## 1 UNITED STATES DISTRICT COURT 2 **DISTRICT OF NEVADA** 3 UNITED STATES OF AMERICA, et al., **IN EQUITY NO.C-125** 4 Plaintiffs, CASE NO.: 3-73-CV-00125-MMD-WGC 5 VS. 6 WALKER RIVER IRRIGATION DISTRICT, ORDER MODIFYING WALKER RIVER et al., DECREE TO CONFORM WITH 7 NEVADA STATE ENGINEER Defendants. INSTREAM FLOW WATER RIGHTS 8 **PERMIT NO. 90690** 9 10 The Walker River Decree is hereby amended in Accordance with Nevada State Engineer 11 instream flow water rights Permit No. 90690. 12 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED 13 that the following water rights under the Walker River Decree, entered herein on April 15, 1936, 14 as modified April 24, 1940, are hereby amended to reflect changes in the manner of use and place 15 of use from irrigation use to instream flow for wildlife purposes in the Walker River and Walker 16 Lake. This modification does not make any changes to the listed owner of the water rights claims, 17 or any portions thereof, as set forth in the Walker River Decree, even though the ownership of the 18 water rights claims has changed since the entry of this Decree. 19 /// 20 /// 21 /// 22 /// 23 /// 24 /// 25 /// 26 /// 27 28 ///

Claim 154, Tamagni, Anton and Son, Successors to Pacific Livestock Company, portion changed to instream flows for wildlife purposes,

The entirety of water right Claim 154 shall be administered by the Water Master at the point of non-diversion as set forth in Permit No. 90690 when in priority, as shown in the second column (year of priority) and third column (amount at point of non-diversion) of the table below. Thereafter, the Water Master shall administer and protect from diversion by others at and downstream of the point of non-diversion the consumptive use portion, being 3.10 acre-feet per acre, which has been converted to flow measured in cubic feet per second as shown in the fourth column (amount of consumptive use). At the Wabuska Gage, said changed water right shall be administered in the Walker River and Weber Reservoir through the Walker River Paiute Tribe reservation pursuant to the Lower Walker River Conveyance Protocols, all as more fully set forth in Nevada State Engineer Ruling No. 6271, the 2018 Ninth Circuit Decision, and the terms of Permit No. 90690. The non-consumptive use portion of the water rights shall be administered by the Water Master in her or his discretion pursuant to the Walker River Decree and the 1953 Rules and Regulations for the Distribution of Water on the Walker River Stream System, including to avoid conflict with and injury to existing water rights at and downstream of the point of nondiversion and to mitigate hydrologic system losses, from the point of non-diversion to the point or points where the non-consumptive use portion historically returned to the Walker River upstream

		Amount			
		at Point of	Amount of	No. of	
	Year of	Non-	Consumptive	Acres	
	Relative	Diversion	Use	Formerly	
Stream	Priority	(in c.f.s.)	(in c.f.s.)	Irrigated	Description of Place of Use
Walker	1864	0.458	0.242	38	Walker River from the Point of Non-
River	1865	0.183	0.096	15	Diversion, through USGS Wabuska Gage,
	1870	0.697	0.370	58	then through Weber Reservoir into and
	1875	1.430	0.759	119	including Walker Lake.
	1880	1.921	1.021	160	
	1885	1.220	0.651	102	
	1890	0.854	0.453	71	
	1895	0.568	0.300	47	
	1900	1.100	0.587	92	
	1905	1.467	0.778	122	

IT IS SO ORDERED.

Dated: 4/12/2022

District Court Judge

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of the Wabuska Gage.

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