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TESTIMONY
OF
WALKER RIVER IRRIGATION DISTRICT
BEFORE
SENATE COMMITTEE ON NATURAL RESOURCES
CONCERNING SB 275

March 26, 2003

Mr. Chairman and Members of the Committee, my name is Gordon DePaoli. I am speaking today on behalf of the Walker River Irrigation District. The Walker River Irrigation District was formed on April 14, 1919. There are 246,000 acres of land within the District's boundaries. Lands with appurtenant water rights comprise a total of approximately 79,906 acres. The lands are located in Mason Valley and Smith Valley and along the East Walker River. All of that land is in Lyon County, Nevada. The District owns and operates two reservoirs. Bridgeport Reservoir is an onstream reservoir situated on the East Walker River and is entirely within California. Topaz Reservoir is an offstream reservoir adjacent to the West Walker River below Antelope Valley and is located partly in California and partly in Nevada.

The precise purposes of SB 275 are not clear. From a review of the legislative findings and of the operative provisions of the Bill, it appears that it is based upon several assumptions. First, there appears to be an assumption that the water supply available within the Carson, Truckee and Walker River Basins is potentially available for growth and development in any or all of those Basins. As a result, it is also assumed that the use, management and storage of water within those Basins is susceptible to region-wide planning. Finally, it is

assumed that County plans for use of water within those Basins should be consistent.

Those assumptions are not well-founded. First, the water supply in any one of these three river basins is not readily susceptible for use in any of the other two basins. That is certainly true of the surface water supplies and is likely true of the groundwater supplies. For example, nearly the entire last century has been concerned with litigation involving the Truckee and Carson Rivers, in no small part due to the diversion of Truckee River water to the Lower Carson River Basin. Those diversions are presently controlled and limited by regulations developed by the Bureau of Reclamation under authority granted by the Reclamation Act. In addition, the Federal Court Decree, which governs the diversion of water on the Walker River, prohibits new transfers of Walker River surface water outside the Walker River Basin. In our judgment, the diversion of surface water from one of these Basins to one or more of the other two Basins for growth and development will result in another century of litigation.

Moreover, even without that problem, the circumstances within these River Basins are substantially different. For example, there is no major urban area within the Walker River Basin. Yerington, the one city within that Basin, does not rely on surface water for its municipal supply. Within the Walker River Basin, water is used primarily for agriculture. The

economy within the Walker River Basin depends almost entirely upon agriculture. Finally, there is pending litigation within the Walker River Basin involving the United States, Nevada, California, the Walker River Paiute Tribe, the District and Mineral County. Facilitated settlement discussions are just now underway with respect to that litigation.

On the other hand, the Carson River Basin includes urban areas in Carson City, Fallon, Minden and Gardnerville, and important agricultural areas in the Carson and Lahontan Valleys. Those urban areas do not rely on surface water for their municipal water supply. Finally, the Truckee River Basin includes the largest urban area in the three Basins. That urban area relies primarily on surface water for its municipal water supply. Agriculture, as a business, is nearly gone from the Truckee Meadows, and the Fernley area, which depends on the Truckee Canal for irrigation water, is in a transition from agricultural uses to urban uses.

In addition, the circumstances within a portion of one basin may be different than the circumstances within another portion of the same basin. For example, the use, management and storage of water in Carson City may be different than that use, management and storage in Fallon and in Minden and Gardnerville. Moreover, the use, management and storage of water within the portion of Lyon County within the Walker River Basin are different than the use, management and storage of water within

the portion of Lyon County in the Carson River Basin, which are also different than the use, management and storage of water within the portion of Lyon County interested in Truckee River water supplies.

In summary, the use, management and storage of water within these three Basins is not susceptible to region-wide planning. There is no reason that plans for water use within these Basins should be consistent with one another. There is no reason why counties with interests in more than one of these Basins should have identical water use plans in each of the Basins in which it has an interest. If there is a need for a regional look at the water resources of these Basins, it is a look which should take place entirely within these Basins and not outside of them.

In addition, you should not lose sight of the fact that all of these Basins originate in the State of California, and that there are interstate issues on these river systems. The interstate issues on the Truckee and Carson Rivers are managed by Public Law 101-618 and, with respect to the Walker River, are being considered in the facilitated discussions just now underway. Those interstate issues cannot be overlooked when the management, use and storage of water is considered in these three Basins.

For these reasons, the Walker River Irrigation District can not support SB 275.