

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., June 9, 2017 at the Bristlecone Convention Center, Sage Meeting Room, 150 Sixth Street, Ely, Nevada. In attendance were:

Directors:

Churchill County:

Elko County: Commissioner Demar Dahl and Commissioner Rex Steninger

Esmeralda County: Nancy Boland and Commissioner Ralph Keyes

Eureka County: Jim Gallagher, Marty Plaskett and Jake Tibbitts, Eureka County Natural Resources Manager

Lander County: Commissioner Judie Allan and Frank Whitman

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

Pershing County: Commissioner Rob McDougal

White Pine County: Gary Perea, CNRWA Vice Chairman and Bill Butts, White Pine County Water Advisory Board

Others:

Steve Bradhurst, Executive Director, CNRWA

Wilma Mansfield, Executive Assistant, CNRWA

Liz Munn, The Nature Conservancy

Rod McKenzie, White Pine County Water Advisory Council

Marlene Brissenden, Humboldt County Commission

Kip Allander, USGS NVWSC Hydrologic Studies Chief

Philip Gardner, USGS Groundwater Specialist

Laurie Carson, Ely resident

Kathryn Griffith, GAP Grant Administrator-Ely Shoshone Tribe

Waylon Jackson, Ely Shoshone Intern

Joseph R. Stark, Ely Shoshone Tribe

Angela Martin, Robinson Mine-KGHM

Delaine (Stark) Spilsbury, Great Basin Water Network

Susan Lynn, Great Basin Water Network

Rick Spilsbury, Great Basin Water Network

Gracie Damele, Eureka Natural Resources Intern

Andy Gault, BLM Ely Hydrologist

Dave Baker, Baker Ranch

Pete Goicoechea, State Senator, Goicoechea Ranch
Carl Erquiaga, Churchill County Commissioner
Laurel Saito, Nevada Water Program Director, The Nature Conservancy
Nyle Pennington, CNRWA consultant

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.

Public Comment. Chair Joni Eastley stated that CNRWA member Randy Brown will be retiring this month. Bill Butts mentioned that the White Pine County Water Advisory Board lost a board member, Dean Baker, a leader in the water battle. He thanked Dean Baker and gave appreciation for all his work. Vice chair Gary Perea stated that there will be a memorial service for Dean on June 24th at Baker Ranch. Rick Spilsbury, Great Basin Water Network thanked the Legislators for their work in water law. Chair Eastley personally thanked State Senator Pete Goicoechea as well as Senator Yvanna Cancela for all their hard work in this year's session. Jake Tibbitts introduced Gracie Damele from Eureka, a summer intern in his office who is studying environmental studies at the College of Idaho with an interest in water. Gracie Damele stated she wrote an article last year about Diamond Valley in the *Farm Bureau Journal*. Humboldt County Commissioner Marlene Brissenden thanked the Authority for allowing her to attend their meetings. She thanked Steve Bradhurst for assisting Humboldt County in creating their water plan. Susan Lynn, Great Basin Water Network said the 2017 Legislature did a good job on AB 298. She said there is a need to join forces, working together and educating people on this issue and thanked everyone for their support.

Approval of Agenda. There were no changes to the agenda. Commissioner Rob McDougal made a motion to approve the agenda. Commissioner Rex Steninger seconded the motion which carried unanimously.

Approval of Minutes. Motion was made by Midge Carver to approve the minutes for the March 31, 2017 Authority meeting. Commissioner Rob McDougal 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 Gary Perea and seconded by Nancy Boland to approve the financial report and quarterly expenditures. The motion carried by unanimous vote.

Discussion and Possible Action on Written Request by Wilma Mansfield that the Central Nevada Regional Water Authority extend the period of service in her agreement with the Authority one year, from July 1, 2017 to June 30, 2018 – Recommendation to approve Wilma Mansfield's written request that the Central Nevada Regional Water Authority extend the period of service in her agreement with the Authority one year, from July 1, 2017 to June 30, 2018, and reimbursement for time and travel not to exceed \$3,000.
Commissioner Demar Dahl made a motion to approve Wilma Mansfield's written request that the CNRWA extend the period of service in her agreement with the Authority one year, from

July 1, 2017 to June 30, 2018, and reimbursement for time and travel not to exceed \$3,000. Commissioner Rob McDougal seconded the motion which carried by unanimous vote.

Appearance: Kip Allander, Supervisory Hydrologist, USGS Nevada Water Science Center, Carson City, Nevada and Phil Gardner, Groundwater Specialist, USGS Nevada Water Science Center, Carson City, Nevada – Presentation on USGS Nevada Water Science Center activities (studies, data collection, etc.) associated with Central Nevada Regional Water Authority member counties. Steve Bradhurst stated that the CNRWA has been in existence since 2005 and have had a good working relationship with USGS Nevada Water Science Center. They came together in 2006 to develop background information for the Authority's groundwater monitoring program. The program has been running since 2010. Since then a yearly presentation has been made on the program by USGS. At a previous meeting USGS gave a presentation on the difference between perennial yield and sustainable water resources in a basin. This started a discussion on how to look beyond perennial yield and what is the sustainable water resource in a basin. Kip Allander began his presentation by thanking Steve Bradhurst and the CNRWA for allowing them to give an update on their activities and program related to CNRWA region. He extended best wishes to Steve Bradhurst, thanking him for his service and efforts in Nevada water resources. Their mission is to collect high-quality hydrologic data and conduct objective scientific investigations on the quantity, quality, and use of water resources for the State of Nevada and for the Nation. There are two main hydrologic services including monitoring and data dissemination and investigate hydrologic science. The reports are available to the public. Projects and activities include a monitoring network, streamstats program, Diamond Valley Flow System and Dixie Valley completed studies, Humboldt River Streamflow depletion study, Long Canyon (Goshute Valley) hydraulic characterization, Great Basin National Park stream loss, Death Valley Regional Flow system model (nearing completion), Armargosa Desert Research Site (ADRS) and Nye County GW discharge project. He presented a map of 486 monitoring sites in the CNRWA region as well as the outlying areas in the state. Monitoring site by type include groundwater, lake, precipitation (1 site), stream and water quality. Chair Joni Eastley asked if the 251 sites in Nye County were predominantly located in the Nevada Test Site. Mr. Allander said they have a large program on the Test Site. He said they're developing a new StreamStats program for the State. It is a set of analytical tools that can be used for getting a better sense of water resources for any particular location and is helpful for various agencies for planning, management, engineering and design. It helps to understand the potential streamflow properties are at any given location within a watershed. It also provides basin delineations, basin characteristics and streamflow statistics. The program is based on methodologies that have been developed over a long period of time and is nationally standardized and transferrable from state-to-state across the nation. Methods are consistent on how they are developed. The summary reports can be downloaded and shows GIS delineations, etc. StreamStats uses include culvert, road and bridge design, estimating potential floods and floodplain mapping, discharge permits, ecological flows and sediment and constituent transport modeling. The benefits are minimal training, self directed, it's available on the internet and is based on updated regression equations, provides fast, efficient, and consistent method for delineating drainage basins, and benefits all agencies. StreamStats in Nevada are based on regional relations developed in 1986. He said there have been many advances since that time. He said it's currently implemented in 33 states, but not Nevada. They're trying to catch up with the nation with StreamStats and are working with many agencies collaboration and partnerships

to implement to develop this program. The Diamond Valley Flow System Study has been completed with a report and data published July 2016 and is available online. The major effort was to revise the water budgets in the basin. He said it appears the groundwater discharge in Diamond Valley is greater than previously anticipated. They don't know where the additional flow is coming from. The Dixie Valley Study was completed a few years ago and two reports pertaining to this are available online. They estimated groundwater discharge, characterized groundwater flow paths, basin-fill aquifer water quality across the basin and estimated geothermal mixing. The Humboldt River Depletion Study is a large ongoing project, a large collaboration effort between the Desert Research Institute, the State Engineer's Office and the USGS to get a better understanding of the connection between groundwater systems up and down the river to the Humboldt River to understand impacts of pumping to the streamflows on the Humboldt River. This information is needed by the State to conjunctively manage groundwater and surface water resources in the Humboldt River Basin. The specific objectives is to estimate Humboldt River depletion caused by groundwater withdrawals, estimate effect of mine dewatering on Humboldt River streamflows as a result of mine-dewatering operations through 2015 and estimate effect of groundwater withdrawals from individual hydrographic areas on Humboldt River depletion. He said the Humboldt Depletion: General Approach is also a collaborative effort between the same three agencies utilizing three MODFLOW models. This is a 4-year study to be completed at the end of 2019 and will also be available online. Data from the 1960's will also be included in that study. He said they focused much effort on the Lower Humboldt depletion in the Lovelock Valley. The project began last March with a large scale upper test to get a sense of the properties. There is a large pumping well which pumps 4,400 GPM (4 days) with seven observation wells located throughout the valley. They looked at the response of those wells to the pumping, utilizing that information to estimate permeability calibrating MODFLOW model. Phil Gardner, Groundwater Specialist continued with the presentation discussing five other projects they are working on. He began with the ongoing project, the Long Canyon open-pit mine, located between Wells and Wendover (south of I-80). The mine has been active for some time. They're trying to evaluate what pumping in carbonate rock to dewatering to meet the necessary dewatering of the mine. What affects it will have on the carbonate-rock and water resources in the area (Johnson Springs and Big Springs). They partnered with the mine and consultants to use the results of two large scale aquifer tests that they conducted, integrating the test results into one working numerical model to characterize hydraulic connectivity and bulk hydraulic properties. They analyzed aquifer tests, Carbonate-rich aquifer tests, pumping almost 4,000 gpm intermittently over a month. Big Springs went dry and drawdown was detected (up to 3 miles away) in carbonate wells and up to 1.8 miles away in basin-fill wells. Across major faults all things are connected. Basin-fill aquifer tests were done. Drawdown detected up to 0.8 miles away in basin-fill wells and drawdown ambiguous in carbonate wells. They are building GW-flow models which should be completed by the end of September 2018. With regard to Great Basin National Park they have some new projects. A USGS-NPS cooperation in Great Basin National Park began in 2002. It was motivated by the Southern Nevada Water Authority Groundwater Development Project. It resulted in 6 USGS reports and 2 MS Theses directed at characterizing the hydrology of surface water and groundwater resource in GBNP and evaluated connection to bedrock and alluvial aquifers and susceptibility to depletion from future pumping. Great Basin National Park water resources include USGS, NPS, UNR and UNR MS Theses. The Park is interested in continuing this style of work evaluating its resources but on a smaller scale. They will be evaluating groundwater

flow between Snake Creek and Big Wash. He said the geology is complicated in this area. He said the activities should start next year. The work will include Stream gauging, dye tracing, geologic mapping, geophysics (AMT) and water chemistry. He presented the Death Valley Regional Groundwater Flow Model which includes big questions on transport of radionuclides, pumping effects on Devils Hole and water management in Pahrump, plausible simulation results, calibrated to measured discharges, water levels and changes and transmissivities and credible model, correctly simulates flows and drawdowns. He said the work is primarily funded by the Department of Energy and benefits a lot of the data that is available on the Test Site. Pumping in Pahrump simulated correctly, capture from Bennetts & Manse Springs and water-level changes (decline and recovery in east and just decline along west). Chair Joni Eastley questioned if USGS worked with the Nye County Water Board. She will contact the board to work with USGS. Alkali Flat-Furnace Creek Ranch to Ash Meadows basins connection between the two correctly simulated. Anomalous water levels well AD-4a mapped plus 50 years ago and coarse basin fill abuts carbonate rocks. Upwelling carbonate water supports radial flow in basin fill. Well AD-4a corridor, corridor defined by water levels and specific capacity in basin fill and pumping well of well AD-4a affects water levels in Devils Hole. The model is nearing completion by FY 2018. The Armargosa Desert Research Site (ADRS) project is near the Beatty waste-disposal facility, field laboratory for sustained study of contaminant-transport processes and exposure pathways include two primary research areas (man-made and natural non-point source contamination and Multidisciplinary, collaborate research among several agencies. Commissioner Gary Perea asked a question regarding Great Basin, will groundwater pumping increase the flow in carbonate rock. It's not a timescale they will consider. Chair Eastley thanked Kip and Phil for their presentation.

Appearance: Laurel Saito, Ph.D., P.E., Nevada Water Program Director, The Nature Conservancy Nevada Field Office – Presentation on The Nature Conservancy's Nevada Water Program, including TNC's proposed Groundwater-Dependent Ecosystem

Assessment for Nevada. Director Steve Bradhurst said The Nature Conservancy's Field Office created the Nevada Water Program in 2016. One of their priorities is protecting water. In September 2016 Dr. Laurel Saito was hired to run the program. He reported work with Dr. Saito at the last legislature and TNC was active in the last session providing input on AB 298. Dr. Saito thanked Steve Bradhurst for his leadership with the CNRWA. She provided handouts on Conserving Nevada's Lands and Waters for People and Nature (Northern and Southern Nevada versions). She began her presentation by stating The Nature Conservancy; a conservation organization was founded in 1951 by a small group of scientists. In the first few decades, it focused on using land acquisition tools for land purchases or conservation easements. This led to the establishment of the State National Heritage Program in all 50 states. TNC's focus has shifted to recognize the importance of people and conserving nature. The TNC has conserved over 100 million acres with over a million members. Their mission is to conserve the lands and waters on which all life depends. Their vision is a world where the diversity of life thrives, and people act to conserve nature for its own sake and its ability to fulfill our needs and enrich our lives. The Nevada Chapter of TNC started in the 1980s and in 1984 helped establish the 33,000 acre Ash Meadows National Wildlife Refuge managed by the U.S. Fish and Wildlife Service. In the 1990's TNC helped to pass the statewide conservation bond called Question 5 that resulted in millions of dollars for conservation in Nevada. In 1999 TNC protected 625 acres on the Amargosa River, to protect the threatened Amargosa toad. In 2006 full-scale restoration at

McCarran Ranch on the Truckee River began, reviving 5 river miles for people and nature. To date, they have restored over 10 miles along the Truckee River. TNC has been working on evaluating up to 2 million acres of land in eastern Nevada to guide restoration efforts, supporting sage grouse and the state's economy. The Nevada Chapter has four primary programs including Sagebrush Ecosystem, Eastern Sierra Rivers, Mojave Desert and the newest program is the Water Program which focuses on State Water Law and Policy, Flow Science, Regional Water Issues and the Colorado River. In 2016 the TNC created a Conservation Action Plan (CAP) for freshwater ecosystems, focusing on 12 focal landscapes across Nevada. Seventy-five percent were in "Fair" or worse current health. The most projected to be worse with no action due to channel modification, surface water diversion, invasive aquatic animals, excessive groundwater withdrawal or climate change. She presented a U.S. Drought Monitor Map of Nevada from two years ago showing the entire state in drought and a large portion of the state was in exceptional drought. The State also agreed that water was a big issue during this time and the governor convened the Governor's Drought Forum to figure out how to build resiliency in the State in looking at drought. The Nevada Legislature recognized the importance of water by convening the Nevada Legislative Subcommittee to Study Water. The subcommittee held meetings all around the state, led by Senator Pete Goicoechea and looked at important water issues around the state that should be brought up to the Legislature. The Water Program's main priorities are to engage with Nevada water law and policy, develop understanding of flow science, assist with other water-related issues on chapter projects and learning from water activities that are going on in the region. With regard to Nevada water law and policy the objective is to protect freshwater ecosystems. TNC submitted 14 recommendations to the Nevada Legislative Subcommittee to Study Water. Priorities include provisions for environmental flows and conjunctive management of surface water and groundwater. Strategies are to establish TNC as a reliable expert resource on water science and policy, get a seat at the table on water issue discussion, advance good policy and set TNC up for 2019 Legislature and beyond. TNC is trying to find out what important water issues are around the state. Nevada water law and policy include over-appropriated basins, groundwater-surface water interactions, lack of adequate science to inform policy and competing interests of urban-rural concerns. In the 2017 Nevada Legislature, monitoring, management, and mitigation (3M) plan bills, groundwater management plan bills, SB 47: Water budgets; conjunctive management and SB 270: Filing vested claim deadline to December 31, 2027 made it through the Legislature. She presented TNC's work on environmental flows. Their objective is to develop ways to protect environmental flows in Nevada. Priorities include "Define" environmental flows and quantify thresholds or "triggers" for management. The Nevada Chapter identified five freshwater ecosystems including Great Basin rivers that end at terminal lakes, Mojave Desert rivers, Desert springs, freshwater wetlands and montane wet meadows. With regard to environmental flows, Nevada has a lot of groundwater-dependent ecosystems (GDE) which rely on groundwater to maintain ecological structure and function. Many environmental flows in Nevada are related to GDEs. TNC, in their groundwater-dependent ecosystems study, plan to map GDEs at 4 km (or less) grid scale, create publicly-available geodatabase, and make recommendations for next steps to define environmental flows. They are hopeful that they can prepare a preliminary report by fall 2018, dependent on funding for the study. The Nevada Chapter assists with other projects such as the Upper Truckee River watershed modeling for Truckee River water resiliency. The objectives are to examine impacts of climate change and forest management on sediment delivery and transport and changes in flow timing. They're also assisting in the Amargosa River project understanding

hydrology. It's a spring-fed river and there are species of concern. TNC has a multi-state Colorado River Program. Las Vegas gets 90% of its water from Lake Mead. There is a growing demand for Colorado River water, decreasing supply threatening Las Vegas water security. Southern Nevada Water Authority has proposed groundwater importation from eastern Nevada to Las Vegas. TNC comment letter in 2012 warned of irreversible consequences to ecosystems of that project. TNC has a multi-state program to engage system-wide improvements in water security and environmental flows. TNC is interested in the Diamond Valley Groundwater Management Plan and the Humboldt River basin activities (capture models; Humboldt River Basin Network). She said the Nevada Water Program is here for the long run. They are looking to achieve tangible, lasting results for water in Nevada using the best available science in a non-confrontational approach, working with everyone to figure out how to have water for future generations in Nevada. She acknowledged those who helped her put together this presentation. Rob McDougal questioned how would their efforts either overlap or compliment relative to the capture models for the Humboldt River Basin. She said as of now they don't have any efforts for the capture models. They're interested in the approach. Demar Dahl questioned desalination with regard to solving the Southern Nevada Water Authority groundwater importation project. She said their Chapter hasn't gotten into that discussion at this time. However, The Nature Conservancy, as a whole, has looked into desalination at various places. Nancy Boland asked in regards to their water program where do they see their role. Dr. Saito said Vaughn Thomas is their new State Director and they have been discussing how to come with ways to reach out to connect the urban communities to the environment and the rest of Nevada. She said they also support the Central Nevada Regional Water Authority. Chair Joni Eastley thanked Laurel Saito for her presentation.

Discussion of Water Bills approved by the 2017 Nevada Legislature – Recommendation to receive presentations from State Senator Pete Goicoechea, CNRWA staff and CNRWA member counties on water bills approved by the 2017 Nevada Legislature.

Steve Bradhurst referred to the staff report wherein 14 bills were discussed at the last Authority meeting in Carson City. AB 298 was discussed in great length at that meeting. He noted that Simeon Herskovitz participated in that meeting via teleconference speaking about concerns and issues that he and the Great Basin Water Network had with this bill. SB 134 was also discussed. Of the 14 bills, 6 bills were approved by the legislature, Assembly Bill 138, 209, Senate Bill 47, 51, 74 and 270. Steve Bradhurst was appreciative for the Senator's work on these bills. Senator Pete Goicoechea began by saying that they were very fortunate to have Yvanna Cancela chairing their committee and that they had a good working relationship. Regarding AB 298, Senator Cancela put a stop to that bill. He said a change in Senate Bill 47 was one he could agree with. If you have a subsisting water right (livestock watering on a creek), it didn't have to be prestatutory. He said it did have the five year forfeiture language in it. AB 209 revised the criteria that the State Engineer must consider in determining whether to extend the time necessary to work a forfeiture; authorizing certain extensions to be for a period of not more than 3 years. AB 138 authorizes the deminimus collection of precipitation for nonpotable domestic use, and under certain circumstances, to provide water to wildlife. He said it was limited to one acre. SB 51 was a good bill. It was supported by the Humboldt River Basin Authority. He said it was increased to a dollar an acre foot for surface water charge and groundwater charge. He said many of the basins are over appropriated. He said AB 298 will be addressed again in the 2019 Legislature. They need to discuss putting regulations in place that would authorize the

State Engineer to look at 3M plans. He said some definitions may also come out of this to the committee, dealing with knowledgeable people. He said it is a good tool. The solution is that Nevada's Priority Water Law can't be changed. SB 270 has the 10-year clock on vested water rights. They need to get it started. AB 298 and SB 134 will be worked on through the interim. Pete Goicoechea said term limits has ruined the legislature. Commissioner Gary Perea asked about the AB 298 hearing in the fall, is there a possibility the hearings will be postponed. Will they try to push the regulations before the hearings? He feels the State Engineer will issue a ruling and issue a 3M plan. The Authority expressed their appreciation to Senator Goicoechea for his work in the 2017 Legislature.

The meeting recessed at 11:52 p.m. for lunch and reconvened at 12:13 p.m.

Chair Eastley welcomed Churchill County Commissioner Carl Erquiaga to the meeting.

At this time a presentation was made to Executive Director Steve Bradhurst who is retiring. Bill Butts and Frank Whitman thanked Steve for everything he has done for the Central Nevada Regional Water Authority. He received a gift certificate for bee keeping equipment and a plaque. Steve Bradhurst said he was fortunate to work at some interesting jobs including boards and committees that fought the MX Missile and the Southern Nevada Regional Water Authority water importation project. He appreciated working with the Central Nevada Regional Water Authority board members and said it was a pleasure and made his job easier. He said he would assist the new executive director in the transition process. Bill Butts gave a brief life history on Steve Bradhurst. He presented Steve with a water meter bag that held an award in it with great appreciation from the CNRWA. Nyle Pennington, CNRWA consultant stated his appreciation to Steve Bradhurst for everything he has done for him.

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 gave the background on Groundwater Monitoring Program determining what valleys should be monitored, referring to the Southern Nevada Water Authority. The program encompasses 12 valleys and 51 wells (virgin valleys). Steve Bradhurst introduced Nyle Pennington who was participating in the meeting via telephone. Mr. Pennington presented his Annual Report for FY 2016-2017. Nyle Pennington stated on water level observations, 8 of the 12 program basins, static water levels fluctuated somewhat, generally in response to drought, or where above average precipitation occurred. The other four groundwater basins including Railroad Valley, Clayton Valley, Alkali Springs Valley and Jakes Valley experienced the most notable changes. In Railroad Valley MX-107 has declined 2.3 feet due to a large alfalfa growing operation a short distance from that well. In Clayton Valley, Silver Peak WO-2 truck fill well declined 2+ feet because it is adjacent to a down gradient from Silver Peak WO-3 well, a municipal water supply well for the town of Silver Peak. Clayton Valley unused stock well has remained dry for four years in a row; it was either sanded in or pumped dry. He said the Clayton Valley northeast stock well was dry this year. He said the well is nearly 200 feet deep. He said he observed a new lithium mining complex approximately one mile north of the well. In Alkali Springs Valley, the Goldfield Mine well there is a significant drop in water

level which is now 21.4 feet, due to water withdrawals for mining activities. In Jakes Valley large diameter stock well, showed a recovery of nearly 2.7 feet in 2016 which is attributable to abundant precipitation and snowpack within this HA. He said there is no human impact in Butte Valley. If anyone is interested in getting the hydrographs on these wells, they can get them off the State Engineer's website. Nye Pennington said the State NDWR redesigned their website and it isn't quite user-friendly as last year. Steve Bradhurst stated at the last meeting he spoke to Dave Berger about possibly USGS helping put together a map showing all the wells in the state that are being monitored. Bill Butts said it could be a county site showing where the wells are located. Steve Bradhurst stated discussion could be held on this. Kip Allander, USGS stated his department could work on it, developing scope and bringing it back before the CNRWA. Steve Bradhurst noted Nyle Pennington's CNRWA well measurement report dated November 2016 showing history for various valleys, showing changes over time. Motion was made by Commissioner Judie Allan to approve Nyle Pennington's yearly report. Commissioner Rob McDougal seconded which carried unanimously. Chair Eastley thanked Nyle for his presentation.

Discussion and consideration of a contract between the Central Nevada Regional Water Authority and Nyle Pennington to implement the Central Nevada Regional Water Authority Groundwater Monitoring Program during fiscal year 2018 – Recommendation to approve a contract for professional services between the Central Nevada Regional Water Authority and Nyle Pennington, consultant, to implement the Central Nevada Regional Water Authority Groundwater Monitoring Program for the period July 1, 2017 to June 30, 2018, and reimbursement for time and travel not to exceed \$11,000. Steve Bradhurst said Nyle Pennington's contract has the same scope of work as in past years as well as \$11,000 for time and travel. Motion was made by Midge Carver to approve a contract between the CNRWA and Nyle Pennington to implement the groundwater monitoring program for the period July 1, 2017 to June 30, 2018, and reimbursement for time and travel not to exceed \$11,000. Bill Butts seconded the motion which carried by unanimous vote. Chair Eastley said it will be a pleasure working with Nyle Pennington over the coming year. Nyle Pennington concurred.

Discussion on the content and status of the Draft Diamond Valley Groundwater Management Plan prepared by the Diamond Valley Groundwater Management Plan Advisory Board – Recommendation to receive a presentation from Jake Tibbitts, Eureka County Natural Resource Manager, on the content and status of the draft Diamond Valley Groundwater Management Plan prepared by the Diamond Valley Groundwater Management Plan Advisory Board. Jake Tibbitts presented a handout giving the Diamond Valley Background which was provided as an update to the Legislature in this session. He referred to current groundwater pumping approximately 76,000 acre-feet with net pumping about 64,000 acre-feet; 58% of what can legally be pumped and 49% of what can legally be consumed, but still consuming about two times more than the perennial yield. He said there is about 131,000 acre-feet of water rights currently on the books in Diamond Valley. There is a fair amount of self-curtailment already going on, what people have been given the permission to do. He said people in Diamond Valley have been taking thought-out efforts to reduce pumping. In regards to over appropriation, these efforts it is still having decline issues. He referred to a graph showing cumulative duty ordered by priority date. He said around 1960 water appropriations are in a straight vertical line (water appropriations that people applied to the State Engineer and were

granted those water rights. The perennial yield is 30,000 AF. He said in regards to junior and seniors, the difference of 50,000 AF is a couple of months. There was a rush to get their filings to the State Engineer during that period. He explained how the chart works. The State Engineer reallocated water with a junior date. He spoke about water wars in the 1970's and 1980's wherein neighbors protesting neighbors, claims of impacts to valley floor springs, State Engineer Hearings in 1980's – movement towards development of a Groundwater Board to find local solutions and initiation of formal adjudication. During the Diamond Valley hearings in the 1980's the State Engineer told Diamond Valley to come together and fix the problem or we'll be forced to. In March 2009 the State Engineer held a workshop similar to 1980's request –“take matters into your own hands to reduce pumping.” A couple formal entities came together to recognize they are registered with the Secretary of State and work together on solutions. Jake Tibbitts said he is not taking any position on this issue but is outlining how it is. In 2011 then Assemblyman Pete Goicoechea sponsored AB 419 which created the statute that allows in an area that is consistently pumped above the perennial yield, the State Engineer to designate it either by petition or do it on his own. It creates a Critical Management Area. A ten-year time frame is given to get together and create a groundwater management plan. If a plan isn't developed, the State Engineer shall regulate by priority. The State Engineer designated Diamond Valley a Critical Management Area in August 2015 without receiving a petition. Since then there were many formal meetings making progress towards a Groundwater Management Plan. Why not simply regulate by strict priority and cut off all juniors in Diamond Valley? Jake Tibbitts said that is the ultimate solution under the law. He said the prior appropriation works great but it only works if you follow it. There is a draft Diamond Valley Groundwater Management Plan which has been submitted to the State Engineer. It's not the official plan for approval. The Vision Statement is Diamond Valley and Southern Eureka County are prosperous and economically stable using all means including education and diversification. We are a community that is united, fair and forward thinking about our groundwater usage in order to ensure stability for ourselves now and our future generations. A local advisory board was elected by the water rights holders. He said the plan is built on a water market-based system. The Australian Model that has been promoted by various individuals. Portions of the Australian Model were utilized. Irrigation groundwater rights and mining rights with an irrigation based permit are in the plan. A total of 95% of the water in Diamond Valley is irrigation water. Municipal water, domestic wells, stock wells, any commercial water rights is not part of the Diamond Valley Groundwater Management Plan. These issues total less than 3% of the total pumping in Diamond Valley. The base water right (and attendant shares) will stay tied to a specific piece of land (i.e., not unbundled). He addressed the annual water allocations and pumping reductions. Annual allocations are calculated by taking the total pumping allowed in any given year under the GMP and dividing by the total number of shares, being 114,906. You get a set amount of water and if you don't use it, it stays in your bank to be used in future years when you need it. It allows banking, trading and sale of the wet water itself. Chair Eastley asked if the State Engineer supports the plan. Jake Tibbitts said the State Engineer is not sure what he could do. All groundwater pumped from Diamond Valley that is subject to the GMP shall be required to be metered using an approved smart flow meter, including a compatible wireless data transmission module with near real-time reporting. Vested rights including spring rights that have been diminished and mitigated with groundwater rights will not be under the jurisdiction or requirements of the GMP. The Diamond Valley Plan explicitly prohibits out-of-basin transfers of water. The State Engineer retains authority to analyze potential for conflicts

and take action if necessary - wells intended for use to be registered annually. This provides a nexus for the State Engineer to see if pumping will have unreasonable effects on another use or domestic well. The Diamond Valley Water Authority sets annual allocation (cannot operate out of GMP side-board reductions), there is a potential for a full-time, paid Water Manager, State Engineer (or Deputy) is the chair, follow Open Meeting Law, determines waivers for certain provisions (meter system; penalties) and members have no financial interest in water in DV. The Advisory Board includes 7 members elected by DV groundwater rights holders (mining, 2-agriculture and 4-open. The Authority is required to consult with AB and AB advises Authority on matters. Jake Tibbitts commented on an article entitled “*Diamond Valley Water Management – Local Development of a groundwater Management Plan*” by Gary McCuin, Eureka County Extension Educator that was published in *The Progressive Rancher*, among other places. The article provides more detail on Diamond Valley. Commissioner Rob McDougal asked if Diamond Valley has a majority vote going forward with the plan. Jake Tibbitts said the petition to get the plan to the State Engineer has to be signed by a majority of the holders of permits or certificates. There is a difference in deciphering what constitutes a vote (each paper (water right) a person holds is a vote versus holders of permits or certificates. He believes there is a majority that will sign the petition. Discussion was held on junior water right holders versus senior water right holder’s support. Gary Perea asked if the plan addresses change of use. Jake Tibbitts said the underlying water right is for three basic water right, is point of diversion, place of use and manner of use. The base right doesn’t change. The amount of water granted per share on allocation, wet water in the bank can be used for any approved purpose in Diamond Valley. He said water use is going to be very closely tracked. He also said some land will likely come out of production but they’re hoping it’s minimal. The type of production will change. Rod McKenzie asked how municipal and domestic wells will be affected. Jake Tibbitts said municipal water rights and domestic wells are not under the groundwater management plan whatsoever but they’re subject to all the current rules, laws and regulations of the State Engineer. Steve Bradhurst asked Senator Goicoechea what are the chances of SB 269 returning in the next Legislative Session, referring to groundwater management plans. Pete Goicoechea said he’s hoping to get some direction and the meaning of majority was discussed. He thinks there will be some litigation. Chair Eastley thanked Jake Tibbitts for his presentation.

Discussion and Possible Selection of the Central Nevada Regional Water Authority’s Executive Director – Recommendation for the Central Nevada Regional Water Authority Board of Directors to 1) discuss the selection of the CNRWA executive director, and 2) possibly select the CNRWA executive director.

Chair Joni Eastley said the Executive Director job is being advertised. At this time there are two solid applicants with good backgrounds. An interview committee will consist of Chair Joni Eastley, Vice Chair Gary Perea, Demar Dahl, Jake Tibbitts and possibly BJ Selinder. Resumes will be distributed to the interview committee by the end of the month with a meeting the first week of July in Fallon. A special teleconference meeting will held at the end of July to make a final selection.

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

Steve Bradhurst said it’s been an honor and pleasure to work with the Central Nevada Regional Water Authority. He said he will be happy to work with the new Executive Director in the transition. Vice Chair Gary Perea read a letter from the White Pine County Commission

expressing gratitude to Steve Bradhurst for his years of service with CNRWA. Gary Perea said Steve will be missed.

Next Meeting. The next meeting will be a teleconference meeting to be held on Friday, September 22nd at the Churchill County Administration Building, Fallon, Nevada at 10:00 a.m.

Public Comment. There was no public comment.

Adjourn. Chair Eastley adjourned the meeting at 1:25 p.m.

Respectfully submitted: _____
Wilma Mansfield, Secretary

Approved this _____ day of _____, 2017.

Joni Eastley, Chair