



# INTER-TRIBAL COUNCIL OF NEVADA, INC.

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RESOLUTION NO. #04-ITCN-10

*July 25, 2010*

## RESOLUTION OF INTER-TRIBAL COUNCIL OF NEVADA, INC.

### 2010 OPPOSITION TO PROPOSED SOUTHERN NEVADA WATER AUTHORITY GROUNDWATER DEVELOPMENT PROJECT AND SOUTHERN NEVADA GROUNDWATER RIGHTS APPLICATIONS.

WHEREAS, the Inter-Tribal Council of Nevada, Inc., is organized and operates in accordance with its Constitution and By-Laws, amended in November 1974; and

WHEREAS, the purposes of Inter-Tribal Council of Nevada, Inc. (ITCN), are stated in its Constitution, Preamble; and

WHEREAS, the Executive Board, a body comprised of the twenty-seven (27) elected representatives of the member tribes in the State of Nevada and whose charter is ratified by these same tribes; and

WHEREAS, the Inter-Tribal Council of Nevada has a continuing interest in the health, education and well being of their Indian people; and

WHEREAS, the land and water compromising the aboriginal Indian lands in the Great Basin region have been central to the culture and religion of the Great Basin Tribes and have purposefully lived in harmony with the water, plants, and animals of our aboriginal lands in a delicate natural and spiritual balance; and

WHEREAS, the aboriginal lands continue to contain sites and natural features, especially wetland areas which include but are not limited to springs, seeps, marshes, wet meadows, streams, rivers, riparian areas, and all permanent and ephemeral water resources, of great spiritual and cultural importance of the Great Basin Tribes; and

BATTLE MOUNTAIN  
BAND COUNCIL  
CARSON COLONY  
COMMUNITY COUNCIL  
DRESSERVILLE  
COMMUNITY COUNCIL  
DUCK VALLEY  
SHOSHONE-PAIUTE  
BUSINESS COUNCIL  
DUCKWATER  
SHOSHONE  
TRIBAL COUNCIL  
ELKO BAND  
COUNCIL  
ELY SHOSHONE  
COUNCIL  
FALLON BUSINESS  
COUNCIL  
FT. McDERMITT  
PAIUTE-SHOSHONE  
TRIBES  
GOSHUTE BAND  
COUNCIL  
LAS VEGAS PAIUTE  
TRIBAL COUNCIL  
LOVELOCK TRIBAL  
COUNCIL  
MOAPA BUSINESS  
COUNCIL  
PYRAMID LAKE  
TRIBAL COUNCIL  
RENO/SPARKS  
TRIBAL COUNCIL  
SOUTH FORK  
PAIUTE COUNCIL  
STEWART  
COMMUNITY COUNCIL  
SUMMIT LAKE  
PAIUTE COUNCIL  
TE-MOAK TRIBAL  
COUNCIL  
TIMBISHA SHOSHONE  
TRIBE  
WALKER RIVER  
PAIUTE TRIBAL  
COUNCIL  
WASHOE TRIBAL  
COUNCIL  
WELLS BAND  
COUNCIL  
WINNEMUCCA  
COLONY COUNCIL  
WOODFORDS  
COMMUNITY  
COUNCIL  
YERINGTON PAIUTE  
TRIBAL COUNCIL  
YOMBA TRIBAL  
COUNCIL

WHEREAS, the arid lands within the Great Basin possess diverse water resources which are key to the natural integrity of those lands, key to existence of life forms that they support, and key to the Great Basin Tribes cultural and spiritual persistence and economic survival; and

WHEREAS, the groundwater is almost the only, and by far the most essential, supply of water available to the Tribes; the farmers, hunters, ranchers, and all residents of the neighboring communities, and the plant and animal life within the Great Basin; and

WHEREAS, the Southern Nevada Water Authority (SNWA) has applied to the Nevada State Engineer for over 150 individual groundwater rights applications throughout eastern and southern Nevada, 87 of which were located in Spring and Snake Valleys, with the intention of pumping as much ground water from our aboriginal lands as possible and piping it to the greater Las Vegas, Nevada area to support continued urban and suburban growth in that area; and

WHEREAS, the Confederated Tribes of the Goshute Reservation filed protests to Nevada State Engineer to deny all of SNWA water appropriation applications (93) in Spring, Snake, Cave, Dry Lake, and Delamar Valleys that were filed on or following January 28, 2010; and

WHEREAS, Great Basin Tribes opposed Stipulated Agreements between the SNWA and Department of Interior agencies, including the Bureau of Indian Affairs (BIA), which were entered without Tribal consultation and provided that protests from those agencies would not be filed and submitted to the Nevada State Engineer; and

WHEREAS, the Great Basin Tribes were never contacted, consulted, or otherwise informed by the BIA, which are supposed to represent tribal interests, that the BIA would enter into Stipulated Agreements with the SNWA, which is in violation of the agencies consultation obligation and trust responsibility to the Great Basin Tribes and in direct opposition with the Tribes' position regarding the SNWA groundwater project; and

WHEREAS, substantial scientific information invariably indicates that disrupting the hydrological and ecological system of the Great Basin Tribes' aboriginal lands, including Spring and Snake Valleys, will cause wide ranging groundwater problems and result in profoundly harmful and long lasting environmental, economic, cultural, and spiritual impacts on the people of the Great Basin and the surrounding communities in Nevada and Utah; and

WHEREAS, the people of the Great Basin know, from long-standing practical experience and supporting scientific information, that the SNWA's proposed groundwater pumping and export would: (1) significantly deplete groundwater supplies of the Great Basin basins from which pumping occurs; (2) significantly alter the quality of groundwater in the entire flow system; (3) significantly alter the flow of groundwater in the entire groundwater flow system; (4) significantly alter the amount and quality of water available to down-gradient users of groundwater; (5) significantly reduce water output in seeps, springs, wells, streams, and other surface water features linked to groundwater, causing those natural systems to dry up and be eliminated from the region; (6) significantly and irreversibly harm the ecosystem and the plants, animals, and people that require those areas for persistence, causing reduced populations and extinctions for over 125 endemic species tied to those water resources and unique ecosystems; (7) significantly affecting the distributions of plants and animals that are of cultural significance to the Great Basin Tribes; (8) significantly degrade and eliminate cultural and spiritual resource sites of the Great Basin Tribes; and (9) significantly degrade and eliminate water resources that sustain our people and their future economic development opportunities.

NOW THEREFORE BE IT RESOLVED, that the Executive Board, on behalf of their membership do hereby express continued opposition to the proposed Southern Nevada Water Authority Groundwater Development Project and the Southern Nevada Water Authority groundwater rights applications to protect the Tribes' aboriginal lands, water rights and cultural resources; and

overall, please take into consideration the Native American people that ~~are using~~ continue to use this precious resource - ~~the~~ water for cultural purposes as part of the <sup>GB</sup> culture of the ~~Great Basin~~ the State of NV.

BE IT FURTHER RESOLVED, that Inter-Tribal Council of Nevada hereby request that the National Congress of American Indians and other affected Indian Tribes adopt similar resolutions opposing the Southern Nevada Water Authority Groundwater Development Project and related groundwater rights applications submitted by the Southern Nevada Water Authority

C E R T I F I C A T I O N

The foregoing resolution was adopted at a duly called meeting of the Inter-Tribal Council of Nevada's Executive Board, held on the 25 day of October, 2010, by a vote of 13 FOR, 0 AGAINST, and 2 ABSTENTIONS.

  
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Bryan Cassadore, Secretary  
ITCN Executive Board