



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002  
Carson City, Nevada 89701  
(775) 684-2800

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**CONTACT: JoAnn Kittrell, 775-684-2712, [jkittrell@dnr.nv.gov](mailto:jkittrell@dnr.nv.gov)**

**Nevada Division of Water Resources issues ruling regarding water rights applications for Southern Nevada Water Authority's pipeline project**

(Carson City, NV) – The Nevada Division of Water Resources (NDWR) issued its third ruling regarding the Southern Nevada Water Authority's (SNWA) water rights applications to pump groundwater from four Eastern Nevada basins to the Las Vegas area. The ruling denies SNWA's applications in the Spring Valley, Cave Valley, Dry Lake Valley, and Delamar Valley groundwater basins. The NDWR previously approved each of these SNWA water rights applications in 2007, 2009, and 2012 rulings.

This latest ruling is a result of a remand order issued by Nevada's Seventh Judicial District Court in December 2013, which directed the NDWR to address four specific issues relating to the previous approval of SNWA's applications to appropriate water. In response to the District Court ruling, the NDWR held a two-week hearing in the fall of 2017 for all interested stakeholders, which included SNWA, local governments, tribes, and environmental groups in Nevada and Utah. During the hearing, subject-matter experts presented numerous exhibits – including hydrology studies, reports, models, and more – to help address the remanded issues. Based on the District Court's 2013 direction and the input received during the subsequent 2017 hearing, the NDWR ruling issued today includes the following key findings.

**Key Findings:**

- Each of SNWA's applications in Spring, Cave, Dry Lake and Delamar Valleys are denied based upon the directives of the District Court's remand order; and two of SNWA's applications in Spring Valley are also denied based upon the finding that those applications will threaten the Swamp Cedar Areas of Critical Environmental Concern, and thus are detrimental to the public interest.
- The State Engineer determined that SNWA's Monitoring Management and Mitigation (3M) Plan satisfies the District Court's remand order and the requirements set forth by

the Nevada Supreme Court in *Eureka County v. State Engineer*, 131 Nev. Adv. Op. 84 (2015).

- The State Engineer determined that SNWA’s Spring Valley Monitoring Management and Mitigation (3M) Plan satisfies the District Court’s remand order by providing for the inclusion of Millard and Juab Counties, Utah.

While the NDWR ruling focused on compliance with the District Court’s remand orders, the Nevada State Engineer intends to appeal two of the District Court’s mandated instructions, specifically regarding the methodology for determining availability of water in the four groundwater basins. The methodology required by the Court sets a precedent inconsistent with the long-standing application of Nevada water law and water appropriation statewide.

“The Nevada Division of Water Resources is dedicated to protecting, managing, and enhancing Nevada’s precious water resources,” said Jason King, State Engineer, Nevada Division of Water Resources. “In an effort to protect the integrity of Nevada’s water laws, the NDWR intends to appeal sections of the mandated instructions that threaten to upend the historical application of Nevada water law and water rights.”

“As the driest state in the nation, protecting Nevada’s limited water resources for the benefit of all Nevadans is the foremost responsibility of our State Engineer and the Nevada Division of Water Resources.” added Bradley Crowell, Director of the Nevada Department of Conservation and Natural Resources. This responsibility is grounded in our well-established state water law and policy. As such, the State Engineer’s intention to appeal key portions of today’s ruling that have ramifications beyond the scope of the SNWA applications is essential to protecting water rights throughout Nevada and appropriately managing the beneficial use of Nevada’s water resources today and for future generations.”

A copy of the full ruling is available for review and download on the NDWR’s website: [www.water.nv.gov](http://www.water.nv.gov).