

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

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATE OF AMERICA,)	In Equity No. C-125
)	3:73-cv-00125-MMD-CSD
Plaintiff,)	
)	
WALKER RIVER PAIUTE TRIBE,)	ORDER TEMPORARILY MODIFYING
)	WALKER RIVER DECREE
Plaintiff-Intervenor,)	
)	
vs.)	
)	
WALKER RIVER IRRIGATION DISTRICT,)	
a corporation, et al.)	
)	
Defendants.)	
)	
)	
)	

The Court, having considered the Walker River Irrigation District’s Petition for Approval of the Report of the California State Water Resources Control Board as Special Master and for Temporary Modification of the Walker River Decree in Accordance Therewith (ECF 1793), the Report of the California State Water Resources Control Board (ECF 1791 and ECF 1791-1 through ECF 1791-3), no responses or oppositions to the Petition having been filed, and good cause appearing,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

1. The Report of the California State Water Resources Control Board as Special Master is approved;

1 2. Paragraph VIII of the Final Decree entered herein on April 15, 1936, as
2 modified April 24, 1940, is temporarily amended by adding the following sentence at the end
3 thereof:

4 “To the extent that owners of any such lands have elected to participate in the
5 Walker River Irrigation District’s Stored Water Program as defined, described
6 and conditioned in the Order Approving Temporary Changes (ECF 1791-3), the
7 Walker River Irrigation District may release up to a combined total of 25,000 acre
8 feet of such water so stored in said Reservoirs, in the case of Bridgeport
9 Reservoir, from the outlet of said Reservoir, including the East Walker River to
10 the confluence of the Walker River and the Walker River to and encompassing
Walker Lake, and in the case of Topaz Reservoir, from the outlet of said
Reservoir, including the West Walker River to the confluence of the Walker River
and the Walker River to and encompassing Walker Lake, for purposes of fish and
wildlife preservation and enhancement.”

11 3. This temporary modification of Paragraph VIII of said Decree is subject to and
12 conditioned on compliance with the provisions of the California State Water Resources
13 Control Board Report as Special Master filed herein on June 13, 2023 (ECF 1791 and ECF
14 1791-1 through ECF 1791-3).

15 4. To the extent that the Walker River Irrigation District files Temporary Change
16 Applications with the Nevada State Engineer in connection with this Order, it shall provide to
17 the United States Board of Water Commissioners/Water Master copies thereof and also any
18 reports the Nevada State Engineer requires the District to provide to that Office in connection
19 therewith.
20


21 5. If the Report the Walker River Irrigation District files with the California State
22 Water Resources Control Board’s Deputy Director of Water Rights as required by ECF 1791-
23 3 at 19-20 (RSM000023 – RSM000024) is based upon provisional data available from water
24 gages of the United States Geological Service (the “USGS”), the Walker River Irrigation
25 District shall update that Report within 30 days after the USGS issues its published/finalized
26 gage values for the relevant gages, shall provide notice of the availability of the updated
27
28

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

Report as provided in the California State Water Resources Control Board Order Approving Temporary Changes (ECF 1791-3), and shall provide a copy of the updated Report to the parties receiving the initial Report.

6. This temporary modification of Paragraph VIII of the Walker River Decree will terminate when the temporary changes provided for in the Order of the California State Water Resources Control Board expire as provided in paragraph 1 of that Order (ECF 1791-3 at p. 16-17 (RSM000020 – RSM000021) and upon such termination, the sentence added above to the end of Paragraph VIII be, and hereby is, *ipso facto* deleted from Paragraph VIII without any further action by the Court.

Dated: July 3, 2023


UNITED STATES DISTRICT JUDGE