

Water Grab

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NEWS FROM THE GREAT BASIN WATER NETWORK HEARTLAND

NEVADA LEGISLATIVE UPDATE: AB 30 DIES Pipeline Looms Over Water Debates in Nevada

Nevada's 80th Legislative Session has come and gone. But the debates about the pipeline remain.

The much ballyhooed AB30, the session's controversial water bill, was a symptom of a greater problem in the state — not the disease itself.

While Great Basin Water Network and its allies worked to ensure the bill's demise, we know it's likely that we will be back fighting the same fight again in 2021. And the reason is simple: Nevada's powerful interests want water they currently cannot get under state law.

These power brokers are the resorts, developers, and — of course — water purveyors like the Southern Nevada Water Authority (SNWA) who have spent years speaking out publicly for the pipeline. What they want is for the mirage — a Vegas that wantonly expands development — to be reality.

In its simplest terms, AB30 was a bill to give water to large, wealthy entities that see the current laws as a problem rather than principles to live by. The legislation was an attack on the bedrock principles of Nevada water law, allowing someone with junior water rights to take the water of an entity with senior rights. That's not how the prior appropriation doctrine works.

AB30 was a blatant effort to undermine our successful efforts to defeat the pipeline and it would have harmfully affected other water wars in the state. That's why Great Basin Water Network mobilized a host of dispa-

(Legislature continued on page 2)



Bucket brigadiers Patrick Donnelly and Kyle Roerink at AB 30 press conference in Carson City sounding the alarm about bad provisions in the bill. Shortly after, Governor Sisolak signaled that he would not support the bill.

DISTRICT COURT ORAL ARGUMENTS SET FOR NOV 12 IN ELY Pipeline's Water Apps and 3M are Crux of Case



The latest round of litigation to stop the water grab will reach a crucial juncture at the public hearing, or oral argument, that will be held on November 12, and if necessary, November 13 at the courthouse in Ely. Great Basin Water Network, White Pine County, and co-litigants (local Indian tribes, LDS church, Utah counties) will participate in oral arguments before Senior District Court Judge Estes against SNWA and the State Engineer.

The contents of the case highlight the water authority's applications for 126,000 acre feet of water annually from Spring, Cave, Dry Lake and Delamar Valleys and its illusory scheme to supposedly monitor, manage, and mitigate (3M) the inevitable destruction that would occur if those waters were siphoned by the pipeline. The case is built upon years of prior decisions in state court and within the Nevada Division of Water Resources. But the big picture is simple: SNWA thinks that it is above the law.

Please join us at the courthouse in Ely on November 12th. We need you there. ●

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Water Gab

(Legislature continued from page 1)

rate interests in order to defeat the bill.

Farmers and tribes, environmentalists and ranchers, conservative officials and urban progressives ultimately banded together to ensure that the tenets guiding water appropriation in the state remained intact. And in the end Gov. Steve Sisolak dealt the final blow to a misguided bill, signaling that he would not support it.

It was a strange-bedfellows coalition indeed. And it's



Water fight update during the Snake Valley Festival in June.

a model for achieving the best interests of the state moving forward. And let's be clear, we must stay united because things will likely only get worse.

It would be wonderful if Nevada weren't the driest state in the nation and all our rivers flowed copiously. It would be great if we could all have green lawns, swimming pools and golf courses in our backyards fed by full aquifers. Life in Nevada, though, doesn't realistically allow for that. And that is part of what makes our state great too.

One thing is certain: Nevadans can continue to be Nevadans without the pipeline in the picture.

Despite that fact, prominent developers or attorneys email me from time to time to throw jabs, saying that "Vegas needs rural water for its future." Others ask: what will my great grandchildren do in Vegas?

My replies to them: What about tourism and economic development in rural Nevada? What about the future generations of White Pine County and Lincoln County?

Southern Nevada is not a world apart from the water it wants to steal from Snake, Spring, Cave, Dry Lake, and Delamar Valleys. It is inextricably intertwined — just like the residents of this state.

With the pipeline, however, Eastern Nevada water resources would shrink while the water bills of Las Vegas skyrocket. Flora, fauna, and humans would suffer while elites enrich themselves from misspent water; irrigators would shutter their business while faux-fountains spray in unison with pop tunes for out-of-towners. That is a malignant vision of our future that doesn't have to be.

Sound science, enhanced conservation, investments in innovation, and a commitment to future generations have always been the serum to cure our water crisis.

I vow to continue working with our coalition to fight. But I also promise to do all I can to demonstrate how rural and urban Nevada can live in harmony.

— Kyle Roerink, GBWN Executive Director

Clark County Lands Bill Contains Language to Upend Federal Court Ruling Bill Could Exempt Pipeline ROW from Further Judicial or Administrative Scrutiny

A draft legislative proposal for the Nevada congressional delegation written by Clark County officials and lobbyists seeks to exempt the pipeline's Right of Way application from future administrative and judicial review at the federal level.

Fortunately, this is just a draft and has yet to be introduced in Congress. Unfortunately, it's a glimpse of what type of strategy SNWA may be willing to take against us.

This provision would seek to undermine our 2017 victory in federal court which found that the pipeline failed to comply with the Clean Water Act and the Federal Lands and Policy Management Act.

The language exists, furtively, in a section of the bill that appears to promote a new transmission corridor for electric-

ity. While SNWA claims that it has no intention of removing the pipeline from the protection of our bedrock environmental laws, it comes as no surprise that the draft language explicitly references the pipeline right-of-way for which the Environmental Impact Statement was found to be deficient by a federal judge.

Changing the law is the easiest path for the pipeline pushers. We will work to make sure that doesn't happen. As developments on this issue unfold, we will provide updates to our followers on social media and our email subscribers.

— Kyle Roerink, GBWN Executive Director

Water Gab

30 Years No Pipeline: Historic Milestone

In this year of milestone anniversaries (the Moon Landing, Woodstock, Stonewall, and the beginning of slavery in the American colonies), it is timely and worthwhile to reflect upon our own anniversary – 30 years of fighting the Las Vegas Water Grab.

It was in 1989 that the Las Vegas Water District filed applications to withdraw and export over 800,000 acre feet of groundwater annually from dozens of basins covering much of east-central Nevada, as well as the Snake Valley aquifer shared with Utah. Protests were filed by numerous parties in both states, and the applications languished during the



Water run in 2005 from Baker to Salt Lake City raised awareness in urban Utah about the water grab.

wetter years of the 1990's until the severe, persistent

droughts of the early 2000's prompted Southern Nevada Water Authority to revive the "Groundwater Development Project" 15 years ago (2004).

Opposition mobilized quickly and coalesced as the **Great Basin Water Network**. As supporters of GBWN and readers of the Water Gab know, with our collective grass roots, political, media, and legal efforts, we've battled SNWA and its powerful Las Vegas allies to a standstill.

After three decades, the project still has no water rights to unappropriated groundwater and no clear pipeline Right of Way.

Coincidentally, 2019 also marks the 40th anniversary of the beginning of the fight against the deployment of the MX

Missile Project in valleys of Central and Eastern Nevada and Western Utah. Many leaders of the fight against the Water Grab were leaders and veterans of the successful MX opposition, where we learned the value and wisdom of building a broad-based and diverse urban-rural coalition of unlikely allies



Forged by the MX missile fight, unlikely activists found common ground on issues of dire concern such as the military's Electronic Battlefield. L-R Jay Truman, Grace Potorti, Steve Erickson, Cecil Garland, Ed Robbins, and Richard "Doc" Barga gathered in Callao, Utah in 1991 for the Airspace Blues Tour, shortly before the Electronic Battlefield project was cancelled.

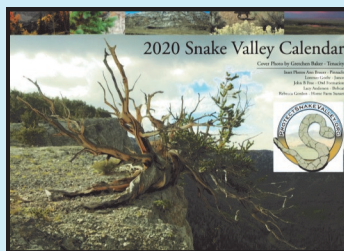
focused on a unifying purpose – ranchers and environmentalists, the Church of Jesus Christ of Latter Day Saints and the American Indian Tribes of Nevada and Utah, small businesses and local governments. The anti-MX coalition naturally became the de facto model for the water network.

Let's remember and honor the determination and perseverance of all who have contributed to this prodigious, underdog effort, especially the remarkable people of Snake Valley and their rural neighbors who have led and inspired us. And praise and thank water warriors who have passed on —Jo Anne Garrett, Cecil Garland and Dean Baker. And let's pause to congratulate ourselves for our successes, and to rededicate our energies toward a successful end: keeping our water local while helping Las Vegas find an environmentally sustainable and secure water future!

—Steve Erickson, GBWN Board

2020 Snake Valley Calendar Available For Holiday Giving

The **2020 Snake Valley Calendar** to benefit Great Basin Water Network is now available. Check our website: www.greatbasinwater.net for ordering info or email us at info4gbwn@gmail.com or phone 775/881- 8304 to order. Calendars are also available at The Border Inn. Thank you!



Water Gab

1989-2019: Celebrate Success Against All Odds

An Ode To Greed by Cecil Garland

They said they'd come to take our water
There was no give or take or barter.

They said to put our water to a better good use
That the way we wasted it was abuse.

And in their haughty arrogance
They made of us instant insurgents.

Here in our great Snake Valley
There was cause for us all to rally.

Through work, sweat, love, and tears
We have taken care of our water lo a hundred
years.

The choice was either fight or flight
But we chose to fight for what is right.

They are willing to break all the rules
To take our water for golf and swimming pools.

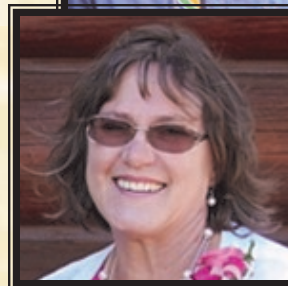
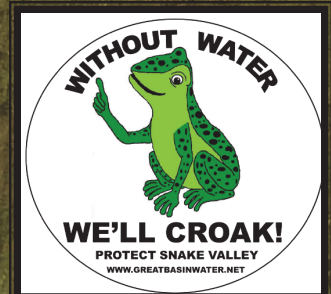
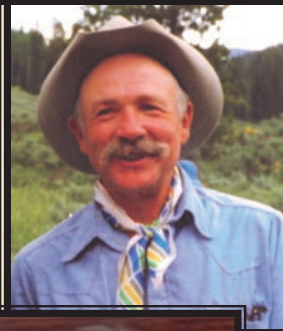
Ignorance and greed seems to know no bounds
It's dead wrong to suck all the water from
underground.

They would move us out the world to roam
But we're not going to leave. This is our home.

There is zero chance the pipe won't be built they said
But it ain't built yet and we ain't all dead.

So let them learn to live and let live
That we have no water to spare or give.

We have no great secret plan under wraps
It's really simple- crops or craps.



***DEATH OF NEVADA**

SOUTHERN NEVADA DEVELOPERS
ARE CUTING UP THE PIE.
THEY'RE AFTER OUR WATER, BOYS
NEVADA IS SURE TO DIE.

EASTERN SNAKE AND SPRING VALLEYS
UNFORTUNATELY ARE FIRST.
HOWEVER, GREED IS UNENDING
THAT WON'T QUENCH THEIR THIRST.

REMEMBER THE OWENS VALLEY
DESOLATION IN THE SIERRA SKY.
IT'S COMING TO NEVADA, BOYS
THEY WILL SUCK HER DRY.

WHEN THE GROUND WATER'S GONE
YOUR SPRINGS WILL BE DEPLETED.
THERE'LL BE NO WILDLIFE IN NEVADA, BOYS
HUNTING WILL BE DELETED.

WHEN OUR BELOVED STATE IS DEAD, BOYS
WHEN THEY'VE SUCKED HER DRY,
IF YOU CAN MUSTER ENOUGH WATER FOR A TEAR
YOU CAN HANG YOUR HEAD AND CRY.

COYBOYS AND INDIANS, YOUNG AND OLD,
FRIENDS AND ENEMIES, RICH AND POOR
ORGANIZE AND FIGHT IT NOW
OR NEVADA'S GONE FOR SURE.

THEY WILL KILL NEVADA, BOYS
IT'S TIME TO FIGHT OR WATCH HER DIE!

Based on poem by Marty Bush of Fly



Don't Drain Nevada!



Stop the Water Pipeline

**Keep Your Pipes
OUT of Our Aquifer**



H 2 WHOA
STOP SNWA's Water Grab

www.greatbasinwaternetwork.org

**ECONOMIC & UN-NATURAL DISASTER
WATER GRAB WILL BLEED
LAS VEGAS RATEPAYERS &
EASTERN NEVADA DRY**

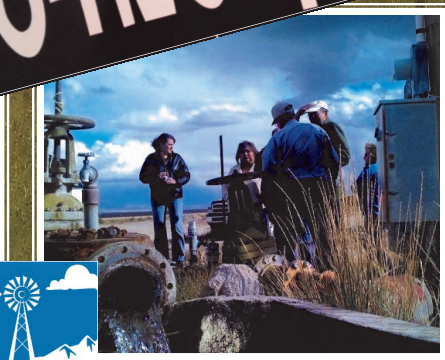
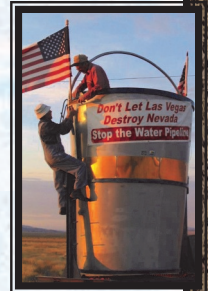
30 Years: NO Groundwater Rights, No Pipeline



NO-H2O 4U-LV

Excerpt from "You Ought to be Ashamed" by Sam Bucus (aka Andy Ferguson)

Should vast cities be built in the desert,
Beyond all reasonable resources?
When is enough, really enough?
It's past time for such discourses.
With might on the side of the wealthy
Our hope is tied to the law
The audacity of taking and taking
Is enough to stick in your craw.
So just ask yourself one question
Where do you think it will end?




Remember Owens Valley



**Water Grabs SUCK
Rural Nevada Dry**

AN EASTERN NEVADA RANCHER'S STORY
**THE CONSEQUENCES...
 TRANSPORTING SNAKE VALLEY
 WATER TO SATISFY A THIRSTY
 LAS VEGAS**
 DURATION - 25:40



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Bankers Boxes: Treasure Trove of Water Grab History

When I took the job as the GBWN executive director, board president Abby Johnson handed off dozens of Bankers Boxes filled with notes, government reports, bank statements, legal correspondence, swag, and so much more from the pipeline fight.

Those contents contain the history detailing how an ad hoc group of concerned citizens started fighting the water grab in October of 1989. The upshot from all those boxes can be summarized in one sentence: For

30 years, selfless and tireless folks throughout the region have prevented the pipeline.

GBWN received its non-profit status in 2007. But the Network was fighting long before that.

The day-by-day storyline in our battle isn't as sexy as a Hollywood film about the water wars, but it is much more inspiring. Inside those boxes, I learn more about folks like Dean Baker and Jo

Anne Garrett and Cecil Garland. I read commissioned reports about how Las Vegas can conserve without halting its economy. I find old bumper stickers and slap them on my bike helmet and guitar case.

These documents and knick-knacks showcase the grit and moxie necessary to take on an entity like the SNWA. But more importantly, it underscores that community is at the core of everything we do at GBWN.



So many water warriors will never be household names nationwide. But they are heroes in my heart.

Every time I lift a lid, it's like finding a tomb with ancient secrets that are speckled with blood, sweat and tears. I simultaneously feel gut-wrenching anxiety and relief. I am so glad we've been able to fight the good fight successfully for so long. And I hope we can continue doing so. But I am always guarded about what's coming around the next corner.

The boxes are symbols of what's left behind after a battle and what's necessary to fight the next one.

May the memories, wisdom, and foresight of all our water warriors continue to be our moral compass for the decades to come.

—Kyle Roerink, GBWN Executive Director



COMMUNITY IS AT THE CORE OF EVERYTHING WE DO AT GBWN.

Timeline: 30 Years of Water Grab Fighting

2004 Lincoln Co Lands Bill.
2005 BLM begins NEPA EIS Scoping.

2007 SNWA buys Spring Valley ranches, secret NV/UT agreement talks ongoing.

2009 First District Court win for appeal of CDD. First Snake Valley Festival. Dean Baker's Water Tours begin.

2012 BLM FEIS and ROD issued.

2013 Utah Governor won't sign NV/UT agreement.

2017 Federal district court rules against BLM on EIS. NV AB 298 defeated. GBWN/PLAN water tour. 2018 Great Basin Water Is Life film released.

1989-90 Las Vegas files on the water. 565 protests filed with NSE.

2006 NSE hearing Spring Valley Stipulated Agreements.

2008 NSE Cave Dry Lake Delamar hearing

2010 GBWN due process victory NV Supreme Ct. SNWA refiles New protests filed.

2011/12 NSE hearing Spring CDD. NSE OKs 84K water. GBWN appeals.

2013 District Ct rules against NSE. SNWA appeals.

2017 Spring CDD rehearing NSE denies SNWA apps but OKs 3M. Federal court rules.



Invest in Community—Donate to GBWN

Thank you for being part of the success of the 30 Years War on the Water Grab. The Snake Valley community continues to be consistently amazing in celebrating community and raising funds to help GBWN continue the fight. Thank you to everyone involved. Many of you are unable to come to the Festival but want to **support the legal, outreach and advocacy work that GBWN does on your behalf to keep water local**. Now that we've taken the bold step of hiring Kyle Roerink as full time executive director at least two things are clear: GBWN is thoroughly engaged in the water fray — urban, rural, statewide and regionally. And a full time staff person means that we've raised the fundraising bar for how much financial support we need to continue to raise a ruckus. That's why we need your support through a one-time or preferable monthly financial donation. **If you value our work and the success we've had fighting the pipeline for low, these past 30 years, put your money where your heart is and help us be financially sustainable into the future.** As a board, we thank you for your support and confidence in GBWN as we boldly go forth: 30 Years, No Pipeline! — Abby Johnson, GBWN President

11th Snake Valley Water Festival Celebration: A Cool(er) 4 Days of Fun'Raising



The 11th Snake Valley Festival was the earliest ever and longest ever — June 6-9 — with cooler weather, a few less people, but as much fun and money raised. **Thank you Snake Valley** for this grassroots event that helps GBWN fend off the water grab in courts of law and in the court of public opinion. The Festival kicked off with ice cream and bingo on Thursday night, and finished with the Softball for All at noon on Monday. In between: the Whispering Elms beer fest, Kerouac's pancakes, parade, booths, bake sale, auctions, music, Border Inn BBQ and more were part of an amazing gathering of community spirit and weekend of fun. Great Basin Water Network thanks everyone involved, from the organizers, businesses, volunteers, community members and visitors who came to enjoy the weekend and support the cause of the water fight. 2020 Festival Date TBD — stay tuned.



Water Gab

**GREAT BASIN
WATER NETWORK**

NEWS FROM THE GREAT BASIN WATER NETWORK HEARTLAND

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**YOUR
CONTRIBUTION
TO GBWN IS
MORE THAN A
DROP IN THE
BUCKET.**



**Get your Snake Valley 2020 Calendar. Contact us today.
Thanks everyone for a Festive Festival! 2020 date TBD.**

Water Gab is a periodic newsletter of **Great Basin Water Network** to keep in touch with friends and neighbors about what's happening with the water grab fight. To learn more, check our updated website for news updates: www.greatbasinwaternetwork.org.



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GIVING
ASSISTANT

SHOP, EARN
CHANGE THE WORLD



Bookmark the Amazon Smile website, designate GBWN & shop. Amazon will donate to GBWN.

Mail your tax deductible donation to: Great Basin Water Network,
P.O. Box 75, Baker, NV 89311. Or donate or pledge using PayPal at our website.
THANK YOU!

Fine print: Great Basin Water Network is an IRS approved tax exempt 501 (c) (3) organization. Donations may be deductible. Please contact your financial advisor. This statement is required by the State of Nevada.

Water Gab editor: Abby Johnson. Contributors: Carol Ferguson, Steve Erickson, Annette Garland, Abby Johnson, Kyle Roerink. Photo credits: Gretchen Baker, Bob Fulkerson, Dennis Ghiglieri, Jenny Hamilton, Abby Johnson, and photographers from the past 30 years.

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