

MEMBERS PRESENT:

Chairman Jeffrey
Vice Chairman Redelsperger
Assemblyman Dini
Assemblyman Polish
Assemblyman Rhoads
Assemblyman Schofield
Assemblyman DuBois
Assemblyman Kovacs

MEMBERS ABSENT:

Assemblyman Mello (Excused)

OTHERS PRESENT:

Mr. Roland Westergard, State of Nevada
Department of Conservation
Mr. Fred Welden, Senior Research Analyst, LCI
Mr. Bob Firth, Manager of Land and Water
Resources, Sierra Pacific Power Company
Mr. Bob Sullivan, Carson River Basin, YCOG
Mr. Tom Young, Executive Manager
Nevada Environmental Action Trust
Ms. Deanna Doughty, Executive Officer,
Builders Association of Nevada
Mr. G. P. Etcheverry, League of Cities

The meeting was called to order at 3:00 P.M. by Chairman Jeffrey.

A.J.R. 4

Requests Secretary of Interior to execute Washoe Project Contract and to release water from Stampede Reservoir for municipal and industrial use.

Mr. Fred Welden, Senior Research Analyst, provided background for the resolutions to be presented at this meeting. He started with information on the Washoe County Water situation that will put the Stampede Reservoir Project in prospective. The Testimony during the hearing about water situation in Washoe County was very dramatic, in that the projections showed that the present water rights or the water rights owned by Sierra Pacific in Washoe County would only meet the demands of the service area of the Truckee Meadows until 1982, thus, putting Washoe County in a bind. As far as near term sources available to them, there were two; one was, that there are approximately 28,000 acre feet of water rights in the Truckee Meadows that are divided among many small lot owners in the area. At one time these were water rights that had belonged to ranches and when the ranches were developed and subdivided those water rights went to the individual property owners and the chain of title hasn't been maintained throughout the years. The problem with obtaining all these water rights into the Sierra Pacific Power is getting back to the title so it will be clear title. Purchase of these rights is one thing Sierra Pacific is working on and it is one way to obtain some water rights to help out the situation. If these rights are purchased the projections are for being able to handle the service area until 1988. The second near term source of water that was discussed with the committee was water from the Stampede Reservoir. This resolution speaks to trying to get approximately 16,900 acre feet of water that may be made from the Stampede Reservoir.

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Mr. George V. Postrozny of the Legislative Counsel testified at the request of Chairman Jeffrey and explained the resolution relating to the Stampede Reservoir. Essentially the Stampede Dam was constructed pursuant to the Washoe Project Act which was essentially the first of the Federal Reclamation Projects and it authorized the Secretary to maintain the Reservoir and to enter into a contract specifically as it turned out to be with the Carson-Truckee Conservance District for the use of this water primarily for irrigation purposes although other uses were contemplated at that time. This contract which is referred to in the resolution was drafted in 1958 and was signed by a representative of the Carson-Truckee Conservance but it was never executed by the Secretary of the Interior to this date. Consequently, there is no effective Washoe Project Contract. Meanwhile the Department of the Interior conducted a study of water resources in the Truckee Meadows and estimated that approximately 57% of the water should be for municipal and industrial uses. The final provision of the resolution indicated that Congressional Action in the 1978 Amendments to the Reclamation Act which specifically authorized the Department of the Interior to release water for industrial and municipal uses for any of the reclamation projects pursuant to those Federal Statutes. So, the purpose and intent of this resolution is to now get the Department of the Interior to recognize these municipal and industrial uses which are clearly expressed as within the purpose of the Reclamation Project by the most recent amendments and to execute the project contract to include those uses.

Mr. Bob Firth, Manager of Land and Water Resources, Sierra Pacific Power Company, testified to the effect that Stampede is of the utmost importance to the future water supplies of this area. Sierra Pacific Power is presently just about out of water resources to take care of the future development in the Reno-Sparks, Washoe County area. If they are allocated, the water from Stampede they feel they are entitled to, they feel it would take care of them for another 8 to 10 years based on the growth projections that have been made by the Sierra Pacific Power Company for the Truckee Meadows area. Mr. Firth stated that on behalf of Sierra Pacific Power Company he urges passage of AJR 4 thus encouraging the Secretary of Interior to sign the Washoe Project Contract. Mr. Firth explained that although this projection of water need was for only 8 to 10 years the Power Company was exploring other sources of possible water before the 10 years had expired and felt sure they would have some alternatives in the future.

Mr. Bob Sullivan, Carson River Basin Counsel of Governments testified in behalf of Churchill County as they wondered if this is a conflict on their defacto use of water from the reservoir. Mr. Westergard stated that agricultural needs would be met before any water would be stored in the reservoirs up river. The purpose of the storage reservoirs is to capture those flows at high peak run off and salvage them for later use, and he feels sure there would be no conflict.

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Mr. Roland Westergard, of the Department of Conservation, State of Nevada, testified in support of AJR 4. He stated that he felt the committee should be aware that in addition to the testimony already introduced, the State of Nevada and the Carson-Truckee Conservance District and the Sierra Pacific Power Company have filed a court action in the Federal District in Reno seeking to legally require that the Secretary of Interior do what you are asking in this resolution. He is hopeful with the change in attitude that legal confrontations can be avoided.

It was noted that previous resolutions have been passed but with the change in administration in Washington and another resolution the Secretary of the Interior will have a change in heart.

Mr. Redelsperger and Mr. Schofield questioned why the Secretary of the Interior had not signed this in the past years. Mr. Westergard and Assemblyman Dini explained that they felt it was because of a lawsuit over the Truckee River that had never been settled regarding water rights, and then the Indians at Pyramid Lake have considerable influence within the internal affairs of the Interior Department regarding water rights. The other lawsuit filed by the State of Nevada and the Sierra Pacific Power Company has not been determined yet and would be another determining factor.

Tom Young, Executive Manager of Environmental Action Trust from Reno stated that his agency is attempting to conserve water effectively and that while they are actively pursuing the conservation of the allocated water the Federal Government, by not signing this contract and not cooperating with the local conservation efforts is wasting this badly needed water. He added that while local entities are struggling to conserve water the Federal Government is dumping water and money down the river for fish studies that prove to be fruitless. He feels that if the water was controlled by the local government it could be used for the benefit of the wildlife and human needs on the river. Mr. Young urged the support of the committee for the passage of this resolution.

Assemblyman Rhoads stated that he felt this was another example of local government being best suited to control and manage the allocated water.

Deanna Doughty, Executive Officer of the Builders Association of Northern Nevada, urged support for passage of AJR 4. She stated that the Home Builders Association also feels that local government is best suited to handle the management of the water.

At this time there being no further public testimony on AJR 4 Chairman Jeffrey closed the hearing on AJR 4.

0029

A.J.R. 5 Commends Senator Paul Laxalt for his efforts to obtain federal money for repair of Newlands Project and requests further action.

Mr. Fred Welden, provided background information for this resolution. Senator Laxalt requested during the last Congressional Session appropriation of \$15,000,000.00 to do repairs and improvements on the Newlands Project. The Newlands Project is one of the oldest reclamation projects in the nation. It provides all the irrigation water in the Fallon area, tying the Carson-Truckee Rivers together. A lot of the facilities in the project are getting old and in need of repair. The resolution would commend Senator Laxalt for his effort and request that he continue his efforts for the money for the Truckee and Newlands Project and also expand his request to include improvements that are need on the upper Carson River.

Chairman Jeffrey asked for questions from the audience.

Mr. Dini stated that he felt this was a very important issue, as there is no money for dams on the upper Carson River and all the flow went down the river and there was no way to hold any back for irrigation purposes during draught seasons. This resolution would give priority for necessary appropriations. He stated that during the last administration there had been no money spent for the construction of dams and felt the time was now for this resolution.

Mr. Rhoads also felt this resolution is very timely because Senator Laxalt is a member of the Senate Appropriations Committee this session and perhaps exerts more power in that position.

Mr. Westergard testified that between the fall and late spring the Department of Interior has imposed a ceiling on the amount of water that can be held in the reservoir. The total capacity is around 210,000 to 220,000 acre feet and they hold it down to around 170,000 acre feet, the figures may not be totally accurate but there is a significant amount of storage space that can't be utilized. As an example, where there was very little snow in the water shed and it was obvious that the flood control criteria couldn't be violated because there just wasn't that much snow and storage upstream in the form of natural conditions and even at that time the Secretary of Interior wouldn't release that space for storage later in the season when it is needed. He feels that the dam is not in bad enough condition to warrant holding back badly needed water storage space.

Mr. Welden pointed out at this time that in the original request by Senator Laxalt for the \$15,000,000.00 for rehabilitation did not include the dam at Lahontan. It included the Lake Tahoe Dam, the Derby, Carson Conversion Dams, and the Truckee Canal. He stated if the committee is really interested in improvements to the dam at Lahontan it would be appropriate to add that as an inclusion in this resolution.

It was Mr. Dini's contention that the resolution should be amended to include the Lahontan Dam. 0030

There was some discussion by the committee members that the original amount asked for would not be enough to handle repairs to Lahontan. It was decided that the amount need not be changed and that the \$15,000,000.00 would be a minimum amount to be specified.

Chairman Jeffrey asked Mr. Rhoads to work with the bill drafting people and work out the language for the amendment to include the Lahontan Dam, then report back to the committee for action on this resolution.

There being no further testimony on AJR 5, public hearing on AJR 5 was closed.

A.C.R. 2 Urges governing bodies in Washoe County to solve issues relating to water.

After lengthy discussion regarding the need for Washoe County to solve its own problems in the water allocation area, it was generally agreed that now is the time for the local governments to start working together.

The committee also discussed the possible need for domestic water meters in the Washoe County area.

It was the general consensus of the committee that Washoe County should be put on notice, by the legislature to work deligently for the solution of their water problems or the legislature would take action for them.

It was noted by the committee members that getting elected officals involved in the management of water and water problems is very difficult and at times impossible.

Mr. Etcheverry, of the League of Cities stated that he wanted to go record as having attended this committee hearing and would report back to the people he represents as to its outcome. He stated that he had no comment other than notices had been sent out and no one other than himself had attended this meeting.

There being no further testimony the public hearing on ACR 2 was closed.

COMMITTEE ACTION:

AJR 4 - Assemblyman Dini moved for a DO PASS, Assemblyman Rhoads seconded the motion; the motion passed unanimously. Mr. Mello being absent from voting.

AJR 4 - Assemblyman Schofield moved to AMEND AND PASS, Assemblyman Polish seconded the motion. Chairman Jeffrey asked Mr. Rhoads to work on the language for the amendment to this resolution. The motion passed unanimously with Mr. Mello being absent from voting.

ACR 2 - No action was taken at this time.

There being no further business at hand, Chairman Jeffrey adjourned the meeting at 3:55 P.M.

Respectfully submitted,

Judy E. Sappenfeld
Judy E. Sappenfeld
Secretary

