

Alpine Decree Discussion CWSCD Board Meeting, Sept 16, 2026

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Master

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The Alpine Decree - Key Findings of Fact

- Lands within the Newlands Project were assigned specific water duties of 3.5 and 4.5 AF/AC delivered to the land for bottom and bench lands respectively
- The net consumptive use within the Newlands Project was determined to be 2.99 AF/AC
- The lands above the Newlands Project were determined to have duties of 4.5, 6.0, and 9.0 AF/AC diverted to the canal for bottom land, alluvial fan, and bench lands respectively
- The lands above the Newlands Project were determined to have a net consumptive use of 2.5 acre-feet per acre

Key Findings Cont.

- The Water Master will begin to direct distribution of water when the flow in the Upper Carson is insufficient to serve the most junior priority
- At this time the water users are notified, and the diversions will then be monitored
- Water is distributed based on priority and acreage, subject to the segmentation provision
- Each segment is treated autonomously
- The high alpine reservoirs on both forks are filled out of priority
- Rotation is practiced so as to serve the junior priorities as long as possible
- If a senior priority doesn't need the water, then the next junior appropriator is entitled to it

Key Administrative Provisions of the Alpine Decree

- Rotation – combining and exchanging of water among ditches and users is permitted and required, when necessary, in order to obtain a reasonable economy in use of the water
- Applications for changes in place, and/or manner of use shall be directed to the **Nevada State Engineer** when in Nevada, and all California water users are directed to submit application directly to the Court
- Any change in manner of use will be limited to the net consumptive use of the water right
- Stored water released from any of the private reservoirs will be treated as privately owned water and will be delivered directly to the owner(s) of that water. The Water Master may regulate headgates along the stream to insure delivery of stored water
- Every User is limited to a maximum of 40% of their annual entitlement in any given calendar month (40/40/20)

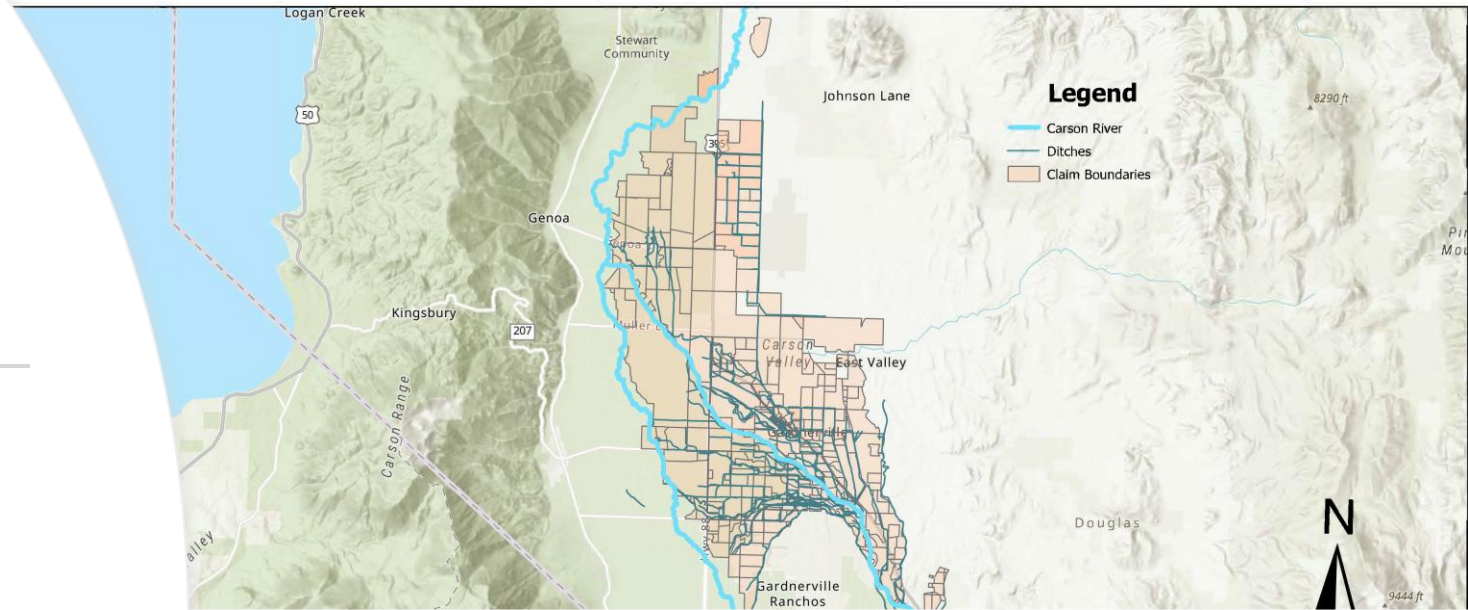
Segmentation

- The Carson River is divided into 8 segments, where each segment was to be regulated autonomously – meaning that no junior appropriator in an upper segment would be withheld water for the benefit of a senior appropriator in a lower segment

Segment Descriptions

- (1) East Fork of the Carson River from the CA/NV state line up to the headwaters of the East Fork
- (2) The East Fork of the Carson River from the CA/NV state line down to the confluence of the East and West Forks of the Carson River
- (3) The West Fork of the Carson River from the USGS gage at Woodfords up to the headwaters on the West Fork of the Carson River
- (4) The West Fork of the Carson River from the USGS gage at Woodfords down to the CA/NV state line
- (5) The West Fork of the Carson River from the CA/NV state line down to the confluence of the East and West Forks of the Carson River

Segment 2: Alpine Decree Claims 55 thru 432



Segment 5: Alpine Decree Claims 554 thru 666



Segment Descriptions Continued

- (6) The main stem of the Carson River from the confluence of the East and West Forks down to the USGS gauge at Carson City
- (7) The main stem of the Carson River from the Carson City gage downstream to Lahontan Reservoir – This segment is further sub-divided:
 - (a) Mexican Ditch, Dayton and the reach between the Rose Ditch and Quilici Ditch Inclusive
 - (b) Gee Ditch
 - (c) Koch Ditch
 - (d) Houghman and Howard Ditch
 - (e) Buckland Ditch
- (8) The area below Lahontan Dam

Segment 7a thru 7e: Alpine Decree Claims 686 thru 780a and 792 thru 798



Segment Regulation

- Segment 1: Consists mostly of riparian rights. The Water Master has little supervision in this segment except to regulate for the releases from the Alpine Land and Reservoir reservoirs.
- Segment 2: The River goes on regulation when the flow at the Gardnerville gage reduces to 200 cfs – The “1/3rd – 2/3rd agreement” is adhered to at this point in time. One third of the river is directed into the Allerman Canal and two thirds stays in the river and is distributed based on priority. (1/3rd-2/3rd Agreement established in 1902)
- Segment 3: Consisting primarily of riparian rights, the Water Master has little supervision in this segment except to regulate the releases from the mountain reservoirs for downstream use.

Segment Regulation – Cont.

- Segment 4:
 - The Anderson – Bassman Decree (1905) provided that beginning the first Monday of June, or depending when the river reaches approximately 100 cfs, the water in the West Fork will be rotated between segment 4 (CA) and segment 5 (NV) beginning with Nevada
 - The Price Decree (1921) controls the rotation amongst the users in segment 4 (CA) during California week
- Segment 5:
 - During NV week the water is distributed based on priorities. During CA week the tailwater that reaches NV is rotated amongst the junior appropriators that would otherwise be out of water

Segment Regulation – Cont.

- Segment 6:
 - The diversions in this segment occur by pumping from the river. When the main stream is on regulation, the amount of water that gets to each pump is sufficient to satisfy that priority, therefore the Water Master has little regulation responsibility in this segment
- Segment 7:
 - Due to the intermittent nature of the river flow in segment 7 (surface flow disappearing and reappearing in different reaches), this segment is regulated in sub-segments - 7a through 7e where each sub-segment is regulated autonomously.
- Segment 8:
 - Lahontan Reservoir and below – The Water Master only regulates when a controversy arises

East Fork Reservoirs —

RESERVOIR	DECREED STORAGE RIGHT (AF)	OWNERSHIP	PRIORITY
Tamarac Lake	404	Alpine Land and Reservoir Company	1895
Kinney Meadows	435	Alpine Land and Reservoir Company	1895
Upper Kinney Meadows	328	Alpine Land and Reservoir Company	1895
Lower Kinney Meadows	495	Alpine Land and Reservoir Company	1895
Wet Meadows	207	Alpine Land and Reservoir Company	1895
Lower Sunset	250	Alpine Land and Reservoir Company	1895
Upper Sunset	68	Alpine Land and Reservoir Company	1895
Summit Lake	31	Alpine Land and Reservoir Company	1901
Raymond Lake	50	Alpine Land and Reservoir Company	1895
Heenan Lake	2948	California Fish and Game, Bently, Park	1923
Burnside Lake	100	Bently	1892
Allerman No.s 1,2,4	1081	Park Cattle Company, Bently	1877, 1905
Ambrossetti	200	Carson City	1882

West Fork Reservoirs

Reservoir	Decreed Storage Right (AF)	Ownership	Priority
Scott Lake	508	Dressler, Neddenrip	1895, 1918
Red Lake	1103	California Fish and Game	1895, 1922
Crater Lake	167	Dressler	1895
Upper or East Lost Lake	92	Carson Water Sub- Conservancy District	1924
Lower or West Lost Lake	127	Carson Water Sub- Conservancy District	1924
Mud Lake	3172	Bently, CWSCD	1879, 1909
Indian Creek Reservoir		South Tahoe Public Utility District	

Water Right Transfers – Process

Any water user within the Alpine Decree is allowed to apply for a change in the place and/or manner of use, however the process varies depending on if the water right is in Nevada or California

In California, any user wishing to apply for a change must submit the application directly to the U.S. District Court for approval

In Nevada, all transfers must be handled by the Nevada State Engineer

NV Water Law and the Specific NRS Statutes Governing Change Applications

- All appropriations of water (above or below the surface) as well as the process to apply for a change in the manner, place or point of diversion are described in NRS 533
 - Specifically-
 - NRS 533.325: an application on the proper form as well as a supporting map must be filed with the State Engineer
 - NRS 533.330: The application is limited to one source of water
 - NRS 533.360: A 30-day notice must be published in a local newspaper
 - NRS 533.365: A protest to the application may be filed within 30 days of the last day of publication

Water Right Transfers Cont.

- The NV State Engineer must decide:
 1. Is there any un-appropriated water at the source
 2. Will the change application conflict with existing water rights or be detrimental to the public interest
 3. Will the change adversely impact domestic wells
 4. The State Engineer must also determine whether there are impacts to any Irrigation Districts

Inherent Restrictions on Water Transfers in the Alpine Decree

- Reduction to Consumptive Use
 - All transfers involving a change in the manner of use will be reduced to the net consumptive use - 2.99 AF/AC in the Newlands Project and 2.5 AF/AC for lands above the Project
- Change of Segment – loss of priority
 - Due to the segmentation provisions in the decree - If a water right changes segments the water right will lose its predetermined priority and become the most junior appropriator in the new segment
- Period of Use Restricted to the Irrigation Season
 - All of the water rights adjudicated in the Alpine Decree are limited to an irrigation season, therefore the period of use of any transferred water right is also limited to the irrigation season – The season for lands above the Newlands Project is determined by the Federal Water Master (typically April 1 thru October 1), the season within the Newlands Project is determined by TCID



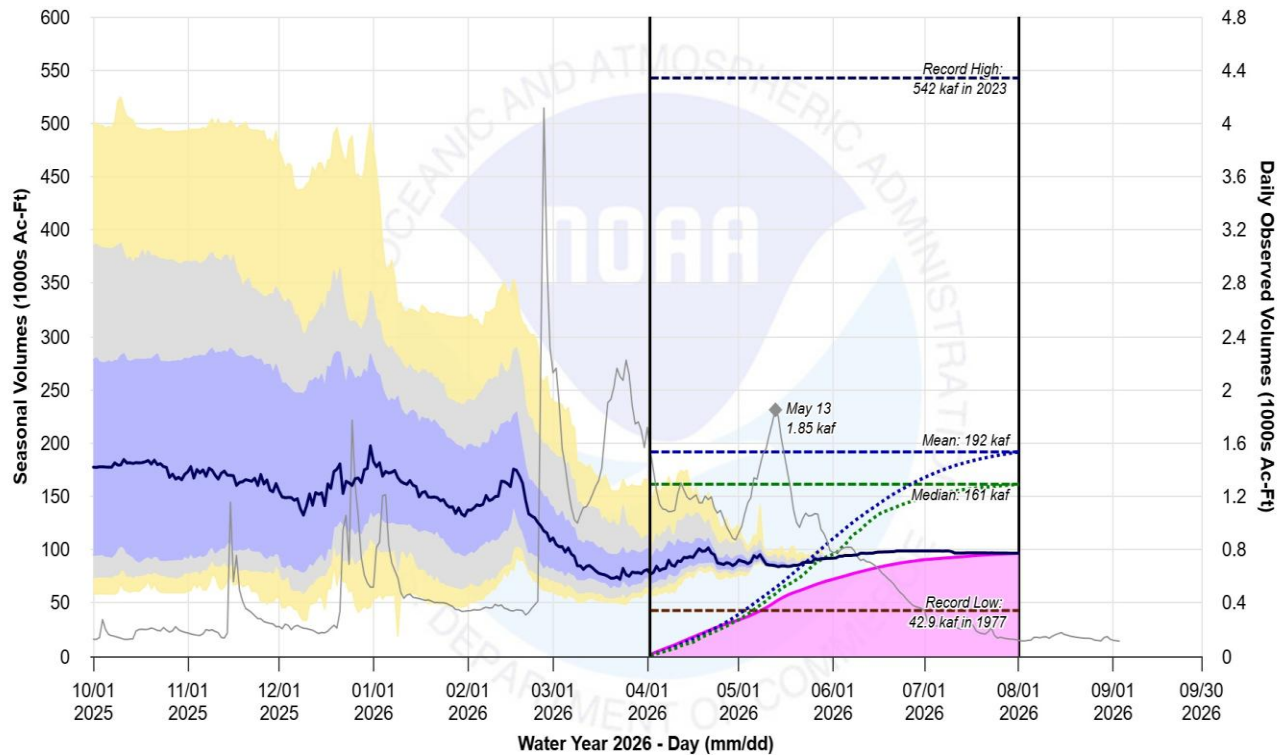
Diversions and Use Outside of the Irrigation Season

- Diversions for irrigation use are not allowed outside of the irrigation season
- Diversions for stock water use allowed
- Diversions to storage is permitted for Mud Lake – Alpine Decree Claim 463: West Fork diversion through the Millich Ditch allowed Oct. 1 through April 1 up to the storage entitlement
- Diversion to storage through the Allerman Canal to fill Allerman Reservoir - allowed to fill once in the months of Feb. and March pursuant to their storage right

2026 Water Year – East and West Forks

EF CARSON - GARDNERVILLE, NR (GRDN2) 09/03/2026
Median Forecast: **96.6 kaf** | **50% of Mean** | **60% of Median**

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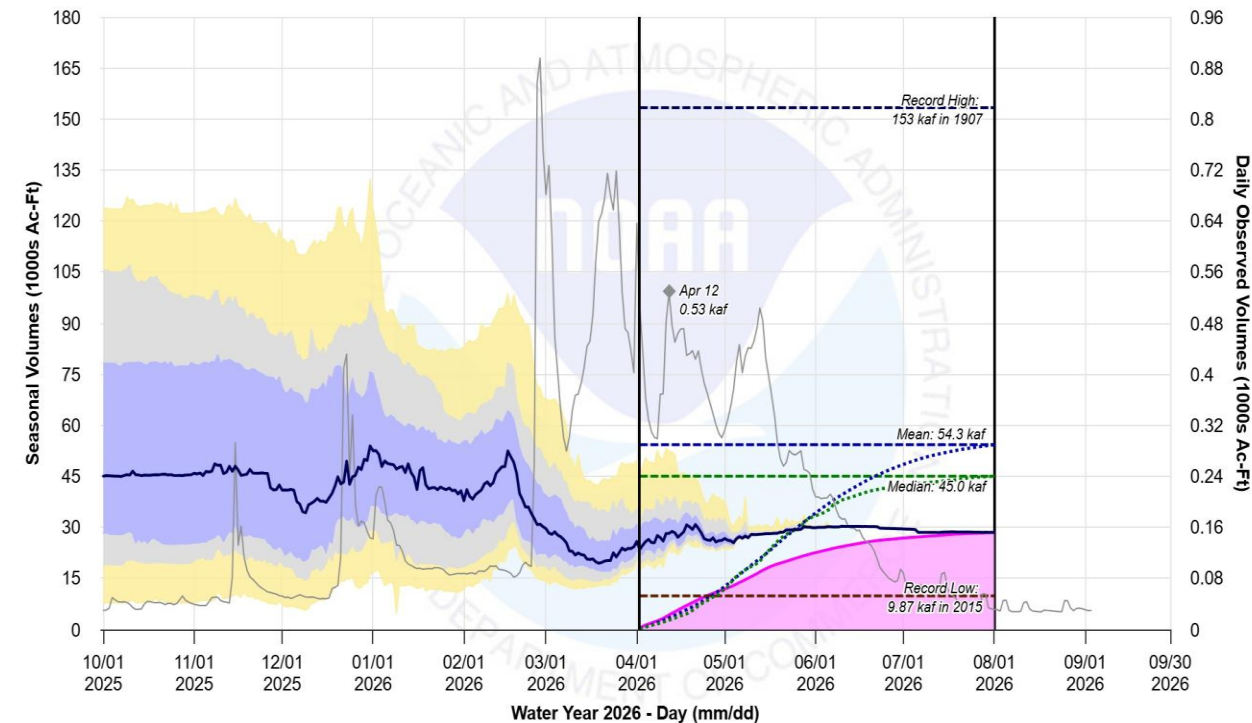


Observed Season to Date Percent of Mean: 50% (96.6 kaf) Season to Date Mean: 192 kaf
Historical Apr-Jul Vol Max: 542 kaf in 2023 Historical Apr-Jul Vol Min: 42.9 kaf in 1977
This product only considers meteorological uncertainty and does not account for hydrologic uncertainty.
Means/medians are based on the period of Water Years 1980 through 2024.
Legend entries below can be toggled on/off.

— Apr-Jul Vol Mean — Apr-Jul Vol Median • Season to Date Mean • Season to Date Median — Season to Date Obs — Daily Obs
◆ Obs Peak • Apr-Jul Fcst 50% • Apr-Jul Fcst 25/75% • Apr-Jul Fcst 10/90% • Apr-Jul Fcst Max/Min — Record Low
— Record High ▼ Snow Model Updates

WF CARSON - WOODFORDS (WOOC1) 09/03/2026
Median Forecast: **28.5 kaf** | **53% of Mean** | **63% of Median**

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Observed Season to Date Percent of Mean: 53% (28.5 kaf) Season to Date Mean: 54.3 kaf
Historical Apr-Jul Vol Max: 153 kaf in 1907 Historical Apr-Jul Vol Min: 9.87 kaf in 2015
This product only considers meteorological uncertainty and does not account for hydrologic uncertainty.
Means/medians are based on the period of Water Years 1980 through 2024.
Legend entries below can be toggled on/off.

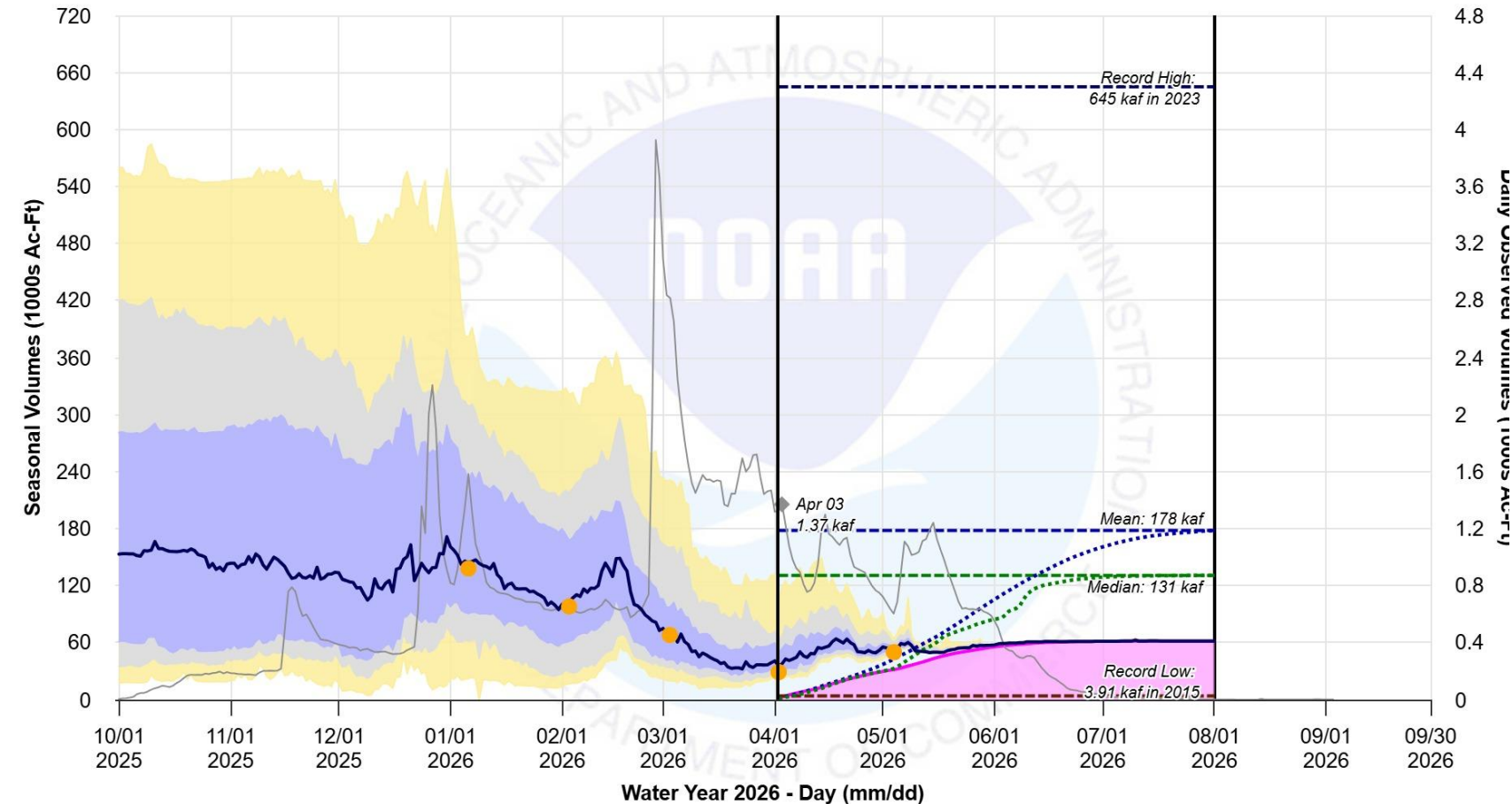
— Apr-Jul Vol Mean — Apr-Jul Vol Median • Season to Date Mean • Season to Date Median — Season to Date Obs — Daily Obs
◆ Obs Peak • Apr-Jul Fcst 50% • Apr-Jul Fcst 25/75% • Apr-Jul Fcst 10/90% • Apr-Jul Fcst Max/Min — Record Low
— Record High ▼ Snow Model Updates

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2026 Season thus far - and Future Forecast

- With abnormally warm conditions and a ripe snowpack the snowmelt began in early March
- Observed March flows at Ft Churchill were the 11th highest March volume recorded in the 115 years of record at the Ft Churchill gage – 90.5% percentile
- End of Feb. Basin SWE was at 70% of median for the date and by the end of March the Basin SWE had dropped to 17%
- Based on the much below normal runoff projections and significant runoff that occurred throughout the Month of March the Water Master declared an early start to the Irrigation Season for the Upper Carson River water users – March 15th vs. the typical April 1st start date

- (Previous seasons with early season start dates were 2014 and 2015)



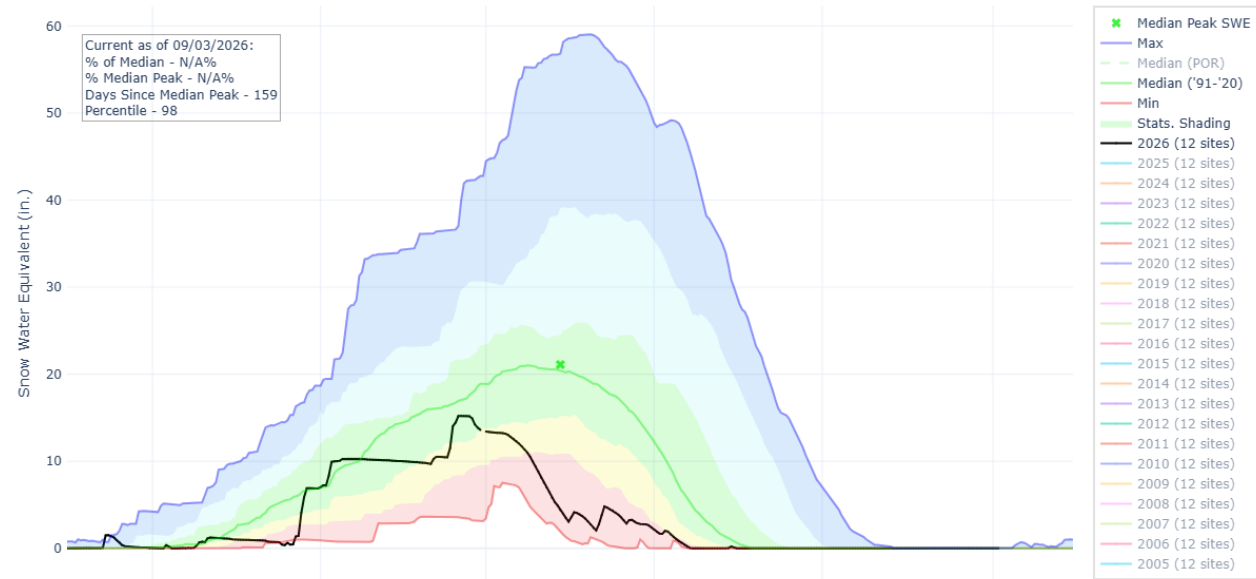
Observed Season to Date Percent of Mean: 35% (61.7 kaf) **Season to Date Mean: 178 kaf**
Historical Apr-Jul Vol Max: 645 kaf in 2023 **Historical Apr-Jul Vol Min: 3.91 kaf in 2015**
 This product only considers meteorological uncertainty and does not account for hydrologic uncertainty.
 Means/medians are based on the period of Water Years 1980 through 2024.
 Legend entries below can be toggled on/off.

— Apr-Jul Vol Mean	— Apr-Jul Vol Median	● Season to Date Mean	◆ Season to Date Median	● NWS/NRCS Coord. Apr-Jul Fcst
— Season to Date Obs	— Daily Obs	◆ Obs Peak	● Apr-Jul Fcst 50%	● Apr-Jul Fcst 25/75%
● Apr-Jul Fcst 10/90%	● Apr-Jul Fcst Max/Min	— Record Low	— Record High	▼ Snow Model Updates

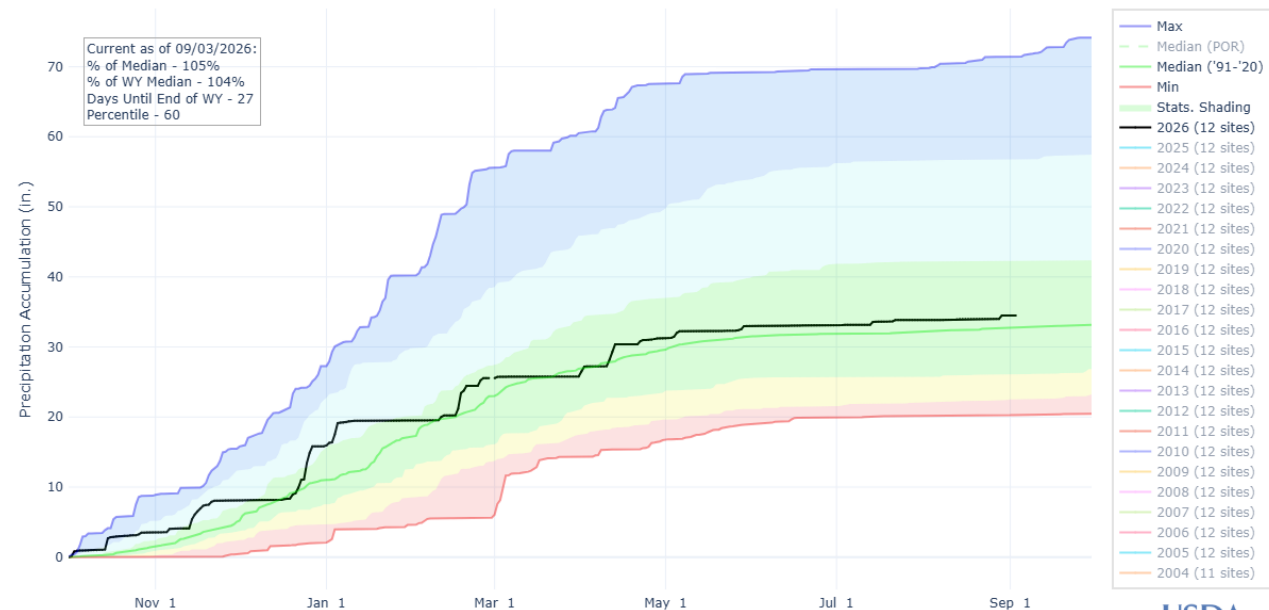
WY 2026 Carson Basin Snowpack, Total Precipitation

A very low snow
accumulation
year in contrast
to a slightly
above average
accumulated
precipitation for
the year

SNOW WATER EQUIVALENT IN CARSON

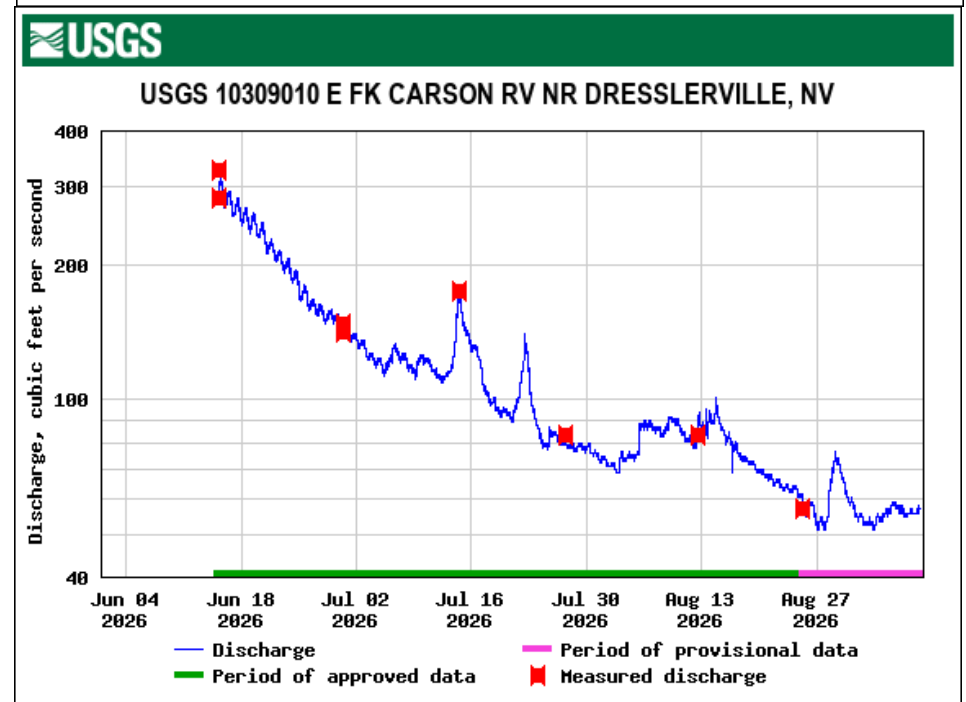
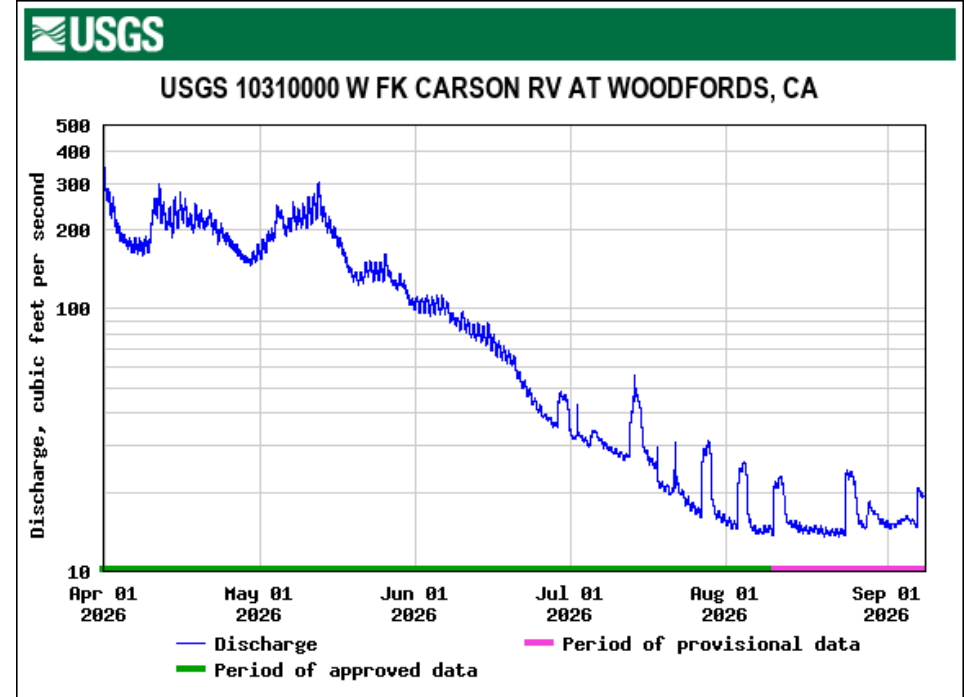


PRECIPITATION ACCUMULATION IN CARSON



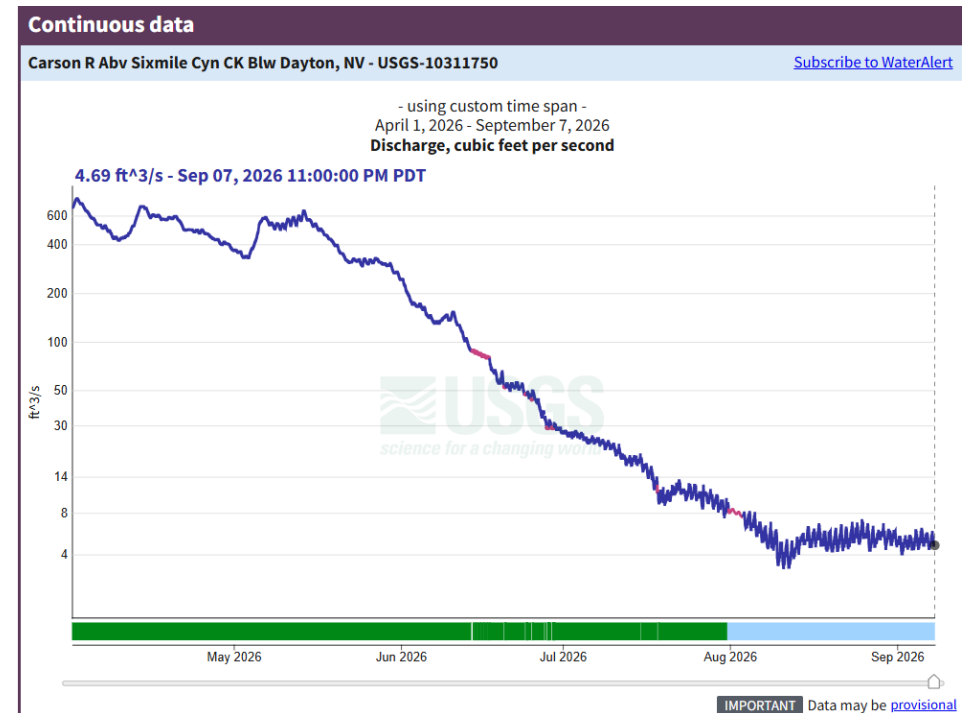
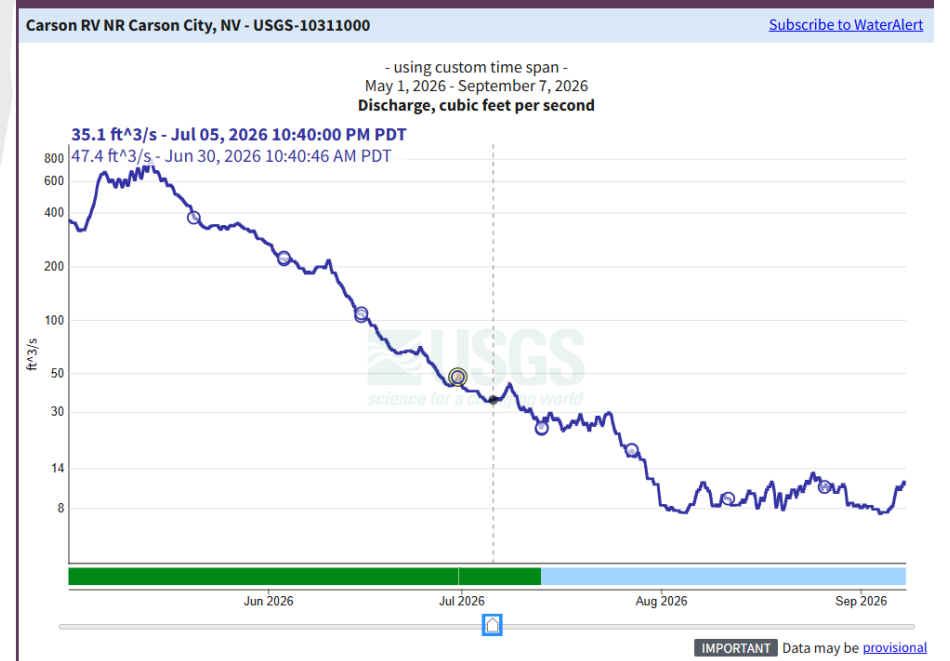
Regulation in 2026 Season – Segments 2 and 5

- West Fork regulation began on June 1st with the CA-NV rotation. Flows in the West Fork on June 1st were down to just over 100 cfs
 - Based on 100 cfs of available flow in the River the NV week rotation began with the ability to serve only the 1858 priorities and better
- The available flow in the East Fork at Gardnerville hit 200 cfs on June 23rd at which time the 1/3rd – 2/3rd regulation of the River began



Regulation in 2026 Season – Lower River, Segments 7a thru 7e

- The Carson River at Carson City gage hit 50 cfs (historical regulation level) on June 27
- Based on Current demands and active rights regulation is needed when the River reaches approximately 35 cfs – The Carson City gage reached this level on July 4th
- Regulation in 7b – Lyon County Induction Well regulation is based on available flow reported at the USGS gage at Six Mile Canyon below Dayton



QUESTIONS OR COMMENTS?

- References
 - Alpine Decree
 - https://www.troa.net/documents/Alpine_Decree/AlpineDecree.pdf
 - Judge Bruce Thompson's Opinion – Alpine Decree
 - https://www.troa.net/documents/Alpine_Decree/JudgeThompsonOpinionToAlpineDecree.pdf