the State Engineer has
9 granted or denied the holder's request for an extension pursuant to
10 this subsection. If the State Engineer grants an extension pursuant to
11 this subsection and, before the expiration of that extension, proof of
12 resumption of beneficial use or another request for an extension is
13 not filed in the Office of the State Engineer, the State Engineer shall
14 send a final notice to the owner of the water right, by registered or
15 certified mail, that the water right will be declared forfeited if the
16 owner of the water right fails to file the required proof of
17 resumption of beneficial use or an application for an extension of
18 time to prevent forfeiture within 30 days after the date of the final
19 notice. If the owner of the water right fails to file the required proof
20 of resumption of beneficial use or an application for an extension of
21 time to prevent forfeiture within 30 days after the date of such final
22 notice, the State Engineer shall declare the water right, or the
23 portion of the right not returned to beneficial use, forfeited.

24 4. If the State Engineer grants an extension pursuant to
25 subsection 1 in a basin:

26 (a) Where withdrawals of groundwater consistently exceed the
27 perennial yield of the basin; or

28 (b) That has been designated as a critical management area by
29 the State Engineer pursuant to subsection ~~7~~ 8 of NRS 534.110,

30 ↪ a single extension must not exceed 3 years, but any number of
31 extensions may be granted to the holder of such a right.

32 5. The failure to receive a notice pursuant to subsection 2 or 3
33 does not nullify the forfeiture or extend the time necessary to work
34 the forfeiture of a water right.

35 6. A right to use underground water whether it is vested or
36 otherwise may be lost by abandonment. If the State Engineer, in
37 investigating a groundwater source, upon which there has been a
38 prior right, for the purpose of acting upon an application to
39 appropriate water from the same source, is of the belief from his or
40 her examination that an abandonment has taken place, the State
41 Engineer shall so state in the ruling approving the application. If,
42 upon notice by registered or certified mail to the owner of record
43 who had the prior right, the owner of record of the prior right fails to
44 appeal the ruling in the manner provided for in NRS 533.450, and



1 within the time provided for therein, the alleged abandonment
2 declaration as set forth by the State Engineer becomes final.

3 **Sec. 13.** NRS 534.110 is hereby amended to read as follows:

4 534.110 1. The State Engineer shall administer this chapter
5 and shall prescribe all necessary regulations within the terms of this
6 chapter for its administration.

7 2. The State Engineer may:

8 (a) Require periodical statements of water elevations, water
9 used, and acreage on which water was used from all holders of
10 permits and claimants of vested rights.

11 (b) Upon his or her own initiation, conduct pumping tests to
12 determine if overpumping is indicated, to determine the specific
13 yield of the aquifers and to determine permeability characteristics.

14 3. ~~[The]~~ *In accordance with NRS 533.370, the* State Engineer
15 shall determine whether there is unappropriated water in the area
16 affected and may issue permits only if the determination is
17 affirmative.

18 4. The State Engineer may require each applicant to whom a
19 permit is issued for a well:

20 (a) For municipal, quasi-municipal or industrial use; and

21 (b) Whose reasonably expected rate of diversion is one-half
22 cubic foot per second or more,

23 ↪ to report periodically to the State Engineer concerning the effect
24 of that well on other previously existing wells that are located within
25 2,500 feet of the well.

26 ~~[4.]~~ 5. It is a condition of each appropriation of groundwater
27 acquired under this chapter that the right of the appropriator relates
28 to a specific quantity of water and that the right must allow for a
29 reasonable lowering of the static water level at the appropriator's
30 point of diversion. In determining a reasonable lowering of the static
31 water level in a particular area, the State Engineer shall consider the
32 economics of pumping water for the general type of crops growing
33 and may also consider the effect of using water on the economy of
34 the area in general.

35 ~~[5.]~~ 6. This section does not prevent the granting of permits to
36 applicants later in time on the ground that the diversions under the
37 proposed later appropriations may cause the water level to be
38 lowered at the point of diversion of a prior appropriator, so long as
39 any protectable interests in existing domestic wells as set forth in
40 NRS 533.024 and the rights of holders of existing appropriations
41 can be satisfied under such express conditions. At the time a permit
42 is granted for a well:

43 (a) For municipal, quasi-municipal or industrial use; and

44 (b) Whose reasonably expected rate of diversion is one-half
45 cubic foot per second or more,



1 ↳ the State Engineer shall include as a condition of the permit that
2 pumping water pursuant to the permit may be limited or prohibited
3 to prevent any unreasonable adverse effects on an existing domestic
4 well located within 2,500 feet of the well, unless the holder of the
5 permit and the owner of the domestic well have agreed to alternative
6 measures that mitigate those adverse effects.

7 ~~{6-}~~ 7. Except as otherwise provided in subsection ~~{7-}~~ 8, the
8 State Engineer shall conduct investigations in any basin or portion
9 thereof where it appears that the average annual replenishment to
10 the groundwater supply may not be adequate for the needs of all
11 permittees and all vested-right claimants, and if the findings of the
12 State Engineer so indicate, except as otherwise provided in
13 subsection ~~{9-}~~ 10, the State Engineer may order that withdrawals,
14 including, without limitation, withdrawals from domestic wells, be
15 restricted to conform to priority rights.

16 ~~{7-}~~ 8. The State Engineer:

17 (a) May designate as a critical management area any basin in
18 which withdrawals of groundwater consistently exceed the perennial
19 yield of the basin.

20 (b) Shall designate as a critical management area any basin in
21 which withdrawals of groundwater consistently exceed the perennial
22 yield of the basin upon receipt of a petition for such a designation
23 which is signed by a majority of the holders of certificates or
24 permits to appropriate water in the basin that are on file in the Office
25 of the State Engineer.

26 ↳ The designation of a basin as a critical management area pursuant
27 to this subsection may be appealed pursuant to NRS 533.450. If a
28 basin has been designated as a critical management area for at least
29 10 consecutive years, except as otherwise provided in subsection
30 ~~{9-}~~ 10, the State Engineer shall order that withdrawals, including,
31 without limitation, withdrawals from domestic wells, be restricted in
32 that basin to conform to priority rights, unless a groundwater
33 management plan has been approved for the basin pursuant to
34 NRS 534.037.

35 ~~{8-}~~ 9. In any basin or portion thereof in the State designated
36 by the State Engineer, the State Engineer may restrict drilling of
37 wells in any portion thereof if the State Engineer determines that
38 additional wells would cause an undue interference with existing
39 wells. Any order or decision of the State Engineer so restricting
40 drilling of such wells may be reviewed by the district court of the
41 county pursuant to NRS 533.450.

42 ~~{9-}~~ 10. If a court of competent jurisdiction orders the State
43 Engineer to restrict withdrawals to conform to priority rights or if
44 pursuant to subsection ~~{6-or}~~ 7 or 8 the State Engineer orders that
45 withdrawals be restricted to conform to priority rights, the State



- 1 Engineer must limit the restriction of withdrawals from a domestic
- 2 well to allow a domestic well to continue to withdraw 0.5 acre-feet
- 3 of water per year, which must be recorded by a water meter.

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