

WATER TOPICS IN OUR COMMUNITY: WATER RIGHTS

## WATER RIGHTS

A water right is the legal authority to take and use water from a river, well or other source. Most of Truckee Meadows Water Authority's (TMWA) water comes from the Truckee River. We divert the water, then treat and distribute it to our customers. Water rights are like real property that can be bought and sold.

TMWA must have enough dedicated water rights to serve our customers, both residential and commercial, with water. We are required to allocate a specific amount of water for each home and business that we serve. Water rights are measured in acre-feet. One acre-foot equals 325,851 gallons of water and will serve two average households for a year. To get new water service from the water authority, a developer or homeowner must provide the appropriate amount of water rights to TMWA to ensure there is enough water for their project.

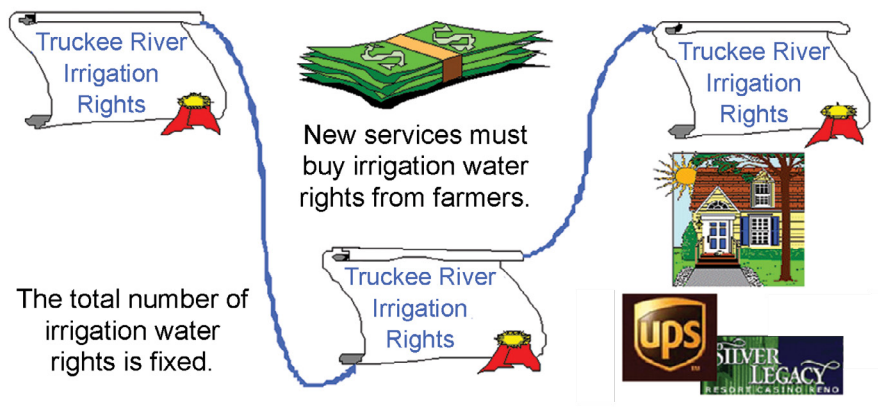
### WHO OWNS THE WATER RIGHTS THAT SERVE MY HOME OR BUSINESS?

Water rights are purchased by TMWA, developers, individuals, or others. After purchase the use of the water rights must be transferred to TMWA in order to legally divert water from the Truckee River or pump it from groundwater wells and provide water service to our customers.

### DO I OWN ADDITIONAL WATER RIGHTS?

In most cases, the answer is, "no," but in some locations in Reno, Sparks and Washoe County, water rights still remain attached to the property. Most of these are historic water rights authorized for agricultural use. Today, most of the originally irrigated land in the Truckee Meadows has been developed into residential neighborhoods, roads, parks, schools and businesses. Nevada law recognizes that the original water rights remain with the property, unless previously sold or separated from the property through some other legal process. Sometimes, the current property owners are not even aware additional water rights still exist on their property. If you have questions about whether you have water rights that can be sold, please call our water rights staff at (775) 834-8029 or email them at [waterresourceteam@tmwa.com](mailto:waterresourceteam@tmwa.com).

## Conversion of Water Rights Same Water, Different Use



## QUICK FACTS

**Remaining water rights:** Approximately 45,000 acre-feet of Truckee River and creek water rights remain available for future conversion, plus an additional 8,000 acre feet of groundwater from Fish Springs Ranch.

**Gallons of water in an acre-foot:** 325,851. This is the quantity of water needed to cover one acre of land one foot deep. One acre-foot is enough water to serve two average residences, up to four people per family, with water for a year.

**Number of new Truckee River water rights:** None since 1944

**Where do water rights come from for new growth?** Willing owners sell their water rights to purchasers whom convert them from agricultural to municipal use.

**Who purchases water rights?** TMWA, developers, water rights brokers, or anyone wanting to build a new home or business.

**Ground water vs. surface water:** Eighty-five percent of the water used by TMWA customers comes from surface water from the Truckee River and tributaries. Groundwater comes from wells. In both cases, water rights are required.

## HOW IS WATER ACQUIRED FOR NEW PROJECTS?

Any time someone wants to build a house, subdivision or business, they must dedicate water rights to TMWA to meet all the water needs of the project. Most of the water rights used this way have been purchased on the open market. When people who own water rights decide not to use them any longer, they can sell them to TMWA, developers and other parties. Most of these unused water rights are agricultural irrigation rights. TMWA converts agricultural water rights to municipal water rights to serve new projects.

There is no such thing as new Truckee River water rights to service development because additional water cannot be diverted from the river or pumped from underground aquifers. So, when unused water rights are presented to TMWA to service new homes or businesses, it is the same amount of water that is already allowed to be diverted. It is simply transferred from agricultural use to municipal use. Groundwater rights (wells) are treated in the same way.

## WHO DETERMINES THE VALUE OF WATER RIGHTS?

Water rights are a type of property and can be bought and sold on the open market. Supply and demand plays a big role in their value. Today's water rights market has an increased number of individuals and developers buying and fewer sellers, which has contributed to rising prices.

## WHY DOES TMWA NEED TO HAVE WATER RIGHTS?

TMWA must have a sufficient number of water rights that can be legally diverted from the Truckee River or pumped from groundwater wells to provide water service to more than 383,000 residents.

## CAN I GET WATER SERVICE WITHOUT WATER RIGHTS?

No. Every new water service is required to provide the amount of water rights necessary to serve it. The state engineer will not approve will-serve water commitments for new subdivisions unless they are supported by valid water rights.

## ARE WE RUNNING OUT OF WATER RIGHTS?

Currently, it is estimated at approximately 45000 acre-feet of Truckee River and creek rights could be transferred from agricultural to municipal use. This is the same amount of water that can be legally diverted from the river today. It is just a different use of the same amount of diverted water. So, there is a large amount of water rights in the Truckee Meadows still available to serve new homes and businesses. This will not interfere with service to existing customers, as these customers already have dedicated water rights.

## HISTORY:

Between 1850-1890, the majority of land in the Truckee Meadows was irrigated by the early settlers of the region for farming and ranching purposes. A network of irrigation ditches was built to deliver Truckee River water to these ranches as far north as Spanish Springs and as far south as the Steamboat area. In the early 1900's, the Newlands Project was developed by the Federal government, which diverted river water at Derby Dam and sent water to Fernley and Fallon to support new agricultural lands. This new diversion of water put more pressure on the water supply from the Truckee River. Due to the mounting demands for Truckee River water, the river system from the Nevada state line to Pyramid Lake underwent a court settlement process, which was completed in 1944. This is called the Orr Ditch Decree. The resulting Truckee River decree set and recognized all claims to Truckee River water in perpetuity, including all quantities of water serving homes, businesses, farms and ranches. This decree is still in effect today. Since 1944, all water that is diverted from the Truckee River and delivered to customers is based on the ownership of these original water rights. The total number of Truckee River and surrounding creek water rights was fixed in 1944 and cannot change. However, the use of these rights can change over time as they are converted from agricultural to municipal use.

## About TMWA:

Truckee Meadows Water Authority (TMWA) is a not-for-profit water utility, overseen by elected officials from Reno, Sparks and Washoe County. TMWA employs a highly skilled team who ensure the treatment, delivery and availability of high-quality drinking water around the clock for more than 385,000 residents of the Truckee Meadows.

## About this series:

"Water Topics in Our Community" is a series of papers designed to provide the citizens of the Truckee Meadows information about key water topics in this region.

To access all of the papers, go to [www.tmwa.com/topics](http://www.tmwa.com/topics).

## About TMWA's Board of Directors:

The TMWA Board welcomes you to attend and comment at any board meeting. Meeting schedules are posted at

[www.tmwa.com/meetings](http://www.tmwa.com/meetings).

To send a question to the Board, visit us online at

[www.tmwa.com/comment](http://www.tmwa.com/comment).

## Questions or feedback?

We'd like to hear from you. Please call our Community Communications line with any remaining questions you have on this topic or other water topics. The number is

**(775) 834-8290.**

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