

Time favors Las Vegas in effort to move rural Nevada water south

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The Southern Nevada Water Authority's vision of a pump and pipeline system from eastern rural counties to the thirsty Las Vegas Valley continues to be challenged in the courts on multiple fronts.

It's not as if the plan lacks controversy outside the courtroom. With a high-end cost estimated at up to \$15 billion, it has been blasted by a wide variety of critics as wasteful, inefficient and an example of powerful Clark County bullying its rural neighbors.

When Native American tribes and the Mormon Church are against you, consider your project controversial.

The water authority's biggest legal challenge came in 2013 when Senior District Judge Robert Estes ruled that the state engineer hadn't sufficiently supported his decision to allow wells to be sunk in rural Lincoln and White Pine counties. Now the Nevada Supreme Court has dismissed an appeal of the issue, effectively endorsing Estes' call to produce more factual information from the state engineer.

Politics aside, the greater challenge may be in determining a safe level of water recharge in the aquifers slated to be tapped in the Southern Nevada plan. The water sources are already used by ranchers and farmers, and a recent study strongly suggests that their use has a substantial impact on the basins' abilities to refill themselves in an era of long-term drought.

State Engineer Jason King has a big, perhaps impossible, job on his hands. Judge Estes previously directed the engineer's office to create a comprehensive monitoring program with the ability to protect the basins from over-pumping.

But the state isn't finished pressing the issue before the high court, either.

Potentially far more embarrassing to the water authority are [a pair of lawsuits filed on behalf of retired comptroller Randall Buie and at least 16 other former longtime employees](#), all of whom claim the agency wasted millions buying up ranches in White Pine County's Spring Valley as part of its attempt to lock up groundwater rights in the region.

In his lawsuit, [Buie alleges he was pushed out of his job](#). He alleges the water authority used creative bookkeeping to make it appear its ranch purchases were more prudent than they actually were. He claims the ranches actually lost \$2 million per year.

Then there are the so-called "Senior Sixteen," a group of former employees who in late April filed a lawsuit through attorney Matthew Callister claiming they were sacked after years of loyal service and were victims of retaliation, discrimination and breach of contract. The lawsuit contains juicy allegations that can only help fuel critics of the pipeline project.

Among other claims, the Senior Sixteen accuse the water district of wasting more than \$150 million and covering up massive billing errors. That surely plays against the water authority's assurance of

professionalism and efficiency. But there's no question the authority went on a buying spree during which it acquired 23,000 acres of privately held land, another 900,000 acres of federal graze and thousands of acre-feet of water rights.

Southern Nevada Water Authority boss John Entsminger has taken care to choose the right rhetoric on the rural transfer issue. Whether out of a keener sense of politics of policy, he's downplayed the need to plow forward on the project. That has helped dilute some of the potency of the "water grab" argument as essential issues wind their way through the courts and bureaucratic process.

These are good days for those working to make sure the pipeline never becomes a reality. Trouble is, the water authority appears in no hurry. Time is on the side of Las Vegas water officials, whose ability to battle it out in court appears to know no limit.

The rural water plan has been in development since 1989. They know they can lose many rounds and still win the fight.

And the fight continues.

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