

EUREKA_018

Central Nevada Regional Water Authority

Churchill County Elko County Esmeralda County Eureka County
Lander County Nye County Pershing County White Pine County

Meeting Minutes

The Central Nevada Regional Water Authority (Authority) held a public meeting at 10:00 a.m., March 31, 2017 at the Nevada Association of Counties Office, 304 South Minnesota Street, Carson City, Nevada. In attendance were:

Directors:

Churchill County: Norman Frey, Commissioner Pete Olsen and Bjorn Selinder

Elko County: Commissioner Rex Steninger

Esmeralda County: Nancy Boland

Eureka County: Commissioner Fred Etchegaray and Jake Tibbitts, Eureka County Natural Resources Manager

Lander County: Commissioner Judie Allan and Frank Whitman

Nye County: Joni Eastley, CNRWA Chairwoman, Midge Carver and Commissioner Dan Schinhofen

Pershing County: Roger Mancebo and Commissioner Rob McDougal

White Pine County: Commissioner Gary Perea and Bill Butts, White Pine County Water Advisory Board

Others:

Steve Bradhurst, Executive Director, CNRWA

Wilma Mansfield, Executive Assistant, CNRWA

Rod McKenzie, White Pine County Water Advisory Council

Bus Scharmann, Churchill County Commissioner

Dr. Kenneth Searles, Nye County Water District member

Tori Sundheim, Public Lands and Natural Resources Coordinator, NACO

Susan Lynn, Great Basin Water Network

Abby Johnson, Great Basin Water Network

Vahid Behmaram, Washoe County Community Services Department

Dale Bugenig, Eureka County consultant

Chris Mahannah, Churchill County consultant

Laurel Saito, Nevada Water Program Director, The Nature Conservancy

Chaunsey Chau-Duong, Management Analyst, Las Vegas Valley Water District

John F. Ruhs, Nevada State Director, U.S. Bureau of Land Management

Rudy Evenson, Deputy Chief of Communications, Bureau of Land Management - Nevada

Jeff Anderson, Nevada Water Supply Specialist, NRCS

Simeon Herskovits, Attorney, Advocates for Community and Environment

David Berger, Director, Nevada Water Science Center, USGS
Nyle Pennington, CNRWA consultant
D. Eastley, Tonopah resident
Pete Goicoechea, Nevada State Senator
Eleanor Lockwood, Churchill County Manager

Call to Order. Chair Joni Eastley called the meeting to order at 10:00 a.m. A quorum of the Board was determined to be present. Chair Eastley thanked Jeff Fontaine and Amanda Evans with the Nevada Association of Counties for the use of the NACO conference room. Chair Eastley welcomed new Authority members Rex Steninger, Elko County Commissioner, Nancy Boland, Esmeralda County, Judie Allan, Lander County Commissioner, and Rob McDougal, Pershing County Commissioner.

Public Comment. There was no public comment.

Approval of Agenda. There were no changes to the agenda. Norman Frey made a motion to approve the agenda. Commissioner Dan Schinhofen seconded the motion which carried unanimously.

Approval of Minutes. Motion was made by Bjorn Selinder to approve the minutes for the December 2, 2016 Authority meeting. Commissioner Dan Schinhofen seconded the motion, which carried by unanimous vote.

Election of Chairman of the Central Nevada Regional Water Authority – Recommendation that the board of directors for the Central Nevada Regional Water Authority appoint a chairman from its directors pursuant to Section 1., Article V., of the Bylaws of the Central Nevada Regional Water Authority. Commissioner Dan Schinhofen nominated Joni Eastley for Chairman. Roger Mancebo seconded the motion which carried unanimously.

Election of Vice Chairman of the Central Nevada Regional Water Authority – Recommendation that the board of directors for the Central Nevada Regional Water Authority appoint a vice chairman from its directors pursuant to Section 1., Article V., of the Bylaws of the Central Nevada Regional Water Authority. Motion was made by Bill Butts nominating Gary Perea to remain vice chairman of the Authority. Commissioner Dan Schinhofen seconded the motion which carried by unanimous vote.

Proposed Central Nevada Regional Water Authority Annual Membership Dues for an Associate Member and a Government Partner – Recommendation to approve Central Nevada Regional Water Authority annual membership dues of \$1,000 for an Associate Member and a Government Partner pursuant to Section 2., Article III of the Central Nevada Regional Water Authority Bylaws. Chair Joni Eastley said the Authority is proposing annual membership dues for a CNRWA associate member and a CNRWA government partner. Steve Bradhurst reviewed the Authority's three classes of membership; that is, a member county, an associate member and a government partner member. He said the Authority has eight member counties, and it does not have an associate member or a government partner member, at this time. He said the Authority assesses a member county \$7,500 a year, but it does not have a

fee for an associate member and a government partner member. Mr. Bradhurst said the Authority's Bylaws state its annual membership dues for each fiscal year commencing July 1 shall be determined in March for member counties, associate members and government partner members. Mr. Bradhurst said the Authority is limited as to what it can do with a yearly income of \$60,000 or \$7,500 times 8. Therefore, if the Authority had associate members and government partner members who paid dues the Authority could generate a little more revenue. He said the recommendation is to approve annual membership dues of \$1,000 for an associate member and a government partner member pursuant to Section 2., Article III of the CNRWA bylaws. He added that he received an e-mail from Marlene Brissenden, Humboldt County Commissioner, stating that she plans to ask her board to be a CNRWA government partner member for FY18. Mr. Bradhurst said it would be good to have Humboldt County a CNRWA government partner member. It was noted that a government partner member wouldn't have voting rights. Commissioner Dan Schinhofen made a motion to set \$1,000 as the annual dues to be paid by a CNRWA associate member and a CNRWA government partner member. Norman Frey seconded the motion. Chair Joni Eastley stated she would hope that member counties would consider this an action item to solicit members. Discussion was held on counties outside Nevada (such as Millard and Juab Counties in Utah, and Inyo County in California) joining the Authority who have collaborated with the Authority in the past. Steve Bradhurst said this is a possibility. Nancy Boland commented on Mineral County joining as a CNRWA government partner member now, and in the future, as a regular county member, if they are included in the Authority's groundwater monitoring program. The motion carried unanimously.

Appearance: Jeff Anderson, Hydrologist, Nevada Water Supply Specialist, U.S. Department of Agriculture-Natural Resources Conservation Service (NRCS) Reno, Nevada – Presentation on a) the NRCS Snow Survey, b) the 2017 Nevada snowpack, and c) projections for summer stream flow in Nevada.

Steve Bradhurst introduced Jeff Anderson, hydrologist and Nevada Water Supply Specialist, with the Natural Resources Conservation Service. Mr. Bradhurst said Mr. Anderson is responsible for the NRCS Nevada Water Supply Outlook Report, and the March 1, 2017 Report stated "2017's snowpack is keeping pace with or surpassing 1983 in the Sierra and Humboldt basins." Mr. Anderson began his presentation by stating 2015 turned out to be the driest year on record for the Sierras, and as of March 1, 2017 the eastern Sierras had the biggest snow pack on record. He said the Water Supply Outlook Report is published monthly, from January through May, and anyone interested in receiving the report can be added to the e-mail subscription list. He said it's a technical report and the information is attainable. Mr. Anderson said a year ago 60 percent of the state was in a drought status category, and as of March 21, 2017 none of the state is in a drought status category. Mr. Anderson said his PowerPoint presentation at the meeting will address the NRCS monitoring network, precipitation and snowpack update, soil moisture status, current streamflow status and April-July summer streamflow forecasts. Mr. Anderson explained how the NRCS measures the snow depth and moisture content. He said the NRCS measures snow depth and moisture content at the same locations every year so they can compare one year to the next. He said the snow depth records go back to 1910. Mr. Anderson said this year's snow fall has produced the second highest snow depth measurement since the beginning of recordkeeping. He said the record snow depth measurement was taken in 1983. Mr. Anderson explained how a SNOTEL site works and how the snow is measured utilizing snow tubes to weight the water to determine how much water content is in the snowpack. He said the NRCS also has precipitation gauges at the SNOTEL

sites that give the water year's precipitation (both rain and snow), and he said the NRCS recently added soil moisture sensors at the SNOTEL sites. He said this winter there was record October precipitation which sets the stage for a great run off. He said the SNOTEL sites are in remote mountain areas. He said there are 69 snow courses in Nevada and eastern California that they measure in April, and there are 43 SNOTEL sites across eastern Nevada with data that goes back to 1981. Mr. Anderson said the SNOTEL data is reported hourly and the data is available online. He said he can provide more information, if needed. He referred to snow water equivalent (SWE) which is the amount of water contained in the snowpack. He said they recently measured 150" of snow at Squaw Valley with 50% snow water equivalent. Commissioner Judie Allan asked what a typical average is. He said this time of year they would expect the snow water equivalent to be 40 to 45 percent. He said the Sierra snowpack is approximately 200% of average, and in eastern Nevada it is 120% above average. Mr. Anderson said Mount Charleston has new SNOTEL sites, and therefore NRCS does not have snow data averages yet. He said in ten years NRCS can get a rough average for snow data at the Mount Charleston SNOTEL sites. Mr. Anderson said there was significant snow melt in the Upper and Lower Humboldt basin and in eastern Nevada this year. He said the snowpack in northeast Nevada was big this year, and low elevation snowmelt resulted in flooding. Mr. Anderson said the snow water equivalent was above normal for a good part of the state. Regarding stream flow, Mr. Anderson said in the past three years the stream peak flows barely got into the normal range. He said this winter flows in most of the streams in northern Nevada have been in a prolonged duration of peak flows. He said stream flow forecasts are from April through July. Mr. Anderson presented a weather service graph that shows risks of snowmelt flooding in the spring. He informed the Authority that in May the NRCS will meet with Humboldt Toiyabe National Forest personnel to discuss possibly adding SNOTEL sites in central Nevada. They will discuss the process of getting NEPA clearance for preferred sites, and funding for the SNOTEL sites. Chair Eastley asked if the NRCS monitors or measures snow depth in Wilderness Areas. Mr. Anderson said they have some SNOTEL sites in Wilderness Area, and that installing a new SNOTEL site in a Wilderness Area is most likely not possible. He said some snow courses are also in Wilderness Areas. Midge Carver asked if there is a site in the Shoshone Mountains. He said there is an active gauge in the area near Round Mountain. He said it would be a great place for a SNOTEL site. Mr. Anderson said he is impressed with the Carson Basin being proactive in pre-releasing water from Lahontan in February and spreading water into the desert. Mr. Anderson said water stored in reservoirs this year will carry over into next year. He said for spring flooding information contact the National Weather Service for this part of the state and for the Humboldt basin. Mr. Anderson said the National Weather Service conducts web meetings that are really informative. Commissioner Perea asked if there were any predictive models of what this will do for the groundwater in some of the basins. Jeff Anderson said they don't do forecasts for how much groundwater levels will increase. David Berger, Director of the USGS Nevada Water Science Center, said the USGS currently has a groundwater flow model that models the entire watershed of the Carson River system. Within that study they will do scenarios similar to what is forecast (slow snowmelt, quick snowmelt and above-average prolonged snowmelt) which will provide groundwater information. Chair Eastley thanked Jeff Anderson for his very informative presentation.

Discussion on Water Legislation in the 2017 Nevada Legislature – Recommendation to receive information from State Senator Pete Goicoechea and others on water legislation in

the 2017 Nevada Legislature. Steve Bradhurst said discussion will be held on this item early as Senator Pete Goicoechea who is in the audience has to return to the Legislature. Senator Goicoechea then discussed the status of certain water bills before the Nevada Legislature. Senator Goicoechea said the Senate Natural Resources Committee recently approved SB 47. He mentioned that SB 134 may receive a waiver to keep it alive after the legislative deadline for a bill to clear the first committee to hear it. Senator Goicoechea mentioned the chair of the Senate Natural Resources Committee, freshman Senator Yvanna Cancela, was doing a good job chairing the Committee. He said the Senate Natural Resources Committee heard quite a few water bills to date. Senator Goicoechea said SB 271 and SB 272 are bills that focus on domestic wells. He said SB 271 addresses the situation where the State Engineer curtails water use in a basin by water right priority, and the bill requires the State Engineer to not curtail all water use from a domestic well; that is, it requires the State Engineer to allow domestic well owners to withdraw water for indoor domestic use and watering pets and livestock. Senator Goicoechea said he does not believe the State Engineer has the ability to curtail domestic well use. He said he feels a domestic well water right is a property right, not permitted or regulated by the State Engineer. The State Engineer feels he has the authority to regulate domestic well water use. Senator Goicoechea said at some point in time there will be litigation to address this difference of opinion. He said in the event the State Engineer is found to have the ability to curtail domestic well water use by priority, then we need SB271. In regards to SB 272, it states in any basin designated by the State Engineer as a critical management area, the State Engineer may order that withdrawals from a domestic well that was not in existence on or before July 1, 2017, be limited to 0.5 acre-feet of water per year. Senator Goicoechea said SB 272 creates too many domestic well categories. He said SB 272 will likely die. Senator Goicoechea said SB 269 deals with critical management areas, and the bill has been withdrawn. Senator Goicoechea said SB 270 passed out of the Senate Natural Resources Committee yesterday. SB 270 requires a claimant of pre-statutory water rights to submit proof of the claim to the State Engineer on or before December 31, 2027. He said SB 270 gives a party ten years to file his claim of proof on vested water rights, or the claim shall be abandoned. Senator Goicoechea said he anticipates this provision in state law, if it is enacted, will be changes several times before the December 31, 2027 deadline. Commissioner Dan Schinhofen inquired about the bill that calls for a limit of ½ acre foot on new domestic wells in the Humboldt River basin.. Senator Goicoechea stated that he doesn't think it will pass. Senator Goicoechea stated he will not be part of any legislation that violates the constitution. He said the key water bills that will come out of this session will be a combination of AB 298 and SB 134. The core element of the two bills pertains to the provision in NRS 533.370(2) that requires the State Engineer to reject an application to appropriate groundwater if the proposed use or change in the application conflicts with an existing water rights or with a protectable interest in an existing domestic well. He said the hope is to have some language that is workable. Dr. Ken Searles, Nye County Water District member, inquired about domestic well issues. He said Pahrump Valley has the largest concentrations of domestic wells in the state. He said there are many who own property, and they were promised when they drill a domestic well they could take as much as 2 af/y out of the groundwater system. Senator Goicoechea stated the bill limiting the amount of water a domestic well owner can take out of the groundwater system is not going forward. Norman Frey said one of the problems with regard to mature landscaping is some people with a domestic well use more than 2 af/y. He said language in the bill should state that water for mature landscaping doesn't include a five acre pasture. Chair Joni Eastley commented that there have been assertions made under public

testimony on a bill that a certain county doesn't need a water district because CNRWA will be handling all of its water issues. She just wanted to make sure it is clear that this is neither in the CNRWA's mission statement nor does the CNRWA have the resources to do that. If there is an abolishment of a county water district, there is no one to address that county's water resource issues within the CNRWA. Senator Pete Goicoechea stated that the bill she is talking about will be headed to the Assembly. Commissioner Gary Perea, asked what will develop out of SB 134 and AB 298? Discussion was held on the mitigation provision in AB 298, including replacement water for mitigation. Senator Goicoechea said there is a lot of stuff that needs to be tightened up in AB 298. Chair Eastley thanked Senator Pete Goicoechea for the update on water and water-related bills in the 2017 Nevada Legislative Session.

Appearance: John Ruhs, Nevada State Director, U.S. Bureau of Land Management, Reno, Nevada – Presentation on Nevada BLM activities and issues of interest to Central Nevada Regional Water Authority member counties. Steve Bradhurst introduced John Ruhs, BLM's Nevada State Director. Mr. Bradhurst said the purpose of Mr. Ruhs' visit with the Authority is to provide information on Nevada BLM activities and issues of interest to Authority member counties. He said these activities and issues include the status of the BLM record of decision for the SNWA Groundwater Development Project, BLM's thinking on Public Water Reserves, status of the Navy and Air Force proposed withdrawals of public lands to expand bombing ranges, and the impact of the BLM/FS Greater Sage Grouse Resources Management Plan on local governments. Mr. Ruhs gave a PowerPoint presentation that covered the following topics: 1) BLM's vision, mission and values; 2) BLM Nevada overview; 3) legal status of the BLM ROD for SNWA's Groundwater Development Project; 4) Public Water Reserves; 5) status of the Navy's Fallon Range Training Complex expansion; 6) status of the Air Force's Nevada Testing and Training Range expansion, and 7) status of the Greater Sage-Grouse Land Use Plan Amendment implementation. Mr. Ruhs said BLM's mission is to sustain the health, diversity and productivity of public lands for the use and enjoyment of present and future generations. He said BLM's foundational value system is to serve with honesty and integrity. Regarding the BLM overview, he said BLM manages mining, grazing, nonrenewable energy, National Conservation Lands, renewable energy, special legislation and wildlife habitats. He said in Nevada, BLM manages 48 million surface acres of public land and 59 million subsurface acres. Regarding special legislation, Mr. Ruhs mentioned the Southern Nevada Public Lands Management Act (1998), the Lincoln County Land Act (2000), the White Pine County Conservation, Recreation, and Development Act (2006). Mr. Ruhs provided information on BLM's structure in Nevada. He said BLM's Nevada headquarters is in Reno, and BLM has 6 districts and 14 field offices. Regarding the SNWA ROD, he said the final EIS was issued in August 2012, the record of decision was signed by the Secretary of the Interior in December 2012, and the right of way was issued May 2013. He said the only authorized construction was for the main pipeline, and the full build-out of the project will require additional rights of way authorizations. He said in early 2014 lawsuits were filed against the record of decision, and BLM is waiting for a decision by a federal judge in Las Vegas on the lawsuits. Mr. Ruhs then discussed BLM's water rights program. He said the program's objectives include the following: 1) acquire and perfect water rights, 2) protect and manage water rights, 3) ensure water availability to protect public resources and 4) locate, describe, and record water rights. He then addressed Federal Reserved Water Rights. He said the most common Federal Reserved Water Right claimed by BLM is Public Water Reserve 107. He said PWR 107 was created by an

executive order signed by President Calvin Coolidge in 1926. He said the purpose of PWR 107 is to reduce monopolization of water sources on public lands. He said the quantity of water that can be claimed via PWR 107 is the minimum amount to fulfill the purpose of the reservation. He said BLM must make a determination as to whether or not a spring qualifies as a PWR 107. If a spring qualifies as a PWR 107, then he said BLM must file a claim with the Nevada Division of Water Resources. He said the reserved water can only be used for livestock and domestic purposes. Mr. Ruhs then provided information on the Navy's Fallon Range Training Complex proposed land withdrawal. He said the existing withdrawal area is 203,000 acres, and the proposed withdrawal is 605,000 acres located in Churchill, Lyon, Mineral and Pershing Counties. It was noted that a portion of the proposed withdrawal is also in Nye county. Mr. Ruhs said the draft EIS will come out in the spring of 2018, with a final EIS in spring 2019. BLM will provide the Secretary of Interior a recommendation of findings in the fall of 2019. Mr. Ruhs then discuss the Air Force's proposed land withdrawal for its Nevada Test and Training Range. He said the existing withdrawal area is approximately 3,000,000 acres, with most of the withdrawn land in Nye County. He said the proposed withdrawal area is approximately 302,000 acres, with most of it in Lincoln County. He said the Draft EIS will be released for public review in the fall of 2017, and the final EIS is scheduled for release in the fall of 2018. He said the case file and proposed legislative language will be submitted to Congress in the fall of 2019. Finally, Mr. Ruhs discuss implementation of the Greater Sage- Grouse Land Use Plan Amendment. He said since the release of the Great Sage-Grouse Land Use Plan Amendment, BLM has been involved with public outreach and working with partners to implement the plan amendment. He said since the release of the plan amendment BLM Nevada has treated approximately 75,000 acres of sage grouse habitat. Chair Joni Eastley questioned the bill that the President signed on Monday that eliminated the BLM Planning 2.0 program. Mr. Ruhs replied that BLM has been using Planning 2.0 to a small extent, and going forward BLM will use the old rule. Jake Tibbitts inquired about the checklist BLM uses for PWR 107's, as well as the source for the checklist. Mr. Ruhs said he didn't know if it was in a manual, and he would get back to Jake. Jake also asked about the basis for the 66 vested water rights BLM claimed in Diamond Valley, some dating back to the 1848 Treaty of Guadalupe Hidalgo. John Ruhs stated he could not answer that question as he has not seen the filing. He did say, however, that the State Engineer has to make that determination. Jake Tibbitts then noted that Eureka County wants BLM to address the fact that often when mining projects are being considered, mining companies will negotiate settlements with BLM for PWR's that may not have been adjudicated, but mining companies do not give the same consideration to vested claims owned by private individuals who have not yet had them adjudicated. Jake Tibbitts asked BLM to look at this, is this is a proper process? John Ruhs said he would commit to looking at that. John Ruhs said BLM's public water reserve is supposed to be for livestock and for domestic use. Frank Whitman inquired about NAS Fallon's land takings, and inquired if BLM has addressed airspace takings. John Ruhs stated BLM has not addressed this issue. Frank Whitman also inquired about proposed lands bills, and whether or not these bills will move forward in the next few years. John Ruhs stated if the bills make sense, he thinks they have a chance of moving forward. Commissioner Rob McDougal stated Pershing County has a lands bill currently in Congress, and the entire Nevada delegation has signed on as co-sponsors. It was put together as a collaborative effort among various interests. Their concern is if it passes, will BLM be capable of disposing or selling the properties that are identified for sale in a timely manner? John Ruhs stated that it is a

big issue and they don't have enough field staff. Chair Eastley thanked John Ruhs for his presentation.

Discussion on the Central Nevada Regional Water Authority Fiscal Year 2017-2018 Budget – Recommendation to discuss and approve the Central Nevada Regional Water Authority fiscal year 2017-2018 budget. Steve Bradhurst said the proposed FY 2017-2018 budget is essentially the same as the Authority's FY17 budget. He said the projected fund balance at the end of the coming fiscal year is \$20,000. Roger Mancebo made a motion to approve the proposed FY 2017-2018 budget. Norman Frey seconded the motion which carried by unanimous vote.

Financial Report and Quarterly Expenditures – Recommendation to approve the Central Nevada Regional Water Authority financial report and quarterly expenditures. Motion was made by Commissioner Rob McDougal and seconded by Midge Carver to approve the financial report and quarterly expenditures. The motion carried by unanimous vote.

The meeting recessed at 12:12 p.m. for lunch and reconvened at 12:30 p.m.

Continued Discussion on Water Legislation in the 2017 Nevada Legislature – Recommendation to receive information from State Senator Pete Goicoechea and others on water legislation in the 2017 Nevada Legislature. Steve Bradhurst referred to the staff report for this item. He mentioned deadlines for action on bills in the legislature. He said as of this week there were 29 water or water-related bills in the legislature. Mr. Bradhurst said the staff report includes a list of water bills that may be of interest to CNRWA member counties. He said Senator Pete Goicoechea addressed a couple of these bills at the front end of the meeting. Mr. Bradhurst said Simeon Herskovits, attorney for White Pine County and the Great Basin Water Network, will discuss A.B. 298 via telephone in a few minutes. Regarding AB 298, Mr. Bradhurst said the bill was prepared by the Southern Nevada Water Authority, and it will have its first hearing next Tuesday, April 4th, by the Assembly Committee on Natural Resources, Agriculture and Mining. Mr. Bradhurst said the Authority should discuss AB 298, and if possible, take a position on it. Mr. Bradhurst reported that he and others attended SNWA stakeholder working group meetings a number of people expressed concerns with the proposed bill. Mr. Bradhurst briefly mentioned S.B. 134 prepared by Senator Goicoechea. He said the bill says if the state engineer processes an application to appropriate groundwater, and if there is a conflict between the application and an existing water right holder and/or domestic well owner, the conflict has to be resolved to the satisfaction of the existing water right holder and/or domestic well owner before the State Engineer can consider approving the application. Simeon Herskovits joined the discussion via telephone. Mr. Herskovits referred to his memorandum addressing the legal dangers and problems that are present in the AB 298. He said he received a revised AB 298 this morning which he is still reviewing. He said the core problems remain in the most recent version of AB 298. He said the question is whether or not the bill can be sufficiently revised or modified to make it consistent with constitutional protections for private property, including protections for due process and protections against takings. He also said AB 298 is not consistent with the longstanding policy and practice of the Nevada State Engineer and most western water officials. Mr. Herskovits said AB 298 weakens the definitions of certain terms that are used in Nevada water law, such as perennial yield and unappropriated water. He

said AB 298's definitions of these terms are inconsistent with science and a sound conservative approach towards water resource management. Steve Bradhurst said a major concern with SNWA's definition of perennial yield is it is based on maximum use or water recharged to a groundwater system instead of basing the definition on water discharged from a groundwater system. He said by using recharge as the amount of water one can take out of a basin's groundwater system one would leave no water behind for vegetative cover, springs, seeps and interbasin groundwater flow. Simeon Herskovits agreed with Mr. Bradhurst's statement. Simeon Herskovits said the State of Nevada's future will be imperiled if its groundwater resources are not managed in a conservative manner. Steve Bradhurst questioned the provision in AB 298 regarding using replacement water as a means to mitigate a conflict. Mr. Herskovits said that if you have on paper a provision or guarantee that replacement water will be provided to you if and when your well is impacted, in reality, the replacement water may never be adequately nailed down in a monitoring management mitigation plan. Mr. Herskovits said there is a fundamental flaw in the way replacement water is being presented. It is being presented as a cure-all for problems that will develop as a result of over-appropriation. Norman Frey said most people are not equipped to negotiate a 3M plan to protect themselves. Commissioner Rob McDougal said he is offended by this proposed legislation. He sees the 3M plan provision as a cynical effort on the part of SNWA to propose something that they know they cannot meet except to pay the injured party. He said SNWA will exercise its influence on the State Engineer's office and get approval for water that they will take from a basin, cause injury to the senior water rights holders in that basin, and then all they will have to do is pay for it. Steve Bradhurst stated regarding next week's A.B. 298 hearing, does the Central Nevada Regional Water Authority want to take a position on the bill? He asked if the Authority supports the Great Basin Water Network document regarding problems with A.B. 298. He asked does the Authority have problems with A.B. 298's definitions for perennial yield, environmental soundness and unappropriated water? He said he is asking the Authority to give him direction on what to say about A.B. 298 at next week's legislative hearing on the bill. Mr. Bradhurst said it is his recommendation the Authority be opposed to AB 298, and the Authority support the Great Basin Water Network's document that identifies problems with A.B. 298. Gary Perea made the motion that the Central Nevada Regional Water Authority fully support S.B. 134, and the Authority allow its legislative subcommittee to develop testimony against A.B. 298. He said this will provide the Authority some flexibility if changes are made to A.B. 298. The motion was seconded by Roger Mancebo. Norman Frey stated that it appears what they're going to do is the night before the final vote, they will come out with another revision. Jake Tibbitts suggested to amend the motion to make it clear that the CNRWA supports the Great Basin Water Network's white paper written by Simeon Herskovits that identifies problems with AB 298. Steve Bradhurst suggested amending the motion to include opposition to AB 298 as suggested by Commissioner Rex Steninger, as well as supporting the Great Basin Water Network white paper, and supporting SB 134. Commissioner Gary Perea withdrew his motion with a second by Roger Mancebo. Commissioner Gary Perea made a motion that the Central Nevada Regional Water Authority fully support S.B. 134, allow the Authority's legislative subcommittee to prepare testimony against A.B. 298, and the Authority should support the Great Basin Water Network's white paper identifying problems with A.B. 298. Roger Mancebo seconded the motion which carried by unanimous vote. Chair Eastley thanked Simeon Herskovits for his participation in the meeting.

Presentation on the Implementation of the Central Nevada Regional Water Authority's Fiscal Year 2017 Groundwater Monitoring Program – Recommendation to receive and approve a presentation by Nyle Pennington, consultant, on the implementation of the Central Nevada Regional Water Authority's fiscal year 2017 Groundwater monitoring Program. Steve Bradhurst recommended that Nyle Pennington present his report at the June meeting in Ely. He will call in his report. Steve Bradhurst said there is some discussion regarding mapping monitoring well sites, and he will meet with Bill Butts, Nyle Pennington and Dave Berger after the meeting to discuss the issue.

Board Member/Executive Director Comments – Board members and the executive director can make announcements, request information and discuss topics for future agendas.

Steve Bradhurst notified the Authority that he will not ask the Authority to renew his agreement with the Authority for another year. Therefore, his last day as Authority executive director will be June 30, 2017. He said it has been an honor and pleasure to be the Authority's executive director the last 10 years. He asked board members to submit recommendations for his replacement to the board chair and vice chair as soon as possible.

Next Meeting. The next meeting will be held on Friday, June 9th at the Bristlecone Convention Center in Ely at 10:00 a.m. Steve Bradhurst said the June 9th meeting agenda will include presentations from USGS and The Nature Conservancy on their projects and a report on water bills in this year's Legislative Session. He asked members to submit agenda items to him.

Public Comment. Commissioner Gary Perea noted his appreciation to Steve Bradhurst for all his work for the Authority. Abbey Johnson, Great Basin Water Network, stated her appreciation of Steve Bradhurst. Ms. Johnson said with regard to AB298, it is important that as many people as possible tell legislators about their concerns with the bill.

Adjourn. Chair Eastley adjourned the meeting at 1:40 p.m.

Respectfully submitted: _____
Wilma Mansfield, Secretary

Approved this _____ day of _____, 2017.

Joni Eastley, Chair