

# U.S. BOARD OF WATER COMMISSIONERS

**ROBERT K MARTINEZ P.E.,  
WATER MASTER**  
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**WALKER RIVER**  
In the District Court of the United States  
In and For the District of Nevada  
In Equity, Docket No. C-125  
The United States of America, Plaintiff  
vs.  
Walker River Irrigation District, et al.

March 4, 2016

**Via Hand Delivery**

Robert Bryan  
District General Manager  
Walker River Irrigation District  
410 North Main St  
Yerington, Nevada 89447

Re: Applications for Change in Stored Water Nos. 467-A and 467-B

Dear Mr. Bryan:

The United States Board of Water Commissioners (“USBWC”) and the Chief Deputy Water Commissioner (“Water Master”) understand that the Walker River Irrigation District (“WRID”) is following the procedure set forth in NRS 539.705 for consideration of the Applications for Change in Stored Water Nos. 467-A and 467-B (“Change Applications”) submitted by L. Bryan Masini on or about January 26, 2016. Pursuant to NRS 539.705(4) and the published notice provided of the Change Applications, the USBWC and the Water Master provide their protests to each of the requested transfers. The grounds for the protests are as follows:

1. The two subject Applications propose to change the place of use of storage water which source is from the East Fork of the Walker River to the Main Walker River and that it will be deducted from the storage rights on the East Fork being Bridgeport Reservoir.

2. The allocation of the storage waters is set on an annual basis by WRID for each respective reservoir. The existing places of use source of storage water is Bridgeport Reservoir on the East Fork of the Walker River. The proposed place of use would be delivered water via the Main Stem of the Walker River in the amount based on the WRID allocation for Bridgeport Reservoir only.

3. The proposed place of use of the subject Applications are not 40 acre parcels, but are contiguous. Section 2-2 of the 1986 WRID Powers Generally describe that a transfer shall be in one parcel and not less than 40 acres in area.



4. The subject Applications propose to permanently transfer storage water. WRID's 1986 Rules and Regulations governing the distribution and use of water, Regulation No. 7, provides for a transfer of storage water on an annual basis only and not for a permanent transfer.

If the Change Applications are to be considered pursuant to NRS 539.705, the WRID Board may at its discretion grant or refuse the transfer in whole or in part. In exercising its discretion the board of directors shall consider the effect of the proposed change on the cost of water for other holders of water rights in the district, the district's efficiency in its delivery or use of water, the existing water rights in the affected land and the public interest.

The United States Board of Water Commissioners and the Water Master intend to participate in all proceedings before WRID concerning Applications for Change in Stored Water No. 467-A and 467-B.

If you have any questions regarding the enclosed, please contact me. Thank you.

Sincerely,



Robert K. Martinez, P.E.  
Chief Deputy Water Commissioner

cc: Members of U.S. Board of Water Commissioners  
Karen Peterson, Esq.

**RECEIVED**  
3/4/2016