



MEETING MINUTES

February 26, 2018 – 9:00 AM
BOCC Chambers Pahrump, NV

Members: Richard W. Carver - Area 1 (Currant Creek/Smoky Valley)
Joe Westerlund - Area 2 (Tonopah/Manhattan)
James Weeks - Area 3 (Beatty /Armargosa Valley)
Walt Kuver- Area 4, Position 1 (Pahrump Valley)
William Knecht- Area 4, Position 2 (Pahrump Valley)
Dennis Gaddy -Vice Chair- Area 4, Position 3 (Pahrump Valley)
Dave Hall - At Large - Chair

Legal: Sev Carlson

Board of County
Commissioners: John Koenig

Finance: Savannah Rucker

Staff:
Oz Wichman
John Klenke
Christal Behrends

Acronyms: AG - Attorney General
AVSTP - Armargosa Valley Science & Technology Park
BOCC - Board of County Commissioners
BOR - Bureau of Reclamation
CSWP- Community Source Water Protection
CNRWA - Central Nevada Regional Water Authority
DOA - Department of Agriculture
DOI - Department of Interior
EPA - Environmental Protection Agency
GID - General Improvement District
GM - General Manager
GWE- Groundwater Evaluation Grant
GWMP – Groundwater Management Plan
HUD - Housing and Urban Development
IRWMP - Inter Regional Water Management Program
MOU - Memorandum of Understanding
NTS - Nevada Test Site
NCWDGB - Nye County Water District Governing Board
NRWA – Nevada Rural Water Association
NwRA - Nevada Water Resources Association
RFP - Request for Proposals
RNWA - Rural Nevada Water Authority
ROW - Right of Way
SNWA - Southern Nevada Water Authority
USDA - United States Department of Agriculture
UGTA - Underground Test Area

1. **(00:00:01) Call to Order – Pledge of Allegiance**
2. **(00:00:33) Roll Call – Present:** James Weeks, Joe Westerlund, Richard Carver, William Knect, Walt Kuver, Dennis Gaddy and Dave Hall.
3. **(00: 01:07) Mission Statement – “Provide, protect and preserve water resources within Nye County.”**
4. **(00:01:15) General Public Comment (first): Three-minute time limit per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.**

None.

5. **(00:01:53) Approval or modifications of the Agenda for the Water District Meeting of February 26, 2018.**

Chairman Dave Hall announced that the Financial Report would be heard after Item 8.

6. **(00:02:33) For Possible Action – Discussion, deliberation and decision regarding Approval of Minutes for January 29, 2018.**

Water District Governing Board Member Dennis Gaddy made a motion to approve the Minutes from the January 29, 2018 Governing Board Meeting. Walt Kuver seconded the motion. **The vote was approved 7-0.**

7. **(00:03:47) Correspondence and Announcements.**

Geraldine Krause stated her last day with the Nye County Water District will be March 20, 2018. She introduced Christal Behrends who will serve as her replacement.

8. **(00:04:33) Ex-Parte Communications and Conflict of Interest Disclosure Statements.**

None.

Due to the previous noted modification, Savannah Rucker presented the Budget Status Report (see discussion minutes under Item 11. a Finances)

9. **(00:08:00) For Presentation – Presentation from Jeff Fontaine, Executive Director, Central Nevada Regional Water Authority (CNRWA) regarding current issues under consideration by the Authority.**

Central Nevada Regional Water Authority (CNRWA) is an eight (8) county unit of government that collaboratively addresses issues common to: Churchill, Elko, Lander, Esmeralda, Eureka, Nye, Pershing and White Pine Counties. Land in these counties comprises 2/3 of Nevada’s land. There are 78 ground water basins in Central Nevada and almost half (35) are in Nye County.

The CNRWA is involved in 4 main initiatives: Growth, Drought & Climate, Water Quality and Water Management. They are following Order 1293 closely and are also tracking the development of lithium deposits and anti-degradation methods.

Jeff Fontaine also serves as the Executive Director of the Humboldt River Basin Water Authority. Currently, the biggest issue he sees in this capacity, is conjunctive management. The Humboldt River is fully appropriated and our State Engineer is proposing how ground and surface water rights will be managed. As with dealing with all water issues, long-term, future planning (50+ years) is encouraged.

10. (00:44:20) For Possible Action – Presentation, discussion, deliberation, possible revisions and / or possible adoption of the Pahrump Basin 162 Ground Water Management Plan (GWMP)

Oz Wichman provided background of the GWMP. It was a result of a Board of County Commissioner's Advisory Committee that met for 21 months and produced the 2015 version of the GWMP. The staff report included in the back-up, highlights items that have transpired since.

The revised February 2018 GWMP considers the land situation (densities that can support a population of 500,000) and water enough to support 80,000. The emphasis is to live within our means, with no importation pursuit. Consideration is given to conservation efforts, RIBS and recharge, attrition and Order 1293, which states that there are to be no more commitments to the water in the Basin. The GWMP also supports improving the Desert Research Institute Model (which has a potential impact on the perennial yield calculations) and discussion on re-distribution of pumping.

The crux of the GWMP is Table 3. The Table highlights water right commitments for future conditions (year 2068). There are 2 changes to the table. Line 9 should read 2,840 (not 2,750), which will change the bottom line number (line 21) to 6,660. As Walt Kuver, Water District Governing Board Member stated, "Table 3 is a very significant table to base future decisions". "In essence, this is the growth control mechanism that still honors all the over-appropriated water rights".

Water District Governing Board Member Walt Kuver made a motion to adopt the February 2018 version of the Ground Water Management Plan. William Knecht seconded the motion.

Comments from the Public

John Bosta expressed his concerns over the adoption and revision of the GWMP. He read and supplied a written statement that is attached below.

The INTRODUCTION statement; "In addition, the community of Pahrump has available deeded lands in sufficient amount to support a population of 495,000 is a wet "pipe dream", an unattainable or fanciful hope or scheme. There is not enough ground water.

The overall goal of 198 gallons per person/per day adopted in the 2014 Pahrump Master Plan is **98 million gallons/day which is 35 billion 700 million gallons per year which is 109,876 acre-feet per year which is 6 times the Perennial Yield of 18,000.**

This new revisions and/or possible adoption of the Pahrump Ground Water Management Plan (GWMP) will eliminate all domestic well use of water in the Artesian Pahrump Basin 162.

The regulation of land use based on police power is distinct from the taking of private property by the government through the power of eminent domain.

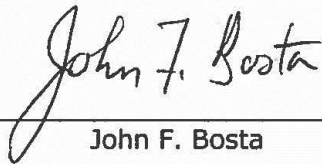
Domestic wells use is real property which the Water District has no power. Eliminating domestic and reducing two acre feet of water to 198 gallons per day is a taking of real property without using the power of eminent domain to compensate a property owner for eliminating the domestic well and *reducing 2 gallons per minute which is 2880 gallons per day down to 198 gallons per person.*

The adoption of the revisions of the Ground Water Management Plan (GWMP) has no authority of an Ordinance.

The Domestic Well Owner had no representation on the Ground Water Management Plan Committee because their domestic water use is not a Water Right Permit use issued by the State Engineer.

The adoption of the GWMP is not in the best interest of 11200 domestic well owners in the Artesian Pahrump Basin 162 and should not be adopted.

Respectfully Submitted,



John F. Bosta

Paul Fowler offered a suggestion to accumulate more water; citing pit lakes and trench collection.

Dwight Lilly proposed including into the conservation plan, limiting watering to nighttime only to reduce evaporation.

Water District Governing Board Chairman David Hall called for a vote in the acceptance of the 2018 version of the Ground Water Management Plan. **The vote was approved 7-0.**

11. (01:31:33) District Member, Staff and Liaison Reports / Comments:

a. Finances

I. FY 17-18 Budget Status

Savannah Rucker summarized the Nye County Water District Fund Balance Report. The Water District received approximately 85% of its revenues in the 1st quarter. Expenditures are at 21% which is rather low, but we do have some encumbrances for contracts. Expenses are in line with projected expenses. No red lines for items being over budget. Salaries, services, supplies and contractual obligations right on track.

Currently Finance is working on tentative budgets. No approval by Board is required for tentative budgets, but the final budgets will need approval between 5/21/18-5/31/18. Next meeting, we will set the Public Hearing date and time for the final budget to be approved in May.

b. Board Reports

I. LVVWD/SNWA

II. CNRWA – John Koenig

John Koenig spoke about the next CNRWA meeting to take place in Eureka on 3/16. Chairman David Hall asked Geri to send the Water District Governing Board the date, time and location.

c. Staff Reports

I. Oz Wichman

Order 1293 is being watched closely. Oz will continue to participate in CNRWA meetings. If version 2018 of the GWMP is approved by the Board of County Commissioners, the Water District Governing Board may go to quarterly meetings.

II. John Klenke

Currently working with Desert Research Institute on getting their model updated. John is collecting information on areas where water is put back into the Basin in RIB's. He is also working on a well location and elevation report.

d. Projects Status Reports

I. Staff

e. Board Liaison Reports

I. Commissioner John Koenig

f. Report form other individuals, groups and or agencies regarding water-related Issues; for informational purposes only.

I. Darrell Lacy, Planning Director

Since the Water District Governing Board approved the GWMP, implementation will have to be discussed. Future agenda items will most likely be: water rights dedication for commercial development, and what the Board wants to see as part of future development. Currently, Planning is moving approximately 40 building permits a month (which is double from last year). The GWMP will give Planning a guiding document to work under, as it relates to water usage.

12. (01:41:50) For Possible Action – Discussion, deliberation and possible decision concerning future meetings / workshops.

Oz Wichman stated that April-June's Water District Governing Board meeting dates will be set at the next WDGB meeting March 26, 2018.

13. (01:42:20) General Public Comment (Second)

John Bosta commented since the GWMP has been adopted, he felt it would be important to instruct the Planning Department there would be no new subdivisions / development of property. Also, that plan does not consider water needed for marijuana growth.

14. (01:43:39) Adjourn