

Resolution No. 5-05

RESOLUTION OF THE
SOUTHERN NEVADA WATER AUTHORITY,
BIG BEND WATER DISTRICT, CITY OF BOULDER CITY,
CITY OF HENDERSON, CITY OF LAS VEGAS,
CITY OF NORTH LAS VEGAS, CLARK COUNTY,
CLARK COUNTY WATER RECLAMATION DISTRICT,
AND LAS VEGAS VALLEY WATER DISTRICT SUPPORTING THE
DEVELOPMENT OF IN-STATE, NON-COLORADO RIVER WATER
RESOURCES IDENTIFIED IN THE WATER RESOURCE PORTFOLIO OF
THE SOUTHERN NEVADA WATER AUTHORITY

WHEREAS, Nevada is the most arid state in the nation, receiving an average of only nine inches of precipitation each year, with only 4.3 inches per year in Southern Nevada; and

WHEREAS, the state's immense size, in combination with its small amount of water resources relative to other western states, means that water supplies are often far removed from the places where water is needed, whether for agriculture, mining, municipal or other uses; and

WHEREAS, in order to allocate its scarce water supplies among the diverse and competing needs of its population, while balancing individual rights with the state's obligation to protect larger public interests, Nevada adopted a policy in 1913 that water belongs to the public, with water allocations administered by the state according to the doctrine of prior appropriation, otherwise known as "first in time, first in right," consistent with beneficial uses approved by the state; and

WHEREAS, the ability to move water, whether by interbasin transfers or other means, is a critical and long-standing component in Nevada's approach to water allocation, which has been highly efficient and effective in meeting the state's diverse water needs for more than a century; and

WHEREAS, many Nevada communities, including Carson City, Virginia City, Wendover, Tonopah, Fernley, Lovelock, Fallon and Eureka, as well as Nevada's mining and agricultural industries, would not exist in whole or part today without access to water transfers; and

WHEREAS, maintaining a vibrant economy in Clark County is important not only to the county's residents and businesses, but also to the rest of Nevada; and

WHEREAS, the acquisition, development and sustainable use of additional water supplies is of critical importance to the public welfare of the citizens of the Las Vegas Valley and to the continued economic prosperity of Clark County; and

WHEREAS, since 1991, the Southern Nevada Water Authority (SNWA) and its member agencies have cooperated in the preparation of a regional water resource portfolio that includes an assortment of water supply options, both surface water and groundwater, which can meet the water needs of the greater Las Vegas Valley for the foreseeable future; and

WHEREAS, since 1995, supply options within this portfolio have been implemented consistent with public direction that emphasized the phased development of Colorado River resources first, followed by the phased development of other supplies as needed, all in a manner that will maximize overall system reliability and water quality, encourage and enforce strong conservation, and minimize infrastructure costs; and

WHEREAS, in 2000, the Colorado River Basin entered a period of drought that is still ongoing and is considered one of the worst on record, the severity of which has underscored the need to offset southern Nevada's current reliance on Colorado River water with additional non-Colorado River water supplies, providing a more drought-tolerant supply-and-delivery system; and

WHEREAS, in 2004, this need for greater drought tolerance, coupled with projected increases in future regional water demands, led the SNWA to begin implementation of three separate, in-state water resource projects that will make available several in-state, non-Colorado River water supplies identified in the SNWA water resource portfolio; and

WHEREAS, existing studies suggest that substantial quantities of unappropriated and unused water are available from these in-state resource projects for development in conjunction with monitoring and management plans designed to ensure that senior water rights are protected and that impacts to the environment are minimized; and

WHEREAS, completion of all three in-state water resource projects has the potential to provide more than 200,000 acre-feet of additional water each year to southern Nevada, thereby substantially reducing the region's dependence on Colorado River water; and

WHEREAS, implementation of these in-state water resource projects is critical to the future of the state, both in terms of the drought protection and additional water supply that will be provided to southern Nevada and in terms of Nevada's credibility in negotiating for additional flexibility on Colorado River supplies with the other six states in the Colorado River Basin; and

WHEREAS, the SNWA and its member agencies have an established record of developing and using water resources in a manner that is highly sensitive to environmental concerns, ensures protection of the resources well into the future, and addresses the needs and concerns of relevant stakeholders;

NOW, THEREFORE, BE IT RESOLVED THAT THE PARTIES TO THIS RESOLUTION DO DECLARE THAT:

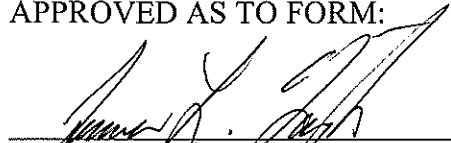
1. We fully support the ongoing efforts to develop existing in-state, non-Colorado River water rights and water applications within the SNWA water resource portfolio, including the

development of groundwater in Clark, Lincoln and White Pine Counties and surface water from the Virgin and Muddy Rivers.

2. We will develop and use in-state, non-Colorado River water resources in a manner that meets southern Nevada's need for future drought tolerance and additional water supplies, while remaining highly responsive to environmental concerns such as the protection of endangered species, consistent with federal, state and local policies such as the Clark County Multi-Species Habitat Conservation Plan.
3. We will develop and use in-state, non-Colorado River water resources only in a manner that ensures the sustainability of these resources into the future, and preserves current and future socioeconomic opportunities for the areas of origin.
4. While developing and using in-state, non-Colorado River water resources, we will continue to pursue future opportunities for additional Colorado River water, whenever available, as well as opportunities for increased water conservation within the Las Vegas Valley.
5. We recognize the unique nature and vital importance of other counties within the state, particularly those in eastern and central Nevada, and the need to preserve and protect their valuable contributions to the state, as well as the lifestyles that they provide to their residents.
6. We understand and respect the role of the many federal agencies involved, and hereby encourage federal agencies to fairly and expeditiously process the SNWA request for rights-of-ways and environmental approvals, consistent with all applicable statutory and regulatory requirements.
7. We understand and respect the role of the State of Nevada, and hereby encourage the Nevada Division of Water Resources to fairly and expeditiously process all outstanding SNWA applications for water rights within the basins of interest, in a manner consistent with Nevada's laws of prior appropriation and beneficial use.
8. We hereby request support from the Governor and Legislature in encouraging White Pine County to hold meetings with SNWA in an effort to resolve water issues of interest.
9. The General Manager of the SNWA is directed to prepare and transmit copies of this resolution to Governor Kenny C. Guinn; the Nevada Legislature; and the Lincoln, Nye and White Pine county commissions.

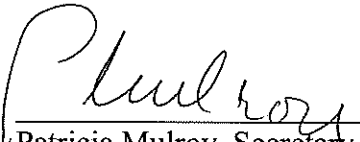
PASSED, ADOPTED and APPROVED this 18th day of October, 2005.

APPROVED AS TO FORM:



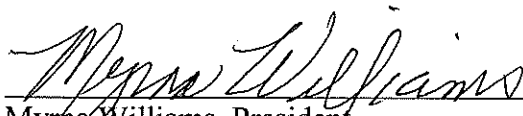
Charles K. Hauser, Esquire
General Counsel

ATTEST:



Patricia Mulroy, Secretary

LAS VEGAS VALLEY WATER DISTRICT



Myrna Williams, President