



# Walker River Irrigation District

Established in 1919

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**To: Commission to Study the Adjudication of Water Law Cases**

**From: Robert C. Bryan**

**Walker River Irrigation District, General Manager**

**Date: November 5, 2021**

**Re: Recommendations for Suggested Education and Knowledge for Judges Administering Adjudication of Water Law Cases**

Per the request of Chief Justice Hardesty, the following is a summary of my suggested recommendations for the education and general knowledge for Judges overseeing Adjudication of Water Law Cases for the State of Nevada. There are numerous challenges with adjudication cases that require and would have the benefit of a wide variety of knowledge that would help the Judges. I believe the foundations Judges should be taught to attain knowledge of are Water Law, Water Rights, Hydrology & Pumping Basics, Engineering & Modernization Basics, Nevada Basins & Water Basin Balances, and Nevada History.

Water Law, for obvious reasons, should be a requirement for all Judges that would potentially have to address any Adjudications and other Water Law cases. The knowledge specific to Nevada Water Law as well as other Western states is key.

Judges need to be aware that water users throughout the State do not necessarily rely on the same package of water rights. Water rights for all waters in the State of Nevada is an absolute necessity for Judges due to the fact of similar but different water rights throughout the State. The complexity of all different type of rights means there needs to be good understanding for all types within the State. For example, there are different varieties of underground rights, some of which are supplemental to other water sources and some of which are primary or stand alone. There are also differing types of surface waters such as natural flow waters and stored waters that are allocated for some types of water right holders to be called and released during certain periods. In some areas, some or all these different types of water rights are in the same areas as in the case here in the Walker River Irrigation District. A good handle on all the differing types and how they overlap is a must.

Hydrology & Pumping Basics would be beneficial for Judges to have a good feel for in order to view the challenges with their judgements. A basic understanding of how water works, for instance, in a river system, or a canal system, or even a closed pipeline system varies greatly. Understanding the fundamentals of how water flows with conveyance losses gives judges a better picture of how everything works. The knowledge of hydrology and pumping basic opens the full scope of the water

rights in order to make a better judgement. These basics would help in all aspects throughout the State because of the wide variety of setups. Some basins are more surface water driven than others that are only ground water driven and others have a combination, so a good basic understand is best.

Engineering & Modernization Basics would be very beneficial for Judges to see how the evolution of things has changed the water delivery and rights throughout the years. Due to Nevada being the driest state, every drop counts and the only way to protect it is through management and what you can't measure you can't manage. The best example that I can make from firsthand knowledge is from the Modernization that has taken place in the Walker River Irrigation District. From the first Modernization project in 2011 up to today's improvements on the irrigation system, the conveyance and management of distribution have improved greatly. Our projects included upgraded headworks with new gates and measuring devices at several of the main canals in the Irrigation District. The Irrigation District also constructed other structures to help with sediment control and flow control as well as improvements in several other locations throughout other areas in our canals and ditches. All our improvements have helped our users to maximize their water rights to the full extent and have a complete understanding by being on the cutting edge of the best technologies available. Not to mention it has assisted in improving all our record keeping and coordination with the folks at NDWR. So, knowing that and how and what it takes to do that would be a huge benefit to Judges and their judgements.

Nevada Basins & Water Basin Balances would help Judges understand the water of Nevada to a greater extent. There is a complexity to all the Basins and Sub-Basins that make up the entire State, so it is not always a one-size-fits-all. It would also help the Judges understand the challenges that NDWR and the State Engineer must deal with on the daily. Which in turn would help in the future with further adjudications as well as all other judgements.

Nevada History because, although most know some of the basics of Nevada history, there is so much over Nevada's history that is focused on the precious resource of water. Since Nevada is the driest state, water has always been one of the biggest issues from the beginning and will continue to be a huge issue into the future.

It is my belief that all the topics that I have recommended to be taught would be of great help to Judges in Nevada. Although some of the areas that I have pointed out are listed as basics, I still feel that all are equally as important and beneficial to administering Adjudication of Water Law cases.