

As with many other Nevada state agencies that came into being in the twentieth century, the office of State Engineer was created in response to a federal program. The 1903 Nevada law that established the office stemmed from a congressional measure of 1902 known as the Newlands (or National Reclamation) Act. This legislation set aside funds from the sale of some public lands to promote irrigation ("reclamation") in thirteen so-called arid or semi-arid states and territories. Specifically, the moneys were to be used to examine, survey, construct, and maintain irrigation works (dams, reservoirs, canals, ditches). Those seeking the act's benefits were to acquire lands from the public domain through the federal homestead legislation. Entrymen were then to irrigate one-half of the irrigable portions of their tracts and, before they could receive title to their lands, had to make payments to the government to cover the cost of constructing the irrigation works. When an entryman made his final payment, responsibility for operating and maintaining the works passed from the Secretary of the Interior to him. At the federal level, the U. S. Reclamation Service, part of the U. S. Geological Survey's (USGS) Division of Hydrography, administered the projects. In 1907 the Reclamation Service became independent of the Geological Survey; its designation changed to Bureau of Reclamation (BOR) in 1923.

The Newlands Act, in effect, required that participating states and territories have an agency to work with the federal authorities for the act's implementation. Accordingly, the Legislature of Nevada passed the Irrigation Act of 1903. According to some sources, U. S. Senator Francis G. Newlands of Nevada, the father of the federal reclamation statute, was the author of the state act; historian John Townley, however, credits USGS hydrographer Leon H. Taylor with drafting the legislation.

The statute made it clear that reclamation efforts in Nevada were to be undertaken in cooperation with the federal program. In fact, the Nevada act acknowledges the state's subordination to the Department of the Interior and the USGS in reclamation matters.

Nevada's 1903 law established the office of the State Engineer. The Governor was to appoint the Engineer but in accordance with the recommendation of the Secretary of the Interior or the Director of the USGS. The law required that the person holding the post be trained in hydraulic engineering and that he have "such practical skill and experience as shall fit him for the position." He was required to submit biennial reports to the Governor and to make suggestions for the amending of laws pertaining to irrigation or for the enactment of new legislation. The Engineer was to cooperate fully with the Secretary of the Interior in carrying out the objectives of the Newlands Act. He could appoint an Assistant State Engineer and select additional (unpaid) assistants from the ranks of the USGS's engineers.

His principal duty was to determine the priority of water rights of Newlands Act entrymen. To facilitate this activity, the law charged him with surveying, mapping, and determining the carrying capacity of streams, canals, and ditches.

Earlier, in 1901, the Legislature enacted a measure "to provide for the measurement of streams, the survey of reservoir sites, the determination of the irrigation possibilities and of the best methods of controlling and utilizing the water resources of the State . . . ." It created a Board of Irrigation, to consist of the Governor, Surveyor General, and the Attorney General. The Board was to direct the expenditure of monies paid to the USGS and the Department of Agriculture, whose agents were to carry out the activities specified in the title of the act. The 1903 law made the State Engineer a member of the Board and its secretary.

**General Files**                      1905-1951                      1.5 cubic feet

Arranged by subject and thereunder chronologically

Although not voluminous, these records have several varied series of potential interest to environmental historians, particularly those who conduct research on water management:

- "Drought Relief Project Completion Reports," 1934-1935, submitted by the Nevada Emergency

Relief Administration to the Federal Emergency Relief Administration.

- Carey Act project files, 1910-1918, consisting of reports, correspondence, and field notes.
- File on the Muddy Water Valley Irrigation Company water rights case, 1920-1946.
- "Designated Basins" file, 1964-1979.
- Incoming and outgoing correspondence of State Engineer James G. Scrugham, 1917-1922.
- Incoming and outgoing correspondence of the State Engineer with the Bureau of Reclamation, 1905-1922 and 1945-1951,
- Cash Accounts (bound journal), Carey Act Projects, 1911-1912 and 1921-1923.
- Folder with "Standard Maps for Submission to State Engineer in Connection with Appropriation of Water, George W. Malone, State Engineer," 1927-1932.
- Folder with resolutions adopted at the annual meeting of the Association of Western State Engineers, Phoenix, Arizona, 1941.