



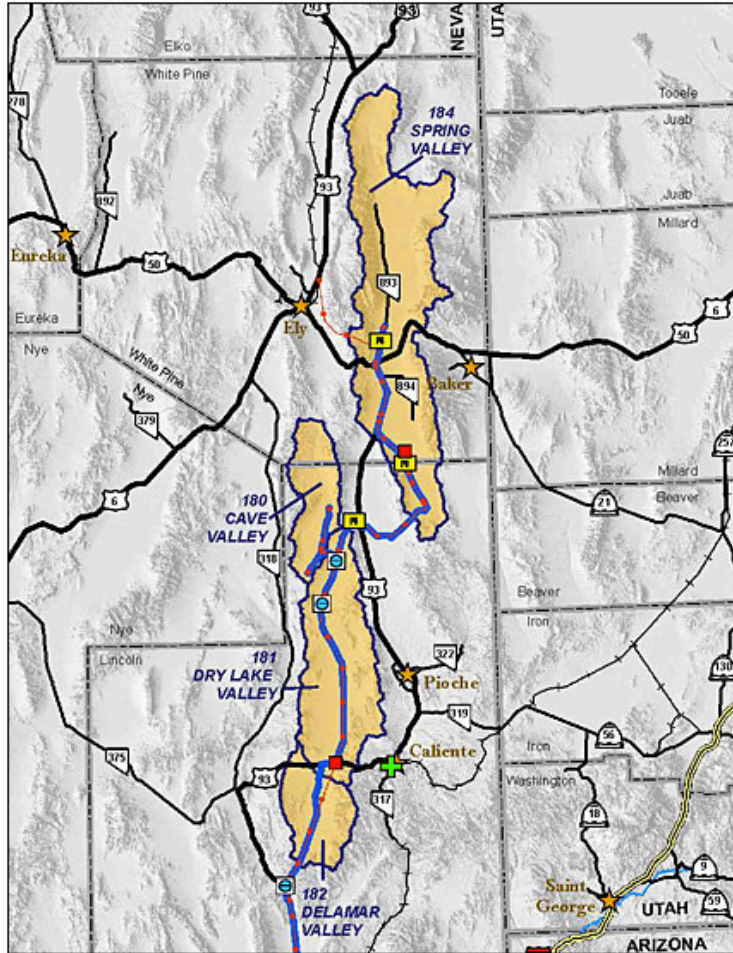
PRIORITIES AND RECOMMENDATIONS FOR WATER MANAGEMENT

WHO WE ARE

- Nonprofit, predominantly volunteer organization
- Include local governments, tribes, businesses, ranchers/farmers, tourists, conservationists
- Work to ensure decisions are made in the open, without undue influence
- Engage in legal, policy, and public education activities



SNWA GROUNDWATER DEVELOPMENT PROJECT AKA THE WATER GRAB



- 300 miles of 7 ft diameter pipe
- Well fields
- 200,000+ AF/year (full build-out w/ Snake Valley)



SNWA GROUNDWATER DEVELOPMENT PROJECT TIMELINE

1989	Las Vegas Valley Water District files for all unappropriated water in Snake, Spring, Cave, Dry Lake and Delamar Valleys.
1990	Protests filed by local residents, conservation interests, Great Basin National Park (GBNP) and the Bureau of Land Management (BLM).
1999	Nevada Legislature adds interbasin water transfer requirements to Nevada's water law.
2004	Lincoln County Conservation, Recreation and Development Act facilitates pipeline corridor, requires Nevada and Utah to agree on division of shared groundwater.
2005	BLM Environmental Impact Statement (EIS) scoping process is initiated.
2006	SNWA, BLM, NPS, the US Fish & Wildlife Service, and the Bureau of Indian Affairs (without tribes' consent) sign agreement stipulating withdrawal of federal protests for SNWA applications in Spring Valley on promise of a monitoring and mitigation program for pumping impacts. (This was a secret process — the public was excluded.)
2007	NSE approves SNWA rights to 80,000 Acre Feet (afa) of annual pumping in Spring Valley.
2008	NSE approves 18,755 afa in Cave, Dry Lake and Delamar Valleys. Appealed to District Court by GBWN.
2009	District Court reverses the NSE decision on Cave, Dry Lake, & Delamar Valleys.
2010	SNWA refiles all applications. NSE reopens protest period and 2,300 are filed at a cost to protestants of \$56,000
2011	NSE rehears Spring, Cave, Dry Lake, & Delamar Valleys applications, receives over 23,000 public comments opposing the SNWA applications.
2012	New NSE ruling gives SNWA 84,000 acer feet of water from Spring, Cave, Dry Lake, & Delamar Valleys. GBWN and other parties appeal.
	BLM issues Final EIS and Record of Decision approving pipeline right-of-way for Spring, Cave, Dry Lake & Delamar Valleys despite impacts.
2013	Governor of Utah announces he will not sign an agreement with Nevada regarding the allocation of water in Snake Valley.
	NV District Court finds the NSE water rights decision "arbitrary and capricious" and requires that monitoring and mitigation have triggers and specificity.
2014	The NSE and SNWA appeal to the Nevada Supreme Court.
	GBWN and others appeal the BLM Record of Decision on the Pipeline Project.
2015	Nevada Supreme Court dismisses SNWA's and NSE's appeals original appeals, upholding the District Court ruling.

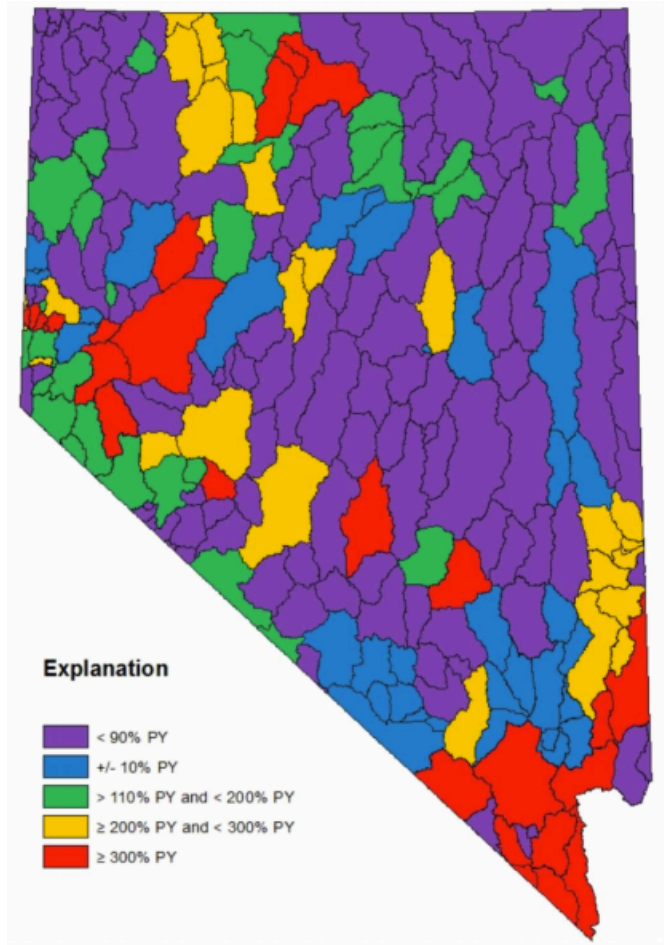


SNWA GROUNDWATER DEVELOPMENT PROJECT IMPACTS

- Reduction or loss of flow for 40+ springs and miles of streams
- Loss of 130,000+ acres of natural vegetation, increasing spread of invasive weeds and wildfires
- Loss of habitat for elk, deer, antelope, bighorn sheep, wild horses, desert tortoise, greater sage-grouse, bald eagle and golden eagle, and other species
- Fugitive dust, causing health risks and ruining some of the most pristine skies in the lower 48
- Short and long-term impacts to viewsheds, including those of Great Basin National Park
- Over 100 square miles of subsidence
- Hundreds of water rights and wells impacted
- Socioeconomic disadvantages to rural areas in agriculture, business, recreation and tourism, and growth
- Loss of sacred Native American sites, as well as significant fossils and artifacts



THE STATE OF NEVADA WATER LAW



- Current standards are a good foundation to build on
- 56 basins are severely over-appropriated (red & yellow)
- Drought & climate change threaten more problems in age of scarcity
- Both the letter of law and its administration need to be adjusted



PRUDENCE

- “Exercising careful management; economy; common sense”
- Take a conservative approach instead of focusing on “maximizing” beneficial use
- Close basins at 90% of capacity to ensure equilibrium
- Don’t include ice-age groundwater in water budgets, it’s non-renewable!



PERENNIAL YEILD

- Old approach of “recharge = discharge” doesn’t work
- New definition needed: “Safe, sustainable perennial yield”
- “the maximum amount of water that can be safely salvaged each year over the long term without depleting the source or the [ecological] resources [that depend on it].”



BENEFICIAL USE

- Includes municipal and industrial, agriculture, mining, and wildlife
- DOES NOT BUT SHOULD include water to sustain naturally occurring vegetation, wildlife habitat, forage for livestock, recreational and scenic tourism
- Ex: springs, streams, creeks, wetlands and meadows, and phreatophytes



CONJUNCTIVE USE OF GROUND AND SURFACE WATER



- Disconnected surface and groundwater management leads to double-dipping
- We must recognize connected ground and surface water as one source



OVER-ALLOCATED BASINS

- 5 years to develop a plan to reach compliance with safe sustainable perennial yield
- Compliance within 10 years of completing the plan
- Solutions could include seniority, buyouts, exchanges, etc WITHOUT becoming precedent



INTERBASIN TRANSFERS

- Appropriations for export have zero recharge - different from same-basin allocations
- Additional requirements for interbasin transfers:
 - What are the economic impacts on the basin of origin?
 - Can the receiving basin conserve more water?
 - Can the receiving basin pay for the project?
- State Engineer needs staff experts who can fully evaluate these questions
- Must consider impacts on linked water basins in neighboring states



WATER SPECULATION AND APPLICATION MANAGEMENT

- Municipalities can tie up water for future use INDEFINITELY
- Every entity should have a time limit to “use or lose” water rights/applications
- For example, SNWA’s applications have been pending for 27 years. The first 15 years saw NO action



PROTESTS

- Multiple rounds of applications financially strain protestants
- Single protest filing fee should follow all iterations of a proposal



FUNDING THE STATE ENGINEER

- Data, financial, and legal needs
- Extra work for interbasin transfers and over-allocated basins
- Need to address backlog of pending applications



FINAL THOUGHTS

- We have contemplated, discussed, but not SOLVED problems with allocation of water
- With increasing length/severity of drought, now's the time for action
- Moving from the status quo is politically difficult but necessary
- Consider a moratorium on new water rights until the system is overhauled



THANK YOU!

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