CARSON WATER SUBCONSERVANCY DISTRICT
Board of Directors
& Carson River Watershed Committee Meeting

September 16, 2026

Minutes

Chairperson Ernie Schank called the Carson Water Subconservancy District (CWSD) Board of Directors Meeting to order at 6:30 pm in the CWSD Conference Room, 777 E. William Street, Suite 209, Carson City, 89701. A roll call of the CWSD Board of Directors determined a quorum was present.

CWSD Directors present:

Stacey Giomi
Sharla Hales
Tammy Hendrix *(via Zoom)*
Doug Johnson
Cassi Koerner *(via Zoom)*
Ernie Schank
Lisa Schuette
Fred Stodieck *(via Zoom)*
Mike Workman

Directors Getto, Hindle, Sterrett, and Tolbert were absent. The roll call included CWSD Committee Members present, David Griffith and Charlie Dobson.

CWSD Staff & Guests present:

Lindsay Budija, CWSD
Reed Cozens, CWSD
Brenda Hunt, CWSD
Steve King, CWSD Attorney
Michael Miller, Public
Debbie Neddenriep, CWSD
Kelly Nicholas, CWSD
Catrina Schambra, CWSD *(via Zoom)*
Dave Wathen, US Water Master

Director Hales led the Pledge of Allegiance.

Item #4 – Discussion Only: Public Comment – None

Item #5 – For Possible Action: Approval of Agenda

Director Giomi motioned to approve the Agenda for September 16, 2026, with a correction to Item 11: for discussion only. Director Committee Member Griffith seconded the motion and the Board unanimously approved.

Item #6 – For Possible Action: Approval of Board Meeting Minutes of Aug.19, 2026

Director Schuette motioned to approve the Board Meeting Minutes of July 15, 2026, as presented. Director Giomi seconded the motion and the Board unanimously approved.

CONSENT AGENDA

Item #7 – For Possible Action: Approval of Treasurer's Report for August 2026

Item #8 - For Possible Action: Approval of Payment of Bills for August 2026

<u>Item #9 - For Possible Action</u>: Authorization to Apply for NDEP 2026 Section 319(h) Grant Funding

END CONSENT AGENDA

Committee Member Griffith made a motion to approve Consent Agenda as presented. The motion was seconded by Director Workman and unanimously approved by the Board.

<u>Item #10 - For Discussion Only</u>: Presentation by the U.S. District Court Water Master's Office on the Alpine Decree

Alpine Decree Presentation Overview

The presentation by Dave Wathen, US District Court Water Master provided a high-level overview of the Alpine Decree, how the Carson River is administered, and the role of the Watermaster in managing water rights and distribution throughout the watershed.

1. Carson River Watershed

- The Carson River watershed is divided into two major tributaries:
  - **East Fork Carson River**: originates at elevations above 10,000 feet.
  - **West Fork Carson River**: originates at elevations above approximately 9,000 feet.
- The forks merge near Genoa, Nevada, forming the main stem of the Carson River.
- The river then flows through Carson City, Dayton, and ultimately into Lahontan Reservoir.

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2. Key Findings of the Alpine Decree

Water Duties

Newlands Project

- Bottom lands: 3.5 acre-feet per acre
- Bench lands: 4.5 acre-feet per acre
- Consumptive use limit: 2.99 acre-feet per acre

Above the Newlands Project

Recommended duties by land type:

- Bottom lands: 4.5 acre-feet per acre
- Alluvial lands: 6 acre-feet per acre
- Bench lands: 9 acre-feet per acre

However, the decree did not assign specific duties to individual claims or acres because the court found insufficient evidence to accurately determine acre-by-acre duties.

Consumptive use above Newlands:

- 2.5 acre-feet per acre

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3. Priority Administration

The Carson River operates under the doctrine of prior appropriation:

- When water is insufficient to satisfy all rights, the river goes "on regulation."
- Junior water rights are curtailed first.
- Senior rights receive water before junior rights.
- If a senior user does not need water, the next junior right holder may use it.

Rotation Practice

Water users are often rotated to:

- Extend available supplies.
- Allow junior users to access for as long as possible.
- Improve overall distribution efficiency.

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4. Segmentation of the River

One of the most important features of the Alpine Decree is the division of the river into eight administrative segments.

Key Principle

Each segment is administered independently.

For example:

- A junior user in Segment 2 is not shut off to satisfy a senior user in Segment 5.
- Regulation occurs only within each segment.

Segments

Segment	Location
1	East Fork in California (riparian rights)
2	East Fork Nevada state line to confluence
3	Upper West Fork (riparian)
4	West Fork in California (Woodfords area)
5	West Fork in Nevada
6	Main stem from Genoa to Carson City
7	Carson City to Lahontan Reservoir (subdivided into 7A-7E)
8	Area below Lahontan Dam

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5. Riparian vs. Prior Appropriation Rights

Segments 1 and 3

- Governed largely by riparian rights.
- Landowners adjacent to watercourses share water equally.
- No priority date system exists among riparian users.

Segments 2, 4, 5, 6, and 7

- Governed by prior appropriation.
- Water distribution follows seniority.

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6. High Alpine Reservoirs

Several reservoirs located in the upper watershed:

- Fill out of priority.
- Historically filled during snowmelt periods when regulation already existed downstream.
- This historical practice was preserved by the decree.

Most reservoir releases are considered private water and are delivered to specific owners through Watermaster oversight.

Major entities include:

- Alpine Land and Reservoir Company
- Carson Water Subconservancy District
- California Department of Fish and Wildlife

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7. Stored Water Administration

Private Reservoir Water

- Treated as private property.
- Can be sold, leased, or transferred.
- Watermaster ensures releases reach the intended user.

Lost Lakes Operations

- Releases generally occur after irrigation season closes.
- Water is measured at the dam.
- Losses are calculated between the release point and river measurement stations.
- Remaining water is then "shepherded" downstream to its approved use.

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8. The 40-40-20 Rule

A critical administrative rule:

- Maximum 40% of a water right can be used in the first month.
- Maximum 40% in the second month.
- Remaining 20% in the third month.

This primarily affects:

- Municipal transfers
- Carson City induction wells
- Lyon County induction wells

The rule prevents all water from being used early in the season.

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9. Water Right Transfers

California Rights

Transfers must be approved by:

- U.S. District Court (the Decree Court)

Nevada Rights

Transfers are approved by:

- Nevada State Engineer

Important transfer consequences:

1. Rights converted from agriculture to municipal use are reduced to consumptive use limits.
2. Moving a right from one segment to another causes loss of original priority, with the new priority date tied to the transfer application.
3. Use remains limited to the authorized season.

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10. The 1/3 - 2/3 Agreement (Segment 2)

Historic agreement on the East Fork:

When river flow reaches approximately 200 cfs:

- **1/3** may be diverted into the Allerman Canal.
- **2/3** remains in the river for distribution by priority.

This practice predates the Alpine Decree and was incorporated because of its long-standing historical use.

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11. Anderson-Bassman Decree and California-Nevada Rotation

A predecessor decree from 1905 established:

- Water right priorities on the West Fork.
- A weekly Nevada-California water rotation.

Under low-flow conditions:

- One week Nevada receives available water.
- The next week California receives available water.

This rotation remains part of modern administration and was incorporated into the Alpine Decree.

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12. Irrigation Season

Typical irrigation season:

- April 1 through September 30

However, the Watermaster may adjust the season based on hydrologic conditions.

Example:

- In the year discussed, low snowpack but high rainfall caused runoff to occur early.
- The irrigation season was declared to start March 15 rather than April 1.

Main Takeaway

The Alpine Decree creates a highly structured framework for administering the Carson River through:

- Priority-based water rights,
- Independent river segments,
- Historic rotational practices,
- Consumptive use limits,
- Reservoir operations,
- Transfer rules, and
- Watermaster oversight.

Its central goal is to distribute limited water supplies fairly while preserving long-established historical practices throughout the Carson River Basin.

Tap here to view presentation slides.

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

Item #11 - For Discussion Only: Presentation on 2026 High Water Mark Bike Tour

Ms. Neddenriep reported the High Water Mark Bike Tour was a successful community outreach event that promoted flood awareness, watershed stewardship, and public engagement along the Carson River. Through partnerships with local agencies, nonprofits, businesses, and volunteers, the event educated residents about the region's flood history, the importance of preserving natural floodplains, and the many benefits healthy river corridors provide, including groundwater recharge, water quality improvement, wildlife habitat, recreation, and economic value. Participants visited high water markers that visually demonstrate historic flood elevations, helping residents better understand local flood risks while encouraging greater appreciation for the Carson River and its surrounding open spaces. Strong community participation, positive feedback from partners, and interest from future sponsors highlighted the event's success and its potential to become an annual educational and recreational outreach opportunity.

Tap here to view presentation slides.

Item #12 - For Discussion Only: Staff Reports

Mr. Cozens reported on the following:

He worked with Brenda, Kelly, and other staff on the 208 and 319 planning programs, particularly the current 319 grant and the next grant funding agreement with NDEP. He and Debbie are creating an inventory of historical, current, and proposed flood projects throughout the basin. This resource will provide a convenient way to evaluate projects and track CWSD's involvement. He also worked closely with Lindsay on water supply matters, coordinating with the Water Master's Office, the State Engineer's Office, and other partners. In addition, he met with Joe Sanford, the new Churchill County Manager, and joined the State Engineer's Office in promoting the Nevada Water Resource Initiative, which is reevaluating groundwater supplies statewide. The initiative could significantly

affect the Carson Desert in Churchill County and potentially the rest of the watershed.

Ms. Neddenriep reported on the following:

On September 1, she participated in Sheriff's Night Out in Virginia City, where the Floodplain Model was demonstrated as an educational tool to help residents better understand local flood risks and floodplain management concepts. Looking ahead, Arid Regions is planning a two-part webinar series focused on the principles of No Adverse Impact (NAI), an approach that provides floodplain managers with valuable legal, policy, and planning guidance for reducing flood risk while protecting property rights and community resilience. The first webinar, anticipated for November, will introduce the fundamentals of No Adverse Impact and its application to floodplain management, while a follow-up session planned for January will address participant questions and explore legal considerations in greater detail. Webinar dates and registration information will be shared with regional partners and staff once finalized.

Ms. Nicholas reported on the following:

Planning continues to move forward successfully for the upcoming watershed bus tour. Current registration stands at 32 participants on the bus tour. Anyone interested in attending, even for a single stop or portion of the tour, is encouraged to register as soon as possible while space remains available.

The event has also received strong financial support from sponsors. To date, J-U-B Engineers, SGS Labs, Lumos, and Kimley-Horn have collectively contributed $3,625 in sponsorship funding. In addition, approximately $3,300 in paid registrations has already been generated, significantly reducing the need to draw from the Forum/Bus Tour Fund and potentially eliminating that need altogether. Registration will remain open for approximately five more weeks, and organizers encourage continued outreach to prospective attendees.

The tour is attracting a diverse mix of participants from throughout the watershed, including planners, engineers, water resource professionals, and utility operators seeking certification opportunities. This broad participation is expected to create valuable networking, educational, and professional development opportunities while fostering stronger collaboration among watershed stakeholders.

Ms. Budija reported on the following:

During the upcoming Nevada Water Resources Association Fall Symposium, she and Reed will be presenting on the Carson River and the Alpine Decree, covering many of the topics discussed during the meeting while providing additional historical context and exploring future considerations for river administration and watershed governance. The presentation is intended to help inform long-term planning discussions and identify issues the Board may wish to consider moving forward.

CWSD approved two attendance slots for the conference. Director Sterrett has registered to attend. Any other Board members interested in participating were encouraged to contact Catrina as soon as possible so arrangements can be made. The conference presents an opportunity to gain additional insight into water resource management issues, network with regional professionals, and learn about evolving challenges and opportunities affecting the watershed.

Legal – None

<u>Item #13 - For Discussion Only</u>: Directors & Committee Members Reports

- Director Schank reported on a recent water rights transfer matter involving the Buckland Ditch in Segment 7 and emphasized the importance of maintaining awareness and understanding of the Alpine Decree among water users and stakeholders throughout the watershed. The issue involved three protests filed in response to a State Engineer ruling on a transfer application. Director Schank noted that the ruling was consistent with the provisions and administrative framework established under the Alpine Decree, yet there was initially consideration of pursuing further legal action in U.S. District Court.

  Director Schank expressed concern that challenges to decisions grounded in the Alpine Decree could unintentionally undermine the stability and effectiveness of the decree's long-established water administration framework. He stressed that while there are circumstances in which water rights transfers warrant scrutiny and protest, stakeholders should carefully evaluate actions that may conflict with established decree principles. Following discussions among interested parties, the protests were ultimately withdrawn, and further legal action was not pursued.

  Additional discussion highlighted concerns that the requested level of hydrologic review could have established a precedent requiring similar reviews for future transfer applications. Board members noted the value of the Alpine Decree's consistent and well-established administrative procedures, recognizing that while analytical methods have evolved since the decree was finalized in 1980, its framework continues to provide predictability and stability for water rights administration throughout the Carson River system. Participants agreed that preserving the integrity of the decree and promoting a clear understanding of its provisions remain important priorities for the watershed's future management.

- Committee Member Griffith reported an update was provided from Alpine County regarding a significant recreation project stemming from recovery efforts following the Tamarack Fire. The county has secured approximately $500,000 in funding to develop a new Turtle Rock/Markleeville-area disc golf course adjacent to Grover Hot Springs State Park, replacing a nationally recognized disc golf course that was destroyed by the fire. The new facility is expected to become a regional recreational attraction and will complement existing outdoor opportunities in the area, allowing visitors to enjoy camping, the hot springs, hiking, and disc golf within the same destination.

  The project also includes improvements to the Charity Valley Trailhead, providing additional recreational access and enhancing the visitor experience. Development is being carried out through a collaborative effort involving the U.S. Forest Service, Alpine County, and the Alpine County Outdoor Recreation Association, a community-driven organization whose local volunteers have played a key role in advancing the project. Because the recreation association is not structured to directly administer a grant of this size, Alpine County will manage the grant funding and oversee major construction activities. Project completion is anticipated next year, representing an important investment in fire recovery, outdoor recreation, tourism, and community

vitality within Alpine County.

<u>Item #14 - For Discussion Only</u>: Public Comment – None

There being no further business before the Board, Chairperson Schank adjourned the meeting at 8:22 pm.

Respectfully submitted,
Catrina Schambra
Secretary to the Board