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STATE ENGINEERS OFFICE

June 5, 2025

Mr. Adam Sullivan, P.E.
State Engineer
Nevada Division of Water Resources
901 S. Stewart St., Suite 2002
Carson City, NV 89701

RE: Proposed Nevada State Engineer Orders 1) Designating East Walker Area Hydrographic Basin (No. 109) and 2) Establishing Reporting and Metering Requirements Within the East Walker Area Hydrographic Basin

Dear Mr. Sullivan,

Pursuant to your April 3, 2025, Notice of Hearing on Proposed Orders for East Walker Hydrographic Basin 109, the Walker Basin Conservancy (the "Conservancy") respectfully submits the following comments in support of the Proposed Orders.

The East Walker Area Hydrographic Basin (No. 109) (hereafter "East Walker Basin") includes the East Walker River, a tributary of the Main Walker River. The entire Walker River Basin forms the source waters for Walker Lake, the terminus of the Walker River. Walker Lake is one of only three desert terminus lakes in the United States that historically supported a native fishery. The unique lake has long been critical to the communities of Mineral County, threatened Lahontan Cutthroat Trout ("LCT"), loons and other migratory fowl and wildlife. The steady decline of the water levels of Walker Lake since the late 1800's due to insufficient stream flows has led to increased salinity, which has caused the ecological collapse of Walker Lake. Lake level decline is attributed primarily to diversions of water out of the Walker River, including pumping of groundwater from hydrologically connected aquifers, for consumptive irrigation use of water. As of late 2008, the U.S. Fish and Wildlife Service ceased stocking LCT in Walker Lake because of almost certain mortality due to the salinity of the lake and lack of freshwater inflow. See e.g. U.S. Fish & Wildlife Service, Lahontan National Fish Hatchery Complex, *Walker Lake Ecosystem: Research and Monitoring Summary Report 2006–2013*.

In 2014, the Conservancy was established as a Nevada non-profit entity to administer the Walker Basin Restoration Program, which was created by the U.S. Congress pursuant to a series of public laws for the purpose of restoring and maintaining Walker Lake. See e.g. Pub. Law 107-171 (2002 Farm Bill); Pub. Law 108-7; Pub. Law 109-103; Pub. Law 110-246; and Pub. Law 111-85

(establishing the Walker Basin Restoration Program in 2009). The Walker Basin Restoration Program's primary purpose is to restore and maintain Walker Lake, including protection of agricultural, environmental, and habitat interests in the Walker River Basin consistent with that primary purpose. To that end, the Conservancy works with willing sellers to lease and acquire water rights from for instream use and leads associated conservation, stewardship and research activities to protect the ecological health of the Walker River and the riparian and watershed resources of the West, East, and Main Walker River(s).

The Conservancy strongly supports the Proposed Order Designating and Curtailing New Appropriations Within the East Walker Basin ("East Walker Basin Designation Order"). Groundwater pumping in the East Walker Basin, like groundwater pumping throughout the Walker River Basin, impacts the surface flow of the East Walker River, which has cascading adverse impacts throughout the Walker River, Walker Lake, and senior decreed surface water rights. See e.g. May 8, 2025, Division of Water Resources Hearing Presentation re Proposed Orders for East Walker Area Hydrographic Basin No. 109, Slide 13 ("Surface water and groundwater systems are connected, and water use in the East Walker Area affects water supply in downstream basins"). As noted in that same presentation, the historic groundwater pumping within the Walker River Basin has caused the stream efficiency of the Walker River to decrease, resulting in increasing surface flow loss rates in the Walker River. *Id.* at Slides 15–19. This loss rate directly impacts the volume of water needed to restore Walker Lake and negatively impacts the Conservancy's ability to satisfy the goals of the Walker Basin Restoration Program. Designating the East Walker Basin and curtailing new groundwater appropriations will assist in reversing these negative trends to the benefit of the State of Nevada and the conservation and recovery of Walker Lake. Because the East Walker Basin Designation Order will help to address the adverse impacts of groundwater pumping on Walker River flows into Walker Lake, the Conservancy strongly supports it.

The Conservancy also strongly supports the Proposed Order Establishing Reporting Requirements and Meter Installation Within the East Walker Basin ("East Walker Basin Meter Order"). In addition to requiring the installation of totalizing meters on all wells in the East Walker Basin with total authorized withdrawals greater than 5 acre-feet annually, the East Walker Basin Metering Order also requires records of the amount of water pumped from each well be submitted to the Division of Water Resources each month. The Conservancy supports measuring and reporting on all water use in our region, as well as sharing that information transparently and publicly. Requiring metering of all substantial groundwater withdrawals in the East Walker Basin will allow the Division of Water Resources to further refine its ongoing data gathering and analysis of the adverse effects of groundwater withdrawals on Walker River flows, which is an important step in eventually reversing the negative river flow efficiency trend.

The Conservancy commends and supports the Division of Water Resources in its determinations to proceed with conjunctive management of the groundwater and surface water in the Walker River Basin, as represented in the East Walker Basin Proposed Orders.

Respectfully submitted,



Peter Stanton
Executive Director

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