

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 90-57

ACCEPTANCE OF APPOINTMENT BY UNITED STATES
DISTRICT COURT, DISTRICT OF NEVADA, AS
SPECIAL MASTER IN THE WALKER RIVER ACTION

WHEREAS:

1. On April 15, 1936, the United States District Court, District of Nevada, entered its final decree (as amended April 20, 1940; the "Walker River Decree") in United States of America v. Walker River Irrigation District (U.S.D.C., D.Nev., In Equity No. C-125; the "Walker River Action"), a general adjudication of the water rights of the Walker River Stream System in the States of California and Nevada.
2. On April 9, 1990, the United States District Court entered an Order of Appointment of the California State Water Resources Control Board as Special Master (Document #161 Exhibit B) in the Walker River Action.
3. Pursuant to said Order of Appointment, the Board as Special Master would accept, investigate, and report to the United States District Court on applications to change point of diversion, place of use, or manner of use in exercise within California of rights recognized in the Walker River Decree.
4. Water Code Sections 2075 and 2076 authorize the Board to accept appointment as a Special Master in a federal court and to proceed according to the rules of practice and procedure of the court or as otherwise directed by the court.
5. The Board as Special Master would proceed in accordance with the Order of Appointment and the Administrative Rules and Regulations adopted by the United States District Court on April 9, 1990.
6. The Order of Appointment requires that the Board shall be paid or reimbursed the total expenses incurred by it which are properly chargeable to the reference.
7. It is in the interest of California holders of water rights under the Walker River Decree that the agency responsible for administration of water rights in California act as the forum of first instance to investigate and report to the United States District Court on changes proposed in the exercise of such rights in California.
8. On January 18, 1990, the Board adopted Resolution No. 90-16 which, among other things, delegated to the Chief, Division of Water Rights, the authority to perform duties pursuant to the "Order of Appointment of California State Water Resources Control Board as Special Master" in the Walker River Action, the date of adoption of said Order of Appointment by the court being left blank.

THEREFORE BE IT RESOLVED:

1. That, pursuant to Water Code Sections 2075 and 2076, the Board accepts reference of the Walker River Action as Special Master for the United States District Court, District of Nevada, in accordance with the Court's Order of Appointment dated April 9, 1990.
2. That the delegation to the Chief, Division of Water Rights, by Resolution 90-16, of the authority to perform duties pursuant to said Order of Appointment shall show the date of adoption of said Order of Appointment, viz., April 9, 1990.

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on June 21, 1990.


Maureen Marché
Administrative Assistant to the Board