Walker Basin Conservancy formed to manage lands in WBRP

Mason Valley News – Feb. 3, 2015 Written By: Keith Trout

The National Fish and Wildlife Foundation’s Walker Basin Restoration Program announced last week the establishment of the Walker Basin Conservancy.

Based in Yerington, WBC is a new nonprofit committed to the management and long-term stewardship of the lands associated with the program, responsible for on-the-ground operations associated with the program, such as land management, overseeing revegetation, farm leases and day-to-day operations and oversight of physical assets.

"The establishment of WBC represents an important new chapter in the evolution of the Walker Basin Restoration Program," said Joy Morris, WBRP director for NFWF, in a press release. "It is exciting to see the development of an organization that is dedicated to the long-term stewardship of natural resources and working lands in the region.

The Walker Basin Restoration Program was established and funded by Public Law 111-85 (2009), as part of the Desert Terminal Lakes legislation, for the primary stated purpose of restoring and maintaining Walker Lake and to protect agricultural, environmental and habitat interests in the basin.

The federal agencies then contracted with NFWF, a federally-chartered non-profit organization established in 1984, in 2010 to manage and administer the WBRP. One of the main objectives of the program is to acquire water rights, and sometimes land, from willing sellers in the basin, with the water acquired or leased to go to Walker Lake.

NFWF has administered the purchase of five properties in Mason and Smith valleys, along with water rights, and this new WBC would manage that acquired property, which was one of the initial plans of the program.

WBC is funded by a grant from the NFWF.

"WBC has the resources and a highly capable staff to maximize the value of these resources," continued Morris. "We are very excited to announce the appointment of Elmer Bull as WBC's first executive director to guide the organization's work and to fulfill its mission."

The two entities, NFWF and WBC, are now sharing new office space as of last month at 1 U.S. 95A East on the north side of Yerington (in building near airport that formerly housed a Bi-State Propane office), closing NFWF's former office on West Bridge Street.

WBC fulfills a requirement of the original legislation establishing the program, which stated that the program would establish a local nonprofit to act as a steward of the land and water resources associated with the WBRP. While the new nonprofit will be responsible for managing the land resources and other assets, NFWF will continue to fulfill the program's primary mission to restore and maintain Walker Lake by acquiring water from willing sellers, protecting the purchased water instream and managing associated projects.

Caryn Huntt DeCarlo, Desert Terminal Lake program manager for the U.S. Department of the Interior's Bureau of Reclamation stated, "Reclamation is pleased to see NFWF establish a local nonprofit that will ensure the best
stewardship of its lands in the basin, expand public access to the river and lands acquired as part of the program, and meet the goals of Reclamation's grant agreement with NFWF."

Bull, who is retired from the Nevada Division of Wildlife, was hired by NFWF in spring 2013, serving as land stewardship and conservation program manager but now will take the WBC executive director position. He also will be in charge of oversight of physical assets located in the Walker Basin and management of public access on acquired properties.

Bull said NFWF early on had a goal that water acquisitions would not create problems for neighbors and nearby water users and it didn't want to leave denuded land but take other steps to minimize impacts. He said denuded land creates dust problems or noxious weeds issues, so it has strived and will continue to attempt to prevent those things with steps.

He said a pot of money has been set up for stewardship programs on lands acquired, or lands that lost water rights, to minimize problems.

Two of the early properties acquired east of Yerington — all but 300 acres that was sold to another farmer — were added to the NDOW Mason Valley Wildlife Management Area in an effort to lessen impacts, which prevented the land from being denuded and subdivided, for example.

He said other water acquisitions programs in the west, including in the Lahontan Valley, haven't been able to minimize impacts or prevent bare land after the water was removed, as they hoped to do here.

On one property in Smith Valley they chose to continue farming since it will take a while to transfer the water to Walker Lake, Bull said. Other lands acquired have been the Rafter 7 Ranch along the East Walker (the largest at 3,223 acres) and the Stanley Ranch in Wabuska, the most recent.

OPEN HOUSE

Walker Basin Conservancy will host an open house at its new office location, 1 95A East, from 10 a.m. to 1 p.m. Feb. 12 for those interested in learning more about its plans. Refreshments will be served.

State engineer cuts supplemental water rights by 50%

Mason Valley News – Jan. 27, 2015 Written By: Keith Trout

It was news no one wanted to hear and the messenger didn't want to give, but after outlining the extent of the drought and groundwater pumping, State Engineer Jason King announced a "curtailment" of 50 percent on supplemental water rights, those used via wells to supplement when less surface water is available.

The announcement, which came after a presentation at gatherings Jan. in Yerington — which featured more irrigation water users/farmers — and Smith Valley — which featured more residential well owners, since there is no
municipal water system — outlining the law water supplies during the continuing drought, the lowering of the water table and the amount of pumping in recent years, was followed by a number of questions.

He said a formal written order of what he announced verbally would come out in a week or two.

He said NDWR staff would be out in the following weeks placing tags on irrigation wells notifying permittees of how much water would be available to pump.

King said they didn't take this decision lightly and they felt the groundwater situation compelled to do something or they would have many wells drying up.

"Please understand, we don't take these steps lightly," King said.

He didn't say how long this order would last, noting they would check groundwater levels after this season and see what impact it had and also if it turned out to be a wet year it might not have to be continued.

This step was taken to protect existing primary water rights and domestic wells, King said, and "protect the integrity of the aquifer and protect the long-term water supply."

In response to a question about whether this had been done elsewhere in the state, King said it was not unprecedented here but similar things had been done in other states. as part of a federal water program it would be up to the Truckee-Carson Irrigation District as to what would be done in the Lahontan Valley area and if cuts would result.

King said this did not impact domestic wells nor did it impact primary water rights from wells.

However, some comments from the attendees said everyone should do their part and cut their water usage.

Smith Valley resident and rancher Toni Garms urged domestic well users to take some action to cut water usage, perhaps to not have a big yard this year.

"Let's see you give something up, too," Garms said.

King, though, said the domestic well water use is very small compared to that pumped for agricultural use.

The Division of Water Resources would have more staff out in the Mason and Smith valleys, he said, checking on well usage and violators of the order.

"We're coming to commit additional staff resources to field monitoring," adding they would also expedite processing of applications.

He added he hoped to not find any violations, but if they did, violators would be subject to fines and penalties, including replacement of water up to 200 percent or $10,000 per day fine per violation.

"We'll work with all water users to minimize the impacts of the curtailment order," King said. "We'll work to make it as painless as it can be."
King and his staff began telling the gatherings the region is entering the fourth year of drought and weather forecasts only call for average precipitation or snow this year, which would not enough to take the region out of the drought conditions, as it would take a well above average snowpack and streamflow to do that.

He said there had been unprecedented groundwater pumpage in the two valleys and unprecedented water level declines and reports of well failures, and the likelihood of basin-wide well failures in shallow wells if something wasn't done.

Supplemental groundwater rights are intended to be pumped when there is not a full allocation of Walker River decreed water and/or storage rights. In such a year that isn't a full allocation year, as have been the past three at least, the available surface water is to be used before the supplemental groundwater can be pumped, and then only enough to meet the permitted acre-feet per acre duty.

Nondomestic wells in the two valleys have been required to have flow meters/totalizing meters since an order issued in 2000.

Talking about drought designations to see how the drought is extending, King in the presentation said last year 38 percent of the area was in D3 or D4 designations (extreme and exceptional drought) and now it is more than 48 percent; and the D4 designations had gone from 5 percent of the area last year to 12 percent.

Regarding reservoir storage as of the beginning of this month), King presented that Topaz Lake was at 8 percent of capacity, Bridgeport Reservoir at 9 percent, Weber Lake at 25 percent (up to 9, 10 and 27 percent as of Jan. 27) and Walker Lake at 40 percent.

He also talked about the snowpack in the mountains that the basin and he noted only three years since 2000 had seen above average snowfall. He noted the snow-water equivalent was 66 percent of average on Jan. 1 and 18 days later it was down to 42 percent. It was 35 percent of normal on Tuesday.

He also provided graphs showing streamflows now well below average and forecast to remain that way. He also cited the February-April forecast that showed normal precipitation and above average temperatures for 2015. Graphs also were shown how the less surface water was available, more groundwater was pumped in both valleys.

The Division of water Resources has 32 monitoring well sites in Smith Valley and 50 that monitor groundwater levels in Mason Valley.

Also speaking during the presentation was Rick Felling, a deputy administrator, while Reed Cozens, a water commissioner, responded to some of the questions.

Felling explained the preliminary figures for 2014 groundwater pumping showed more than 140,000 acre-feet in Mason Valley (the prior highest had been 120,000 acre-feet) and 56,000 acre-feet in Smith Valley, with 53,000 of that for irrigation and similar in Mason Valley. He said record amounts of pumping had been set each of the last three years.

King said usually there are one or two dry years but they are followed by a wet year, which allows the groundwater to recharge and return to normal, but recent years have not allowed that.
Fellling showed a map that showed wells from November 2011 to November 2014 and how much they had dropped. He said Smith Valley had 342 wells less than 150 feet deep and of these 269 are domestic, while Mason Valley has 279 wells less than 100 feet, with 139 of those domestic wells.

However, he said many residents don't have the resources to lower their wells.

**State engineer hit with many questions**

*Mason Valley News – Feb. 2, 2015 Written By: Keith Trout*

There were plenty of questions and comments after the crowds in Yerington and Smith Valley heard the state engineer's announcement last Thursday that supplemental water rights would be cut by 50 percent.

In Smith Valley Thursday evening, where more than around 130 attended, many domestic well owners, while about 80 attended the Yerington meeting, many involved with agricultural water usage, so the questions varied.

Several questions raised early in the Smith Valley meeting were related to the water rights for the Smith Valley Dairy.

The second question of state engineer Jason King referenced a meeting he conducted in Smith Valley last year to discuss the dairy's water rights application to move place of use to a well near the proposed dairy site, which drew opposition from neighbors.

That question last week charged that during the prior meeting Smith had told the crowd there was plenty of water in the aquifer while that night they were told there wasn't, so the resident charged he'd lied to them at one time or the other.

King, though, said the approval of that water rights application was based on prior appropriation, according to Nevada water law, as it was an older priority water right. He added he took offense being told he had lied.

"You told us there was plenty of water," the Smith Valley resident replied, while another responded to his comment about prior appropriation, "That means all the domestic wells (nearby) could go dry and the dairy still gets its water?"

King said they were sidetracked from the issue at hand that night, noting the lowering groundwater level was a reason for the 50 percent curtailment order on supplemental rights.

"Priority is king," he said of Nevada water law. "Senior water rights holders are satisfied first," following the "first in time, first in right" concept. He added that had been the law for 111 years.

To which a resident responded, "There was plenty of water 111 years ago."

At the Yerington meeting, there were questions regarding a charge that some who pump using their supplemental water rights were over pumping beyond the water rights they held.
When another comment seemed to deal with the dairy situation, King said that resident seemed to be focused on 278 acre-feet involved in that water rights application, while there were 17,000 acre-feet involved in the supplemental rights pumpers.

Farmer Nat Lommori said the farmers who don't pump more than they have rights for, who "obey the rules," were being punished the same as others who were in violation. A former school superintendent, he said this was like when parents complained when a teacher punished everyone in class when a few did something wrong.

"A lot of hard-working farmers have abided by the rules," Lommori said.

King at one point said he didn't want to tell residents to tell on their neighbors but if someone wanted to give them names or proof of people violating water usage, they would accept it and investigate.

In response to one Yerington meeting comment about only going after farmers, King said domestic well users consumed only a small amount of water compared to irrigation well pumpers. "I try to target the big users," he said, to make the best positive result. He added domestic well users "are not within my purview."

Only a permit is required for a domestic well as there aren't water rights associated with them, as long as they pump within the allowed 2 acre-feet.

There were several questions about temporary permits and one person said they didn't think any should be approved but King said if they are allowed by law it is hard to deny them.

Rancher Bryan Masini at the Yerington meeting said he appreciated the way King had done this but he also cited a bill draft for the 2015 Legislation related to water rights and Masini added, "In my mind ... you might be ahead of the game."

King, though, said he didn't think the bill had much to do with the action being discussed that day. He said one of his office's bill drafts deals with management areas.

Jim Aiazzi asked how the 50 percent figure was derived, was it based on a formula.

King said there was no formula. He said they felt 25 percent was too low and they "wouldn't get much return (improving groundwater level) at that figure and while they thought perhaps a higher amount could be needed, they thought anything higher "would be draconian", so they tried for a balance.

Aiazzi said some people plant in the fall and so this is coming late for them.

Masini said with the current climate situation and the premise of "climate change" this action could be permanent.

King said that could be true but they hear many things about climate change, with some thinking the recent dry and warmer temperatures "are the new normal," as in the '50s and '60s they didn't have the big gap between the wet years like they've had in the 2000s.