

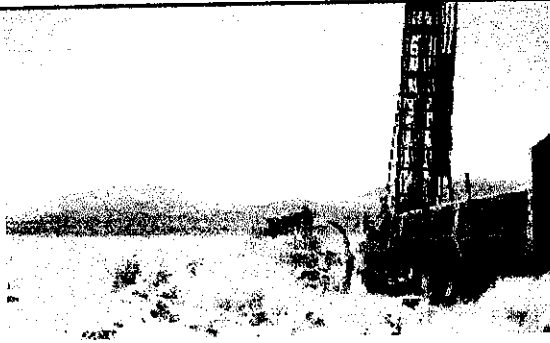
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Water! Will Private Wells have any Tomorrow? On my block 5 of 8 private domestic wells went dry in a 18 month period from production pumpage. Some folks were reimbursed some were not!

Nevada is a region with water issues.

- 1. The War on Water has raged for many Years!
- 2. We must grow as a State with advance thought given to the natural resources we have... limiting our impact on the "resources we will leave future generations"

**ORIGINALS ON FILE IN THE RESEARCH LIBRARY**

Water will you have it Tommorrow?

ASSEMBLY GOVERNMENT AFFAIRS  
 DATE: 3-21-03 ROOM: 3143 EXHIBIT G  
 SUBMITTED BY: TERRI SHANNON  
 PAGE 1 OF 19

**Private Domestic Well Owners need  
you to protect the water under  
their homes.**

**If you do not have water your  
home is not habitable!**

**Water**

- Availability
- Quality

**Are basic needs.**

An interesting comment by a well owner was: if we begin to run out of viable air will we start to "take away" air supply to "certain" portions of our society? In some areas of the State this is essentially what is going on.

**EACH WELL IS APPROVED  
BY APPROVED BY THE  
NEVADA STATE WATER  
ENGINEER.**

**PERCEPTION VS  
PRECIPITATION**

• **Most think, " If we have  
snow, we have water." In  
fact we are not getting  
enough recharge of water  
to recharge many aquifers  
in our state.**

Slide 7

**Many who live in subdivisions think that they have plenty of water.**

IN ONE WEEK NEWS ARTICLES QUOTED: DIR. W.C. DEPT. WATER RESOURCES.

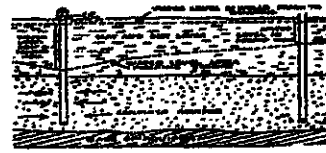
"THERE IS PLENTY OF WATER FOR MORE DEVELOPMENT", DIR. W.C. DEPT. WATER RESOURCES.

AND: " WE MUST CONSERVE BY OBSERVING WATERING DAYS- WE ARE IN ONE OF THE WORST DROUGHTS FOR OUR AREA EVER KNOWN." DEPT. OF WATER RESOURCES. Yet at the same time A Major water supplier TUMWA is asking to reduce the amount of water they need to keep on hand for a drought!

Slide 8

**We are overdrawing our checking account of water each year.**

IF I KEPT MY CHECKBOOK LIKE MY GOVERNMENT IS KEEPING THE BALANCE OF PAPER VS. ACTUAL WATER. I WOULD BE UNDER ARREST FOR WRITING BAD CHECKS.'



The straws put in by production wells go much deeper than the domestic well- when you get a bunch of those encircling you- the cone of depression and affect isn't from just one!



The changes to Nevada law made in July of 2001 make our wells a "Protectable Interest" it calls wells an "Appurtunice" to your property. Yet we still have wells being driven dry and not being reimbursed.

Slide 11

Some folks have water rights attached- these are paper rights attached to their well. Most do not in our State. This is why the changes to SB 159 were made and must be enforced. Without this assembly adding a penalty this law will continue to be ignored.

Slide 12

CLARK COUNTY ENGINEER  
2022 PARKWAY BLVD  
LAS VEGAS, NV 89102



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Assembly

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ONE OF THE MORE CONTROVERSIAL WATER RELATED MEASURES IN 1999 SET FORTH THE CONDITIONS UNDER WHICH THE STATE ENGINEER COULD REVOKE A TEMPORARY PERMIT OR PROHIBIT DEEPENING OR REDRILLING OF A DOMESTIC WELL IN CLARK COUNTY -THUS, IN EFFECT, REQUIRING THE OWNER OF THE WELL TO HOOK UP TO A MUNICIPAL WATER SYSTEM

THIS ISSUE WAS REVISITED IN 2001 THROUGH ENACTMENT OF SENATE BILL 159. BECAUSE A PERSON GENERALLY DOES NOT HAVE TO OBTAIN A PERMIT TO DRILL A DOMESTIC WELL TO SERVE A SINGLE FAMILY RESIDENCE, THE WELL OWNER ALSO DOES NOT RECEIVE A "WATER RIGHT" IN THE TRADITIONAL SENSE. FOR THIS REASON, IN THE EARLY 1990S, THE LEGISLATURE CREATED A "PROTECTIBLE INTEREST" FOR THESE WELLS ENSURING THAT THE OWNERS HAVE A DEGREE OF PROTECTION WHEN A NEW, LARGER WELL IS PROPOSED WHICH MAY INFRINGE ON THEIR WATER SUPPLY. SENATE BILL 159 EXTENDS THIS "PROTECTIBLE INTEREST," WHICH ORIGINALLY HAD APPLIED ONLY OUTSIDE CLARK COUNTY, TO CLARK COUNTY AS WELL. THE MEASURE ALSO ESTABLISHES A "FLOOR" OF 50 PERCENT TO GO ALONG WITH THE EXISTING "CAP" OF 85 PERCENT OF THE HOOKUP FEES THAT MUST BE PROVIDED TO THE DOMESTIC WELL OWNER OR THE HOLDER OF A REVOCABLE PERMIT WHO IS REQUIRED TO CONNECT TO A MUNICIPAL WATER SYSTEM

Figure 23. Alluvial fans border the mountains at the outlets of stream channels and contain mostly coarse-grained sediments.



A well went dry in 2001 that used to serve seven homes on the fan.  
( for a long period of time with known sustainable recharge )  
- surviving droughts -  
Western water law has always respected that " He who is first is honored."  
The difference is ;that domestic well users apportionment of 2.02 acre feet  
each year has not been consistently "considered" within this concept.  
Natural logic tells even folks that do not own private wells that you don't build  
new houses if you are going to dry up and impact existing homes.

This is an example of the kind of situation that happens... These folks had to spend over \$38,000. out of pocket... immediately... not everyone has that kind of money available. They were only reimbursed but \$13,000.

Three doors down from this home the man was denied "not due to impact".

Two doors from that a 76 year old man has been cited and taken to court for not capping his old well when he can't get the new well connected yet because he has been going through chemotherapy and is short of funds he will stand trial next month- for not capping his well.

Each older home out in the country has it's own issues... There are wells under power lines, wells now considered to be in easements which weren't even in existence when the well was originally drilled 20 years ago.

An entire subdivision of wells which lasted at 40 ft to 80 ft depths for over 20 years now being told they were too shallow to begin with- all of them even though that was the standard and approved depth at the time all of this in a one mile radius. This story is all over Nevada.



Slide 15

28 wells on this one aquifer most built after 1995 with many more to come and already permitted.

There is a major meeting this morning for TMWA the major water purveyor to get permission to lower the amount of water they need to keep in reserve for drought.

This would mean during a drought they could pump even more millions of gallons each day from some of these very wells-

All this in an area where PDW are already going dry.

Slide 16

The slide features a technical diagram at the top, which appears to be a cross-section of a geological or hydrological system. Below the diagram is a photograph showing a person in a light-colored shirt standing at a workstation, looking at a large monitor or screen. The person's hands are near the screen, suggesting they are interacting with the data or software displayed.

# The studies to protect aquifers and Determine drawdown have not been made. Many aren't even scheduled for several years to come.

Water Resources Investigation Schedule

Basin	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990		
Basin 1																							
Basin 2																							
Basin 3																							
Basin 4																							
Basin 5																							
Basin 6																							
Basin 7																							
Basin 8																							
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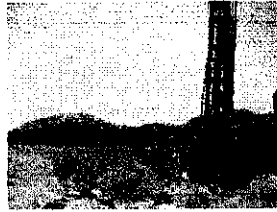
Notes: 1) Some areas identified with an asterisk were ongoing when issued to water basins, etc.  
 2) = Well Sampling, Production Control, System Repair, PDS, Pumping  
 3) = Field Data Sampling, Installation of Data Collection, Water Measurement Systems, Individual Well/Block, System, Installation  
 4) = Drilling & Well Pumping for Aquifer Characterization, System Maintenance, System Upgrade, System Repair & Upgrade  
 5) = Ground Water Model Development & Testing, Conceptual Model Development, Model Validation, Model Application  
 6) = Final Report on Water Availability, Review by PWS, State Approval, & Permit



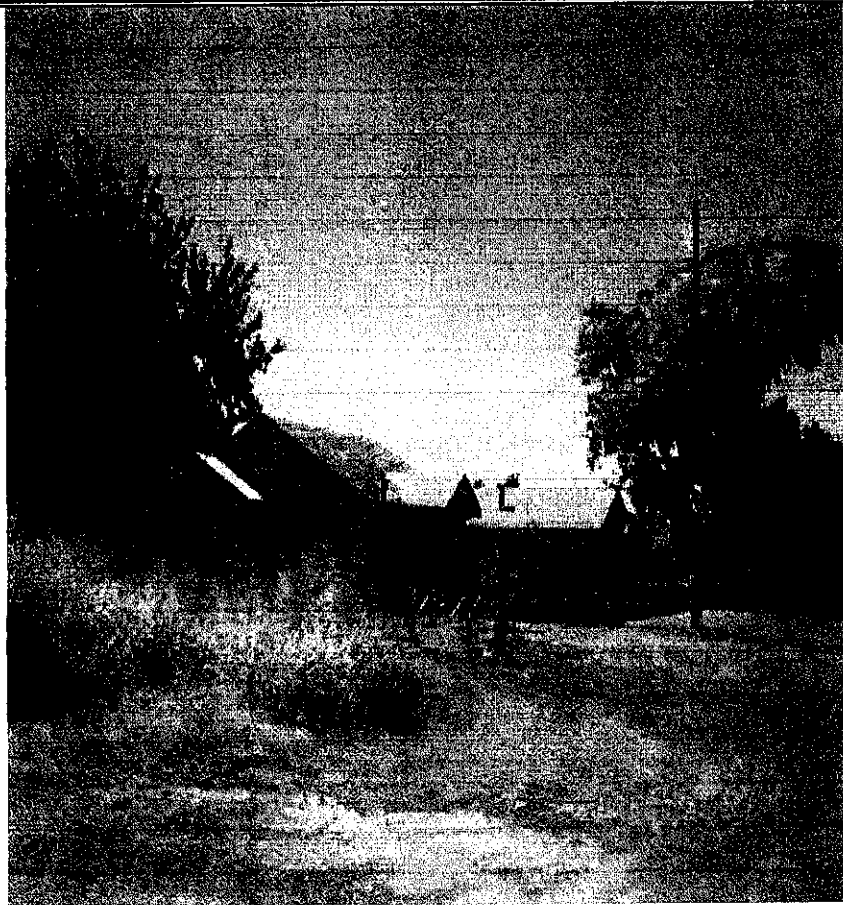
**Please help stop the railroading of Private Domestic Well Owners.**

Slide 27

**People feel like  
new water users  
have reached  
through their  
homes pipes and  
attacked them in  
their homes.**



Slide 36





Now a year and a half we still don't have pipes in the budget- the Dept. of Water Resources is saying, " We're waiting to see if the Private Domestic Well Owners are going to get the pipes for free!"



This chart shows that if more pumping is allowed PDW will go dry!

Table 4-3 Simulated Drawdown in Municipal Water-Supply Wells in the South Truckee Meadows

WELL	Well Data			Simulated Drawdown in Municipal Water-Supply Wells in the South Truckee Meadows															
	Year	Screen Intake (ft. dia.)	Static Head (ft.)	Average of Pumping & Non-pumping conditions (ft.)															
				40% AFA		50% AFA		60% AFA		70% AFA		80% AFA		90% AFA					
STANCO 1	510	260-300	21	177	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
STANCO 2	510	260-300	12	123	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
STANCO 3	510	260-300	15	126	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
STANCO 4	510	260-300	18	129	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
STANCO 5	510	260-300	21	132	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
STANCO 6	510	260-300	24	135	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
STANCO 7	510	260-300	27	138	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
THOMAS CREEK	510	260-300	30	141	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
DOUBLE WYMOND 1	420	120-170																	
DOUBLE WYMOND 2	420	120-170																	
ARROWCREEK 1	510	260-300	21	177	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
ARROWCREEK 2	510	260-300	24	180	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
ARROWCREEK 3	510	260-300	27	183	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
MT. ROOSE 1	510	260-300	30	186	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
MT. ROOSE 2	510	260-300	33	189	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
MT. ROOSE 3	510	260-300	36	192	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
MT. ROOSE 4	510	260-300	39	195	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
MT. ROOSE 5	510	260-300	42	198	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
ST. JAMES 1	510	260-300	45	201	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
ST. JAMES 2	510	260-300	48	204	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
TESSA A	510	260-300	51	207	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
TESSA B	510	260-300	54	210	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
CALLAHAN 1	510	260-300	57	213	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122
CALLAHAN 2	510	260-300	60	216	25	31	38	45	52	59	66	73	80	87	94	101	108	115	122

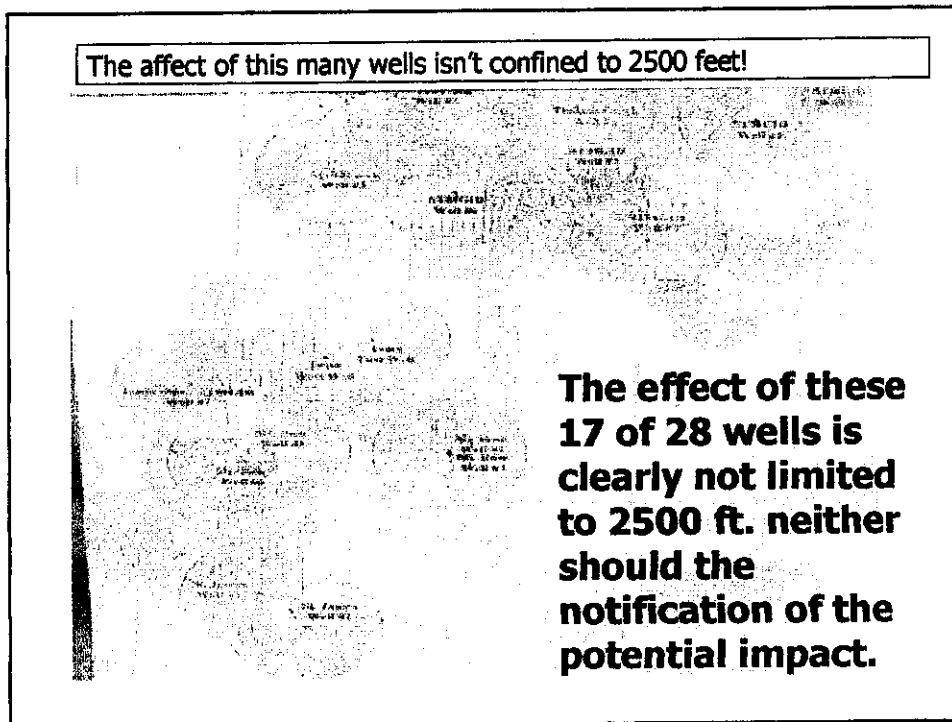
Notes: Simulated drawdown is within 10 feet of the available drawdown to the top of the well screen. Simulated drawdown is within 10 feet of the available drawdown to the top of the well screen. The drawdown represents the average of the non-pumping and pumping conditions. When the total drawdown will be less than the static head, the drawdown will be greater.



**If this law goes through or the current law remains the same Private Domestic Well Owners will not be notified.**



**2000 Was a very high growth year in Washoe County even compared across the nation. We still only had an average of between 3 and 28 AFA appropriated or diverted at any one time subdivisions are built in phases. No appropriations or diversions come close to 350 afa or 1/2 of 1 cfs. Therefore, no notifications are needed.**



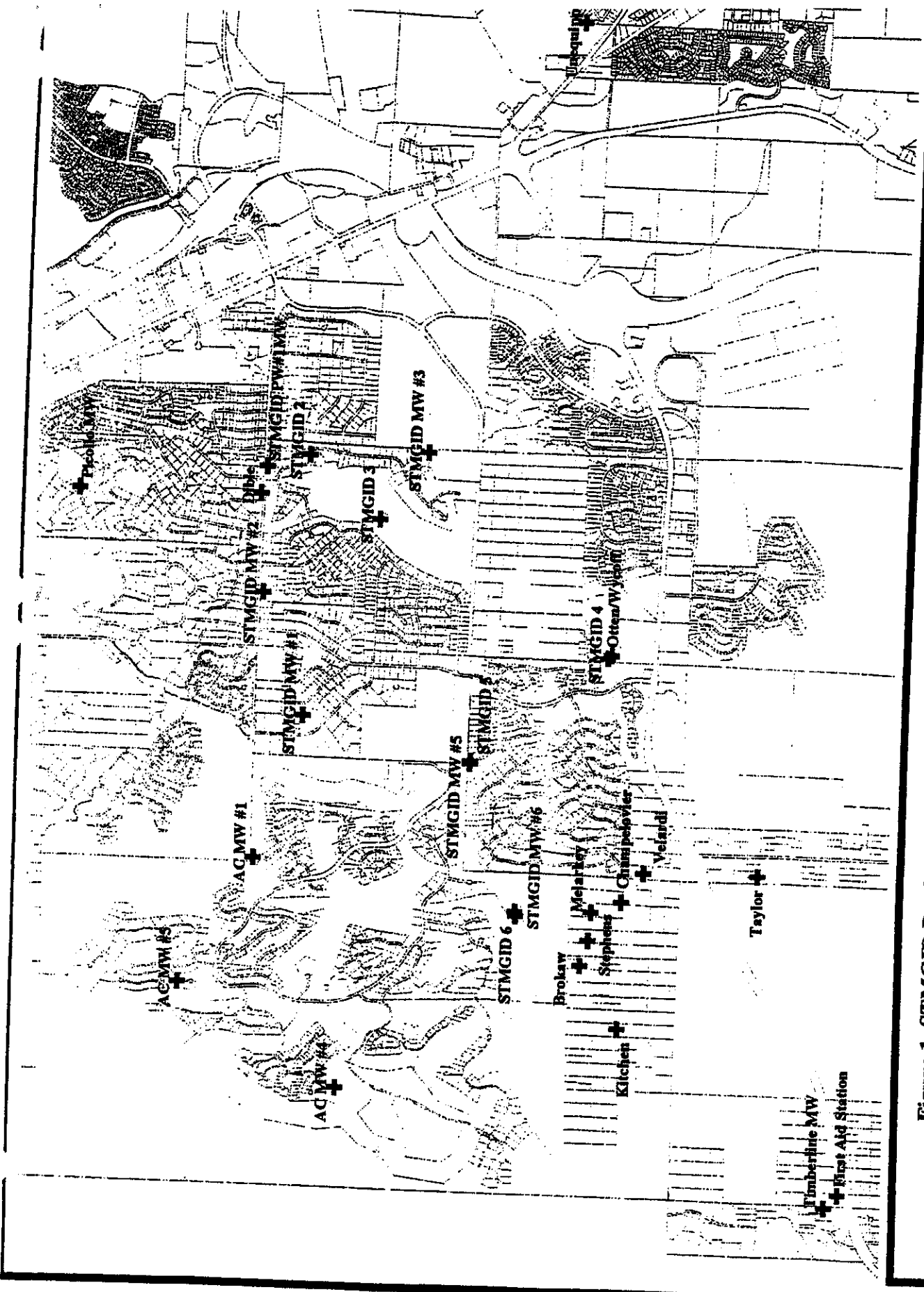


Department of  
Water & Sewerage



1000 0 1000 2000 Feet

Figure 1. STMGID Production and Monitor Wells with Selected Domestic Wells





**THERESA SHANNON**

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**From:** "Tim Wilson" <twilson@ndwr.state.nv.us>  
**To:** "Terri Shannon (E-mail)" <roly001@msn.com>  
**Sent:** Monday, March 17, 2003 10:56 AM  
**Attach:** SHANNON.xls  
**Subject:** SUBDIVISIONS

Terri - Attached is a subdivision list showing numbers of lots and associated water commitments. I used the year 2000 in Washoe County as an example. The average number of lots for the year 2000 in Washoe County is 37 lots for 19 acre-feet annually. As I indicated on the phone, most final subdivision maps that come through our office are phases of larger tentative subdivision maps. Based on a review of the attached numbers, it appears your estimate of 3-28 acre-feet per final subdivision map is reasonable. Concerning your estimate of 6,192 units to be built in the future, I do not believe our office has any way to confirm that number. Please let me know if you can't open the attached file, so I can fax it to you instead.

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3/20/2003

# \*AB334\*

ASSEMBLY BILL NO. 334--ASSEMBLYMEN GIBBONS, ANGLE,  
KNECHT, ANDONOV, CHRISTENSEN, CLABORN, COLLINS,  
GEDDES, GRADY, GRIFFIN, GUSTAVSON, HARDY,  
KOIVISTO, MCCLEARY, MORTENSON AND WEBER  
MARCH 14, 2003

JOINT SPONSOR: SENATOR MATHEWS

Referred to Committee on Government Affairs

SUMMARY—Revises provisions regarding issuance of certain permits to appropriate or change point of diversion of water for wells to prevent adverse effects on existing domestic wells. (BDR 48-738)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

EXPLANATION - Matter in *bolded italics* is new; matter between brackets [*omitted material*] is material to be omitted.

AN ACT relating to the State Engineer; revising provisions regarding the issuance of a permit to appropriate or change the point of diversion of water for a well; authorizing the State Engineer to require mitigation of unreasonable adverse effects on existing domestic wells under certain circumstances; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 534.110 is hereby amended to read as follows: 1

534.110 1. The State Engineer shall administer this chapter 2 and shall prescribe all necessary regulations within the terms of this 3 chapter for its administration. 4

2. The State Engineer may: 5

(a) Require periodical statements of water elevations, water 1 used, and acreage on which water was used from all holders of 2 permits and claimants of vested rights. 3

(b) Upon his own initiation, conduct pumping tests to determine 4 if overpumping is indicated, to determine the specific yield of the 5 aquifers and to determine permeability characteristics. 6

3. The State Engineer shall determine whether there is 7 unappropriated water in the area affected and may issue permits 8 only if the determination is affirmative. The State Engineer ~~may~~<sup>must</sup>9 require each applicant to whom a permit *to appropriate or change* 10 *the point of diversion of water* is issued for a *new or existing well*: 11

(a) For municipal, quasi-municipal or industrial use; and 12

(b) ~~Whose reasonably expected rate of diversion is [one-half~~ 13 ~~cubic foot per second]~~ *350 acre-feet per annum* or more. 14

to report periodically to the State Engineer concerning the effect of 15 that well on ~~other~~ no less than 50% of the previously existing wells that are located within 16 private domestic wells in the sub hydrobasin of the well ~~2,500 feet of the well.~~ 17

4. It is a condition of each appropriation of ground water 18 page 16

EXHIBIT G  
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acquired under this chapter that the right of the appropriator relates 19  
to a specific quantity of water and that the right must allow for a 20  
reasonable lowering of the static water level at the appropriator's 21  
point of diversion. In determining a reasonable lowering of the static 22  
water level in a particular area, the State Engineer shall consider the 23  
economics of pumping water for the general type of crops growing 24  
and may also consider the effect of using water on the economy of 25  
the area in general. 26

5. This section does not prevent the granting of permits to 27  
applicants later in time on the ground that the diversions under the 28  
proposed later appropriations may cause the water level to be 29  
lowered at the point of diversion of a prior appropriator, so long as 30  
any protectible interests in existing domestic wells as set forth in 31  
NRS 533.024 and the rights of holders of existing appropriations 32  
can be satisfied under such express conditions. ~~At the time a permit 33  
is granted~~ ~~If the State Engineer grants a permit pursuant to this 34  
subsection for a well~~ : 35

- (a) For] for municipal, quasi-municipal or industrial use [: and 36  
(b) Whose] ~~which has a reasonably expected rate of diversion or more than 4 afa 37  
[is one-half cubic foot per second] of 350 acre-feet per annum or 38  
more,~~ the State Engineer shall include as a condition of the permit 39  
that [pumping] : 40

(a) ~~Pumping water pursuant to the permit may be limited or 41  
prohibited to prevent any unreasonable adverse effects known to be private domestic wells failing  
from drawdown caused by production wells in a sub hydrobasin on an 42  
existing domestic well located within 2,500 feet of the well, unless 43  
the holder of the permit and the owner of the domestic well have 44  
individually agreed to alternative measures that mitigate those adverse effects [.] 1  
; and 2~~

(b) ~~The holder of the permit may be required to mitigate any 3  
unreasonable adverse effects on an existing domestic well that are 4  
related to actions carried out subject to the permit, as determined 5  
by the State Engineer. 6~~

6. ~~If the State Engineer determines that unreasonable 7  
adverse effects on an existing domestic well have been caused by 8  
actions carried out subject to a permit granted pursuant to 9  
subsection 5, he ~~may~~ must require the holder of the permit to mitigate inclusive of penalties of  
at least 25% percent of the capitol improvement expenses of the private domestic well owner  
and repayment of at least 50% and no more than 85% of the capitol improvements (on site and  
off site ) to deepen, redrill or hook-up to a municipal system. 10  
or cause to be mitigated the unreasonable adverse effects. 11~~

7. The State Engineer shall conduct investigations in any basin 12  
or portion thereof where it appears that the average annual 13  
replenishment to the ground water supply may not be adequate for 14  
the needs of all permittees (inclusive of private domestic appurtenances) and all vested-right  
claimants, and if his 15

findings so indicate the State Engineer may order that withdrawals 16  
be restricted to conform to priority rights. 17

[7.] 8. In any basin or portion thereof in the State designated by 18  
the State Engineer, the State Engineer ~~may~~ must restrict drilling of wells 19  
in any portion thereof if he determines that additional wells would 20 page 17

cause an undue interference with existing wells (inclusive of private domestic wells). Any order  
or 21  
decision of the State Engineer so restricting drilling of such wells 22  
may be reviewed by the district court of the county pursuant to 23  
NRS 533.450. 24

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