

# Nevada Supreme Court to rule on Walker River

By Daniel Rothberg, Nevada Independent

In 1902, a rancher by the name of Henry Miller – known as the “Cattle King of the West” – brought a lawsuit against Thomas B. Rickey, a Nevada farmer, through his Miller & Lux land company. The issue was water rights on the Walker River, and the fight between the rival ranchers set up more than a century of litigation over a waterway that originates at the edge of Yosemite National Park in California and flows through Nevada to its terminus, Walker Lake.

The case ended in 1919 with the “Rickey Decree,” which split the river among 151 users.

But that decree spawned a new case in 1924, when the federal government moved to establish water rights for the Walker River Indian Reservation. That docket remains active to this day, and last week, the 9th Circuit Court of Appeals issued a ruling that places a key water rights issue before the Nevada Supreme Court. The question is whether the state, under what is known as the “public trust doctrine,” could reallocate water rights to restore the ecology of Walker Lake even if doing so could harm the existing water rights of upstream farmers and ranchers. The public trust doctrine dates back to the Roman legal system, and it states that governments have a responsibility to preserve and protect natural resources for the public.

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