



Water Gab

News from the Great Basin Water Network Heartland

State Engineer Re-Opens Protest Period for 1989 SNWA applications in Spring, Cave, Dry Lake, and Delamar Valleys in Response to Court Ruling *Protest Deadline March 24*

In the latest twists and turns in the high-stakes high desert drama known as the Las Vegas Water Grab, the Nevada State Water Engineer (SE) is renoticing Southern Nevada Water Authority applications in Spring Valley, Cave, Dry Lake and Delamar Valleys. The renoticing allows members of the public and organizations to formally protest the water applications in those valleys in response to a court ruling on a case filed by GBWN. However, in a related setback, the SE refused to combine protests filed on SNWA's identical 2010 applications. What does this mean for residents of the Great Basin? It depends.



Nevada State Engineer will hold hearings in the Fall of 2011 on SNWA's 1989 water applications in four valleys in White Pine and Lincoln Counties

If you, or someone from whom you inherited or purchased property or water rights, protested the 1989 applications, then you do not need to file a new protest to participate in the new hearings. However, you **MUST** write the State Engineer telling him that you intend to assert your protest through the new hearings. If you want to add new grounds to your protest, you can amend your protest at no additional cost.

If you protested the 2010 SNWA applications in these valleys, and/or you want to have your own standing in the new hearings, you must now protest the 1989 applications if you did not protest in 1989. You can use your 2010 protests—just update the application number, add any new grounds for protest, and any personal information that has changed. The State Engineer requires two new original, signed, notarized copies.

If you fit the description above, but prefer not to file new protests, you can join the Great Basin Water Network protests of any or all of the 1989 applications, saving yourself the expense and trouble of filing and pursuing your own protests. If you choose to do this, please email GBWN at info@greatbasinwater.net. **Deadline March 18.** We ask that you make a donation to GBWN to help cover the costs of filing and pursuing the protests—an endeavor that takes a tremendous amount of work and expense.

Whatever you decide to do, all paperwork must be **physically in the State Engineer's Office** no later than **5 PM, March 24, 2011**. The addresses are: Jason King, State Engineer, 901 S. Stewart St. #2002, Carson City NV 89701 or 400 Shadow Lane #201, Las Vegas NV 89106. ●

Protest Workshops Scheduled For March....call GBWN at 775/786-9955 for Info

Great Basin Water Network and its partners are holding workshops in March to help you complete a protest and get it notarized, or sign on to Great Basin Water Network's protest instead of filing an individual protest.

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| Las Vegas | March 3 , 6-8 pm PLAN office, 732 S. Sixth St. Suite 200, RSVP to Launce Rake at lrake@PLANevada.org or call 702/791-1965 |
| Reno | March 7 , 4:30-6:30 pm, Scenic Nevada Office, 100 W. Liberty, Ground Floor. Contact Rose Strickland at 775/329-6118 |
| Lund | March 8 , 7 pm at the firehouse. Contact Rod McKenzie at 775/238-5384 |
| Ely | March 9 , 6 pm, Bristlecone Convention Center Info: Gary Perea 775/234-7300 |
| Baker/Garrison | March 10 , 6 pm Nevada Time, Border Inn Info: Gary Perea 775/234-7300 |
| Delta UT | March 17 , 4-7:30 pm, Millard County Offices For information, call Steve Erickson at 801/554-9029 or erickson.steve1@comcast.net |
| Salt Lake City | week of March 14. Contact Steve Erickson erickson.steve1@comcast.net or 801/554-9029 |
| North Snake Valley | Contact Kathy Hill at 435/693-3120 for day and time of meeting. |
| Lincoln County | Contact Susan Lynn at GBWN for details at 775/786-9955 |

Legal Update



Simeon Herskovits during the first SNWA water rights hearing on Cave, Dry Lake and Delamar Valleys. The State Engineer's decision was overturned, in a victory for GBWN and ranchers and farmers in those valleys.

A banner year for the Great Basin Water Network, 2010 saw the rights of original protestors in Spring, Cave, Dry Lake and Delamar Valleys restored, as well as an opportunity for others to join their ranks. The Nevada Supreme Court unanimously ruled that the Nevada State Engineer must rehear the 1989 Southern Nevada Water Authority (SNWA) water rights applications in those valleys, meaning SNWA currently has NO water rights from those valleys to fill their proposed pipeline to Las Vegas.

The ruling resulted in SNWA filing duplicate applications to ALL their previous applications, which meant a new, necessary, and expensive round of protests. The GBWN held protest workshops throughout the affected areas of the state, resulting in more than 2300 protests being submitted to the State Engineer's office. And, GBWN, working with like-minded organizations and individuals, was able to defeat an attempt to negate the Supreme Court ruling in the February special legislative session, allowing the legal system to finish its work and the State Engineer to reschedule hearings.

Recently, our skilled and hardworking attorney, Simeon Herskovits of Advocates for Community and Environment, asked the State Engineer to combine the 1989 and 2010 protests in the four valleys, a most reasonable action since the applications are duplicative. However, the State Engineer declined this request, and the advertising of the 1989 applications is underway, with a March 24, 2011 deadline for new protests.

We have worked hard for this day: those who were excluded from the initial hearings have had their rights restored.

As our "feet on the ground" troops are organizing protest workshops once again, our attorney is preparing for the hearings that are scheduled to begin September 26, 2011 in Carson City, and continue through November 18. Evidentiary exchanges are anticipated for July 1 and August 26.

Preparing for hearings, as well as actually participating in them, is a long and involved process. We must be prepared with sound scientific evidence, qualified expert witnesses, and an attorney who can keep "all the balls in the air," to present an effective case. Long-range preparation has been going on since the Great Basin Water Network first began to take shape over 6 years ago. ●

Plug Preposterous Pipeline Proposal with Prompt Protests

Yes, it's that time, AGAIN. Rally family, friends, and neighbors to update and add to the protests of the 1989 SNWA applications currently being advertised. The State Engineer needs to affirm that this project is a misuse of groundwater, The limited water in these valleys is fully devoted to our essential economy: a healthy mix of productive agriculture and burgeoning tourism, thanks to spectacular Basin-and-Range landscape that must not be laid to waste. *There is no extra water.*

We've won quite a few battles with the help and support of many individuals and organizations, but we dare not relax the effort until the war is won. →Join the growing list of supporters at our website: greatbasinwater.net or call 775/786-9955. →Join the Email Action Alert Network: info@greatbasinwaternetwork.org. →Support and attend the Snake Valley Festival, June 17-19, 2011, Baker, NV

Help defray the immense cost of upcoming hearings by making a secure website donation at www.greatbasinwater.net. Donations of all amounts are greatly needed and appreciated. Or mail your tax deductible donation to: Great Basin Water Network, 1755 E. Plumb Lane #170, Reno, NV 89502 775/786-9955. THANK YOU! ●

65 billion
gallons of
water every
year

\$3.5+ billion
dollars

308 miles of
pipeline



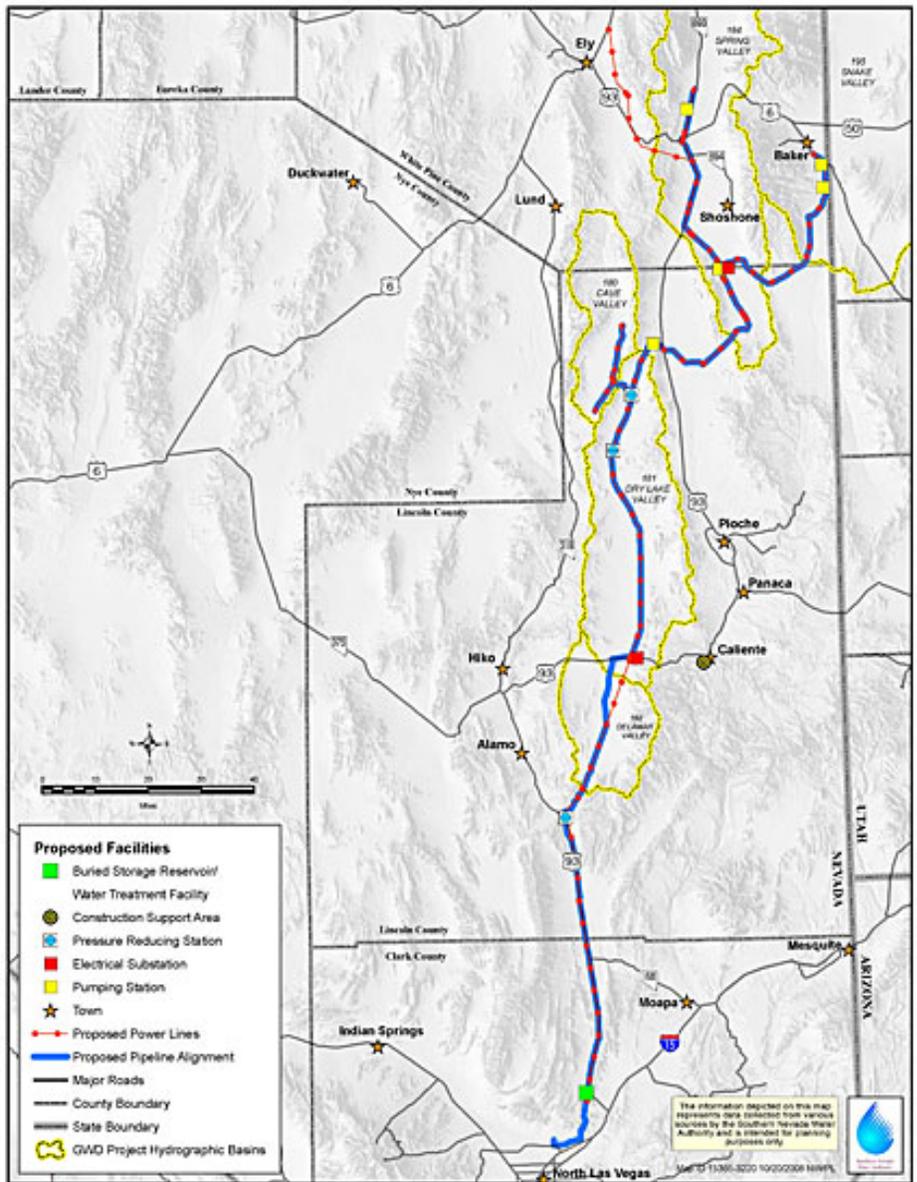
BLM Promises Draft EIS Release in Spring, 2011

The Bureau of Land Management is promising that this spring the Draft Environmental Impact Statement on Southern Nevada Water Authority's pipeline project will be released for public comment. Their December newsletter is a preview of coming attractions in the DEIS: http://www.blm.gov/pgdata/etc/medialib/blm/nv/groundwater_development/snwa/newsletters0.Par.3915.File.dat/newsletter_6.pdf.

BLM's website says the public will have a mere 60 days to read and comment on the document that took 7 years to write about the behemoth project: \$3.5+ billion, 65 billion gallons of water per year, over 300 miles of pipeline.

BLM is promising public hearings but there's no information on where or when or how many. To contact BLM:
Email: nvgwprojects@blm.gov.
Phone: 775/861-6681.

Website address: http://www.blm.gov/nv/st/en/prog/planning/groundwater_projects/eis_home_page/snwa_groundwater_project.html. ●



GBWN will notify you of EIS hearings and workshops. Sign up to be part of the email Action Network



An Ounce of Prevention is Worth....Vested Water Rights

Vested rights are water rights established prior to Nevada's water law. Holders of vested water rights in SNWA pipeline territory especially in Spring, Cave, Dry Lake and Delamar valleys should be sure that the "proofs of appropriation" documents used for claiming a pre-statutory vested water right are on file with the State Engineer's office. It's complicated but surface water rights pre-March 1, 1905, artesian groundwater pre-March 22, 1913 and percolating groundwater pre-March 25, 1939 should have proofs of appropriation on file with the SE office to ensure that the SE is aware of these vested rights. The State Engineer collects a fee of \$50 for a proof of water used for watering livestock or wildlife purposes; ... \$100 for any other claim to water. (Paraphrased from NRS 533.135) For more information, consult the SE website: <http://water.nv.gov/> ●



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News from the Great Basin Water Network Heartland

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Great Basin Water Network is on the Web
Bookmark www.greatbasinwaternet.org for the latest water news, Alerts, and information on how to get involved

Your contribution to GBWN is MORE than a drop in the bucket.

Snake Valley Festival—June 17-19

The Snake Valley Festival has leap-frogged to the third weekend in June, to avoid conflicts with Pioneer Day weekend in Utah and the hottest part of the summer. In the planning stages, the Festival will continue to feature the best darn small town parade, community name-your-price yard sale, silent/ live auction, book booth, food and more to raise money to fight the Water Grab. ●

Calendar 2011

March—Protest Deadline

Spring –DEIS Released?

June 17-19 Snake Valley Festival

Summer—EIS workshops & hearings ?

July & Aug—SE document exchanges

September—SE 4 basin hearings begin

November—SE 4 basin hearings end



Great Basin Water Network needs your support in its efforts to protect the water resources of the Great Basin for current and future residents—human, animal, and plant. Join GBWN’s list of supporters through our website greatbasinwater.net or call 775/786-9955. Join the Email Action Alert Network: info@greatbasinwaternet.org.

“Without Water We’ll Croak” t shirts are available for \$15 at the Border Inn and T&D’s Restaurant & Grocery in Baker.

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

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