

A wide-angle photograph of Walker Lake at sunset. The sky is filled with soft, colorful clouds in shades of blue, purple, and orange. The calm water of the lake reflects the sky and the distant mountains. The foreground shows a rocky, sparsely vegetated shoreline.

# **Walker Lake Update Forum**

June 17, 2017

## **WBC Acquisitions & Program Update**



**Walker  
Basin  
Conservancy**

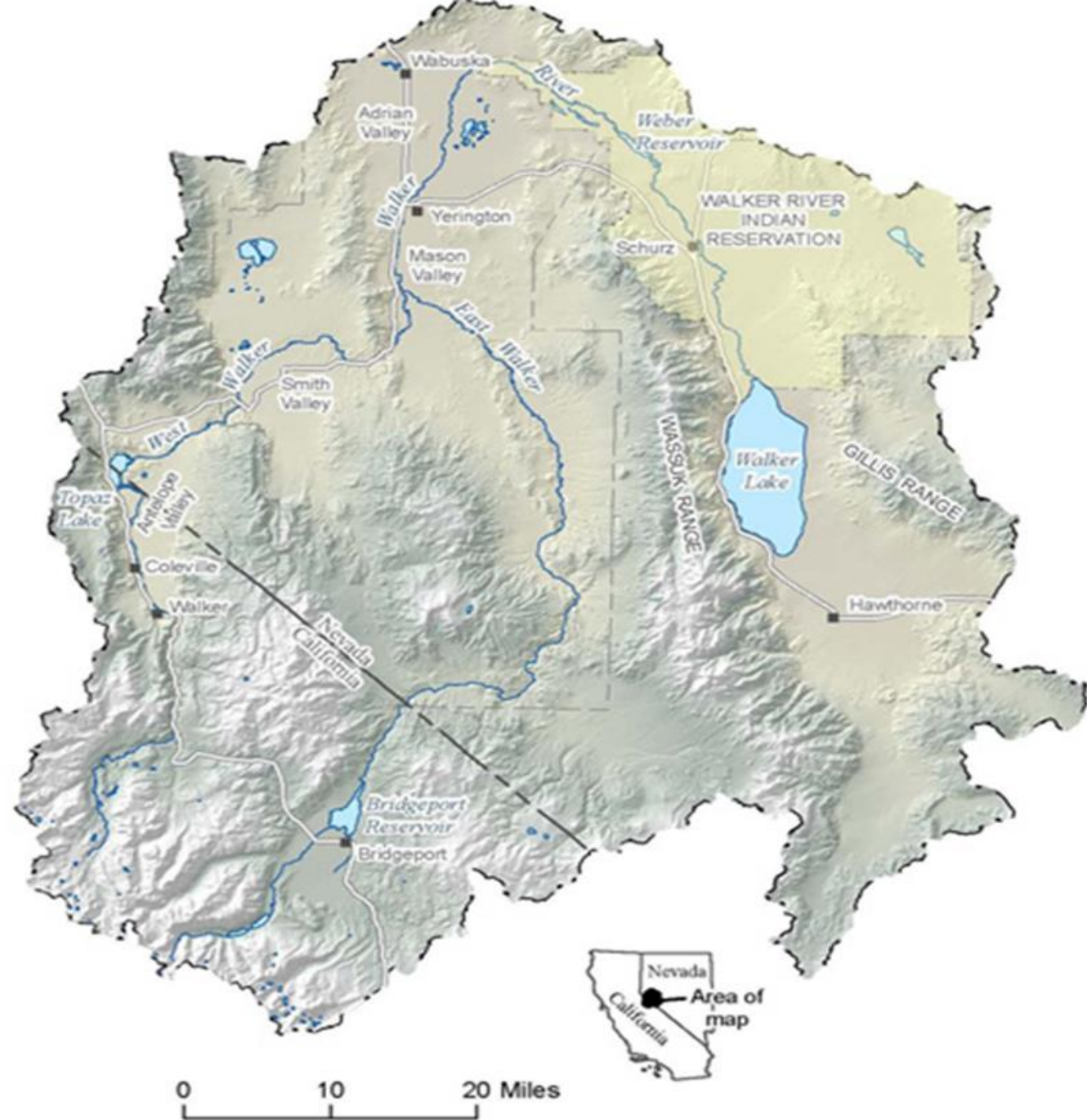


# Presentation Overview

- Walker Basin Geography
- Walker Lake
  - Total Dissolved Solids (TDS)
  - Indicator Species – Conservation Goals
- Walker Basin Conservancy
  - Highlights
- Acquisition Program
  - Legal Process
- Walker Lake Restoration Projections
  - 2017 Water Year

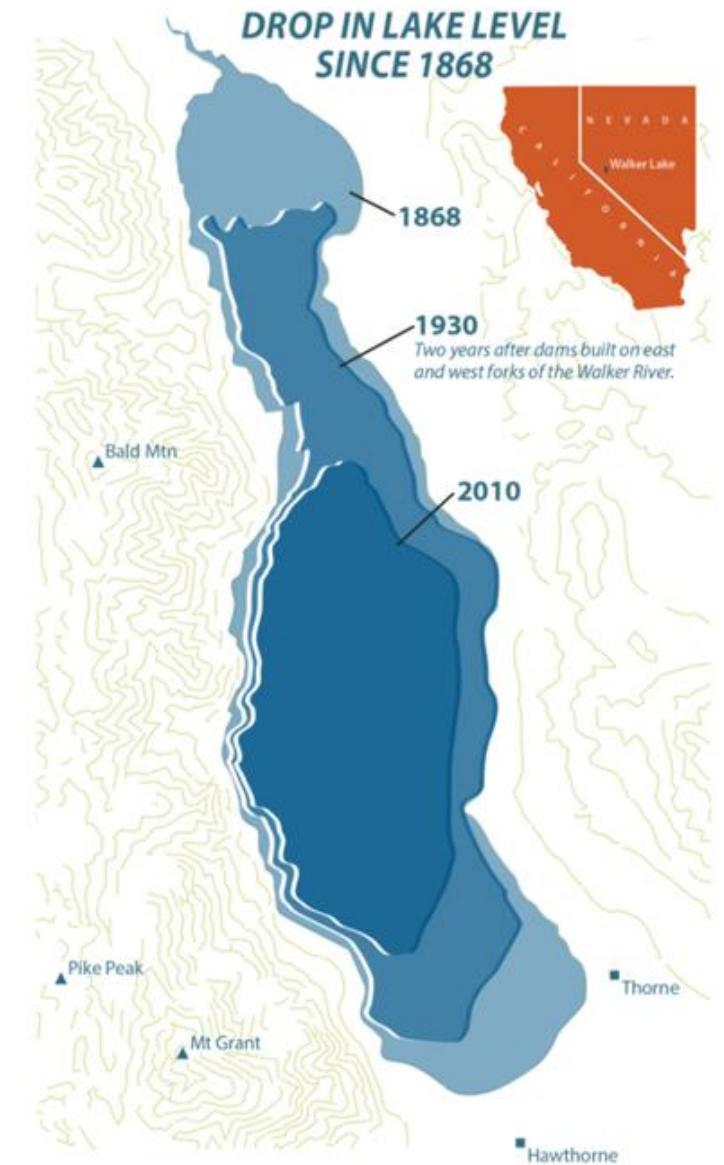
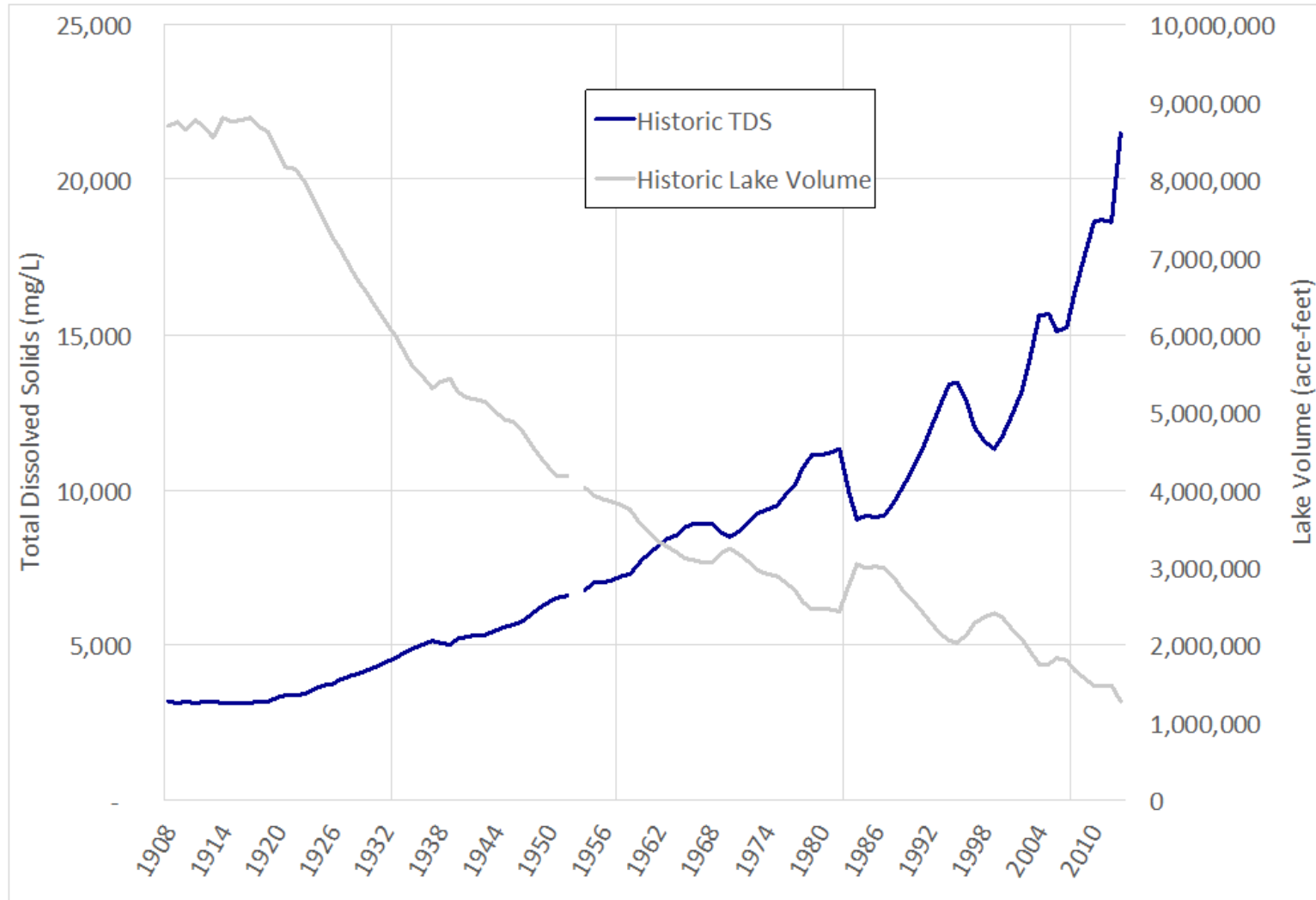


# Walker Basin



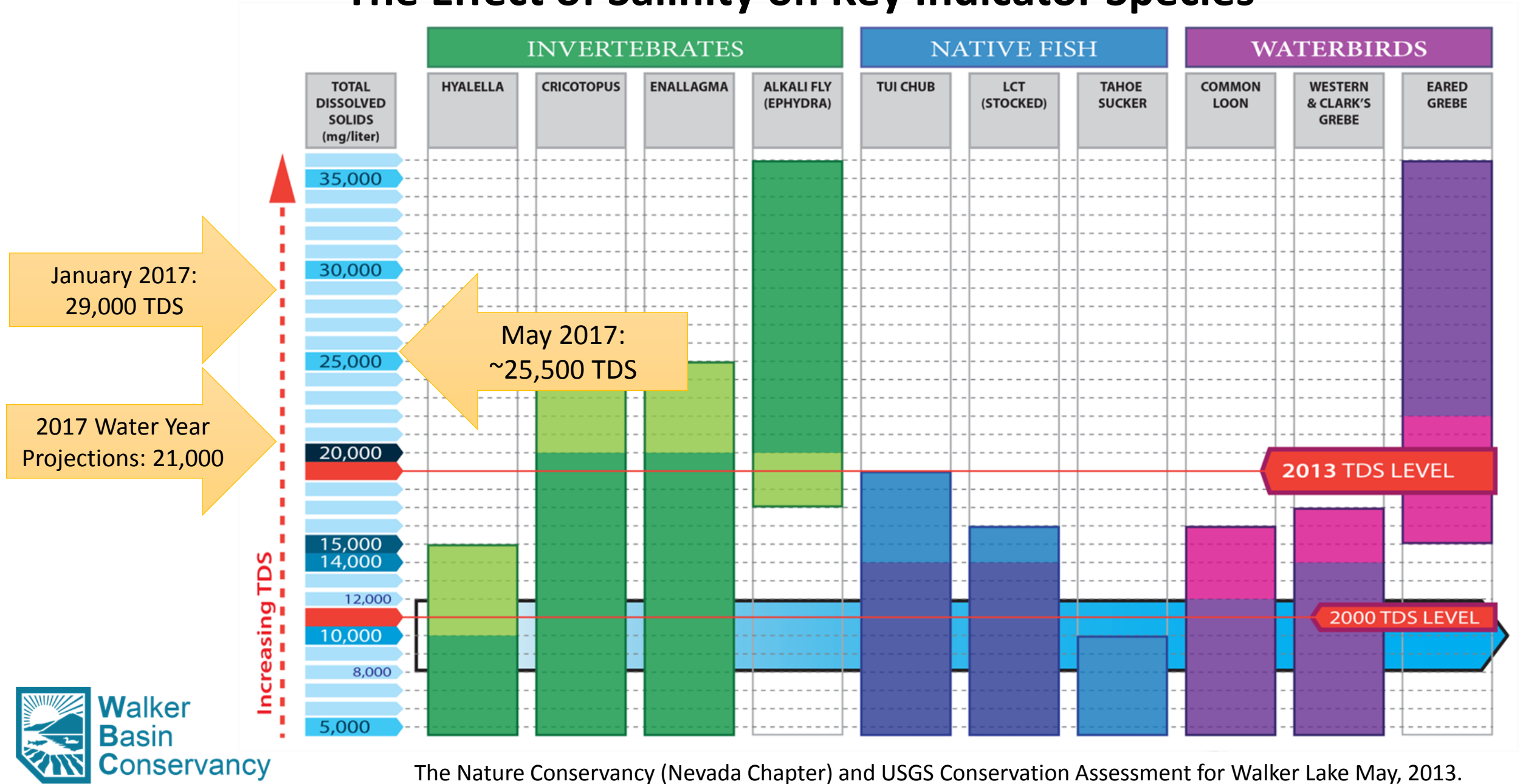
**Walker  
Basin  
Conservancy**

# Walker Lake TDS (Total Dissolved Solids) and Water Volume, 1908-2013





# The Effect of Salinity on Key Indicator Species



The Nature Conservancy (Nevada Chapter) and USGS Conservation Assessment for Walker Lake May, 2013.

# Walker Basin Conservancy

- Established in 2014, the Walker Basin Conservancy (WBC) is leading the effort to restore and maintain Walker Lake while protecting agricultural, environmental and recreational interests in the Walker Basin.
- WBC manages thousands of acres of land and oversees land stewardship activities, habitat enhancement and ongoing research. WBC also protects and monitors acquired water resources to ensure they are used for their intended purposes, including increasing stream flows throughout the basin and to Walker Lake.
- Funded by a multi-year grant from the National Fish and Wildlife Foundation.
- In 2017, WBC assumed implementation of the Walker Basin Restoration Program
  - WBC will be point for future acquisitions and legal processes as owner of all water assets.
- 15 full-time staff members and additional seasonal employees.
- Offices in Reno and Yerington.



# WBC Highlights

- Property management of nearly 14,000 acres
  - Associated farming and grazing agreements
- Land stewardship activities
  - Active and passive restoration efforts on hundreds of acres to address three main issues: fugitive dust abatement, soil stabilization and noxious weed control.
- Reconveyance of ~12,000 acres and 30 miles of three large East Walker properties to the State of Nevada to establish the Walker River State Recreation Area
  - WBC will continue to work closely with state agencies for the foreseeable future on land stewardship activities and sage grouse and LCT possibilities along the East Walker River.



## Water Acquisitions

Location	Surface Decree <i>(Cubic Feet per Second)</i>	Surface Water <i>(Acre Feet)</i>
<p><b>To date WBRP has acquired, from willing sellers, ~40% of the water rights needed to increase Walker Lake inflows by amounts sufficient to reduce Total Dissolved Solids (TDS) to a long-term average of 10,000 mg/L.</b></p>		
<u>Total</u>	98.2	11,763



# Legally Protecting Water Instream

- **Work with willing sellers to acquire water rights**
- **File change application with Nevada State Engineer (NSE)**
  - A change application is the process of changing the purpose and place of use from agriculture to instream for wildlife purposes
- **Negotiate agreements to resolve protests**
  - NSE holds hearings to address unresolved issues
- **NSE ruling is sent to the Federal District Court**
  - Accepts, denies or remands ruling back to NSE
  - Can be appealed to the 9<sup>th</sup> Circuit Court
- **Final Ruling**
  - Water is approved for instream delivery to Walker Lake
  - Program calls for water and monitors instream conveyance
- **Timeline for each permanent change can be a few years to a decade.**
  - After going through the NSE and the Federal District Court processes the application is now at the 9<sup>th</sup> Circuit Court of Appeals
  - We are over 6 years in on the first application, with 1-2 years to go.
  - Future changes should be expedited once “threshold issues” have been resolved.



**\*\*This is the first time a water right has been permanently transferred for environmental use in the Walker Basin\*\***

# Timeline: Protected Acquired Water Instream

**2011:** Program submits first change application (#80700) to the Nevada State Engineer's (NSE) Office.

**2011 - 2013:** NSE legal process: negotiating with protestants, pre-hearings, hearing, etc.

**2014:** March - NSE issues ruling approving the change application and agreements negotiated with protestants without changes; thereby overruling all remaining protests and petitions to the application.

**2015:** January – Federal District Court hearing

May - Court issues Order #1340 ruling Walker Lake is not within the basin, but allows for the transfer of water instream to the point where the river meets the lake. Order also remands the change application back to NSE for modifications related to historic use patterns of acquired water.

June- NSE Office files a notice of appeal for Federal Court Order to the United States Court of Appeals for the Ninth Circuit. NFWF and other parties join NSE in appeal.

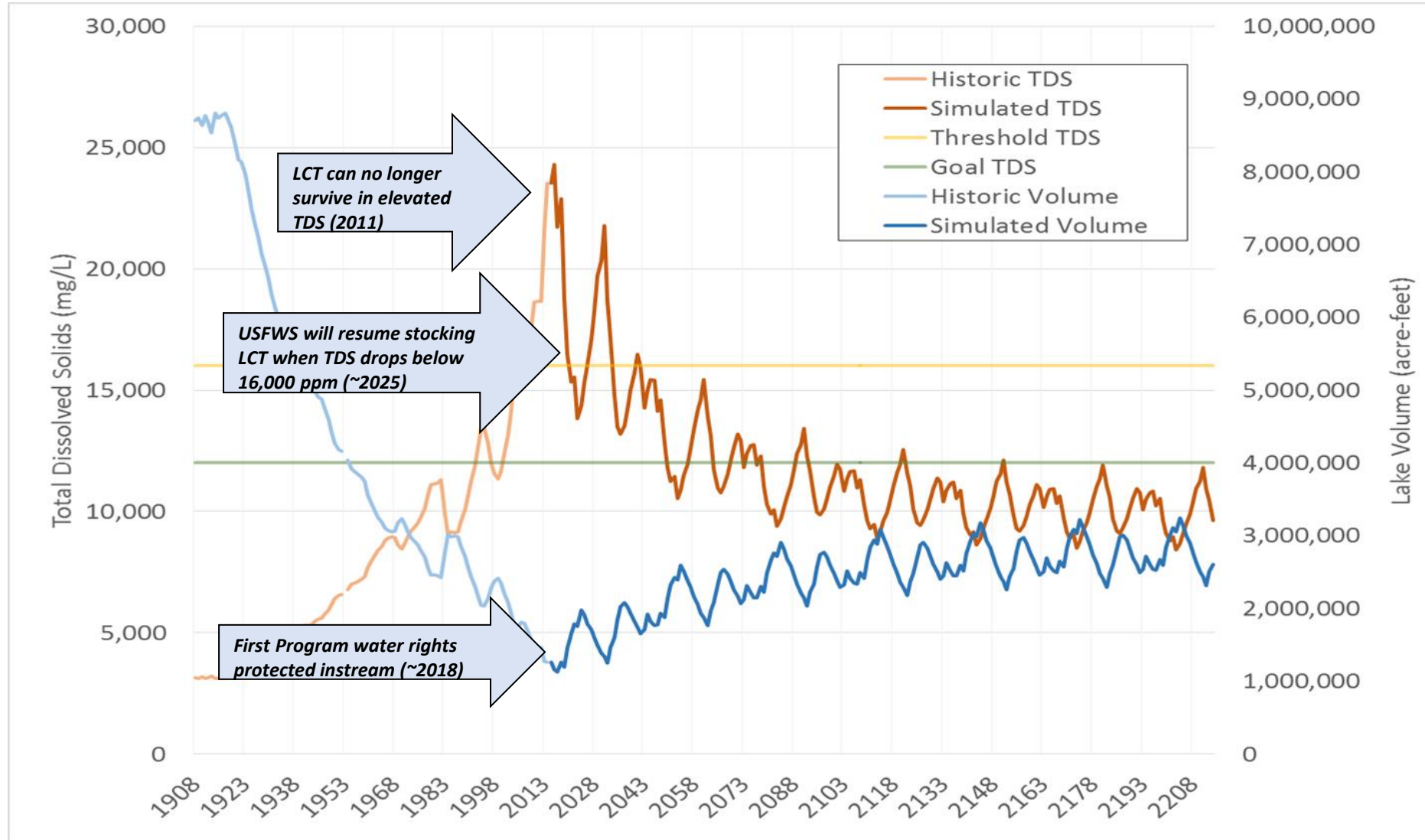
**2016:** All parties provide briefings to Ninth Circuit.

**Summer 2017:** Oral hearing is scheduled for the week of August 28 in Pasadena, California

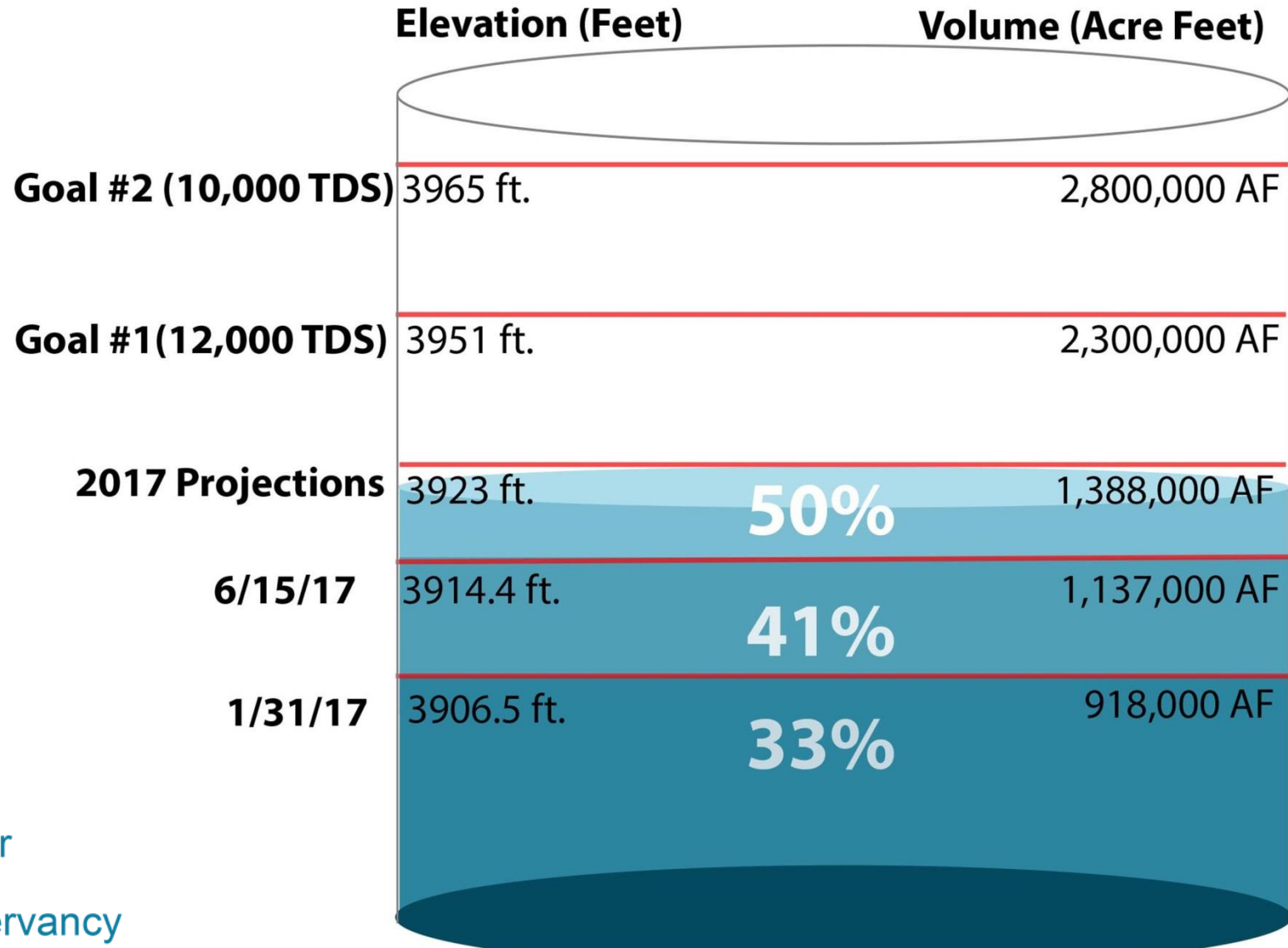
**2017 and beyond:** As soon as a ruling is issued the Program will begin filing applications for all water rights acquired since the original application (90+ cfs). Applications will be grouped by geographic location within the Walker Basin.



# Projections for Walker Lake



# 2017 Water Year





# USGS Hydromapper





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