



# GREAT BASIN WATER NETWORK

## Time Line, Groundwater Development Project 1989 — Present

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|------|--|--|
| 1989 | Las Vegas Valley Water District files on all unappropriated water in Snake, Spring, Cave, Dry Lake and Delamar Valleys   | The Web    GBWN                            |
| 1990 | Protests filed by local residents, conservation interests, Great Basin National Park (GBNP) and the Bureau of Land Management (BLM)  | Great Basin Water Network<br>GBWN Site Map |
| 1999 | Nevada Legislature adds interbasin water transfer requirements to Nevada's water law, thanks to the advocacy of knowledgeable water policy advocates   |  |
| 2004 | <p>Lincoln County Conservation, Recreation and Development Act (<a href="#">Public Law 108-424</a>) facilitates pipeline corridor. Also requires agreement between Nevada and Utah on the division of shared groundwater, EIS and BARCASS carbonate aquifer study</p> <ul style="list-style-type: none"> <li>◦ First road tour of Eastern Nevada areas targeted by SNWA project</li> <li>◦ Research into comparison between Nevada water grab and Owens Valley (Calif) initiated.</li> </ul>   |  |
| 2005 | <p>First water strategy meeting in Baker is held and the need is identified to establish a separate group to work on water importation projects.</p> <ul style="list-style-type: none"> <li>◦ Pacific Institute study on water conservation in southern Nevada begins. The study (<a href="#">link below</a>) was published on November 26, 2007 — <a href="#">Hidden Oasis: Water Conservation and Efficiency in Las Vegas</a>.</li> <li>◦ The Bureau of Land Management (BLM) Environmental Impact Statement (EIS) <a href="#">scoping process is initiated</a> (first try); activists turn out hundreds to public meetings and generates thousands of comments.</li> <li>◦ Senator Harry Reid (NV) dedicates Great Basin National Park (GBNP) Visitors Center.</li> </ul>   |  |
| 2006 | <p>Great Basin Water Network (GBWN) is founded.</p> <ul style="list-style-type: none"> <li>◦ Nevada State Engineer (<a href="#">NSE</a>) holds hearing on 1989 <a href="#">Spring Valley protests</a>.</li> <li>◦ Agreement by Southern Nevada Water Authority (SNWA), BLM, The National Park Service (NPS), the United States Fish &amp; Wildlife Service (USFWS), and the Bureau of Indian Affairs (BIA) [without tribes' consent] is signed. The agreement stipulates withdrawal of federal protests of SNWA applications in Spring Valley for future monitoring and mitigation program of groundwater pumping impacts. (This was a secret process — the public and White Pine County, NV were excluded.)</li> <li>◦ GBWN files due process lawsuit over NSE exclusion of protestant successors and new residents and lack of notification of protestants.</li> <li>◦ BLM re-scopes Environmental Impact Statement (EIS) because project description changes. (<a href="#">more on EIS process</a>)</li> <li>◦ Road tour initiated in June to show people the areas in Lincoln and White Pine Counties affected by the water grab.</li> </ul> |  |

- 2007 GBWN receives 501 (c) (3) tax exempt status.
- [NSE rules in favor of SNWA, approving 80,000 Acre Feet \(afa\)](#) of annual pumping in Spring Valley following 3 periods of testing and monitoring (GBWN did not appeal the Spring Valley ruling).
  - Water Grabb receives expansion of media coverage nationally and internationally, and reports published by [Defenders of Wildlife](#) and [The Pacific Institute](#) are released
  - Spotlight report reveals secret negotiations between Nevada and Utah officials on shared water agreement
  - SNWA purchases ranches in Spring Valley Nevada (\$78.9M).
- 2008 New allies join GBWN, including the Nevada agricultural community, Center for Biological Diversity, and National Parks Conservation Association
- NSE hearing on Cave, Dry Lake and Delamar (CDD) Valleys [approving 18,755 afa](#) (4,678 Cave, 11,584 Dry Lake, 2,493 Delamar). [GBWN appeals to NV District Court](#).
- 2009 First Snake Valley Festival is organized to raise awareness and funds to support GBWN's efforts.
- [District Court ruling reverses the NSE decision on CDD \(Cave, Dry Lake, & Delamar Valleys\)](#)
  - Central Nevada Regional Water Authority holds first statewide Water Forum.
  - BLM delays release of draft EIS to address over 2,000 comments from Cooperating Agencies and to fix hydrology model.
  - Dean Baker begins water tours of Baker Ranch/Snake Valley.
- 2010 [Nevada Supreme Court unanimously rules in GBWN's favor in challenge to Spring Valley protest process](#)
- Utah Governor withdraws Utah negotiators from talks on water agreement after Supreme Court ruling.
  - NSE reopens protest period.
  - SNWA refiles all its applications.
  - GBWN and residents protest applications again; 2,300 protests filed. NSE does not combine the protests; filing fees cost \$56,000.
  - GBWN and allies successfully defeat SNWA lobby efforts for a "legislative fix" to the Supreme Court ruling.
- 2011 [NSE rehears Spring and CDD \(Cave, Dry Lake, & Delamar Valleys\)](#) , a grueling and costly six week process. Attorneys for GBWN, LDS ranch in Spring Valley, Goshute Tribe, 2 Utah counties, and Eskdale present protest cases.
- NSE receives over 23,000 public comments opposing the SNWA applications .In-person comments draw many tribal members and last an entire day
  - [BLM releases Draft EIS for public comment](#), holds 9 hearings. GBWN turns out hundreds and gather 20,461 public comments.
  - [GBWN publishes EIS guide](#) to encourage participation. EIS discloses \$15.7 Billion project cost, and devastating impacts to an area larger than Vermont.
- 2012 NSE approves a total of 84,000 afa from Spring, Cave, Dry Lake, & Delamar Valleys. Snake Valley applications remain in limbo pending bi-state negotiations
- GBWN and others, with sign-ons from over 300 petitioners mostly in Lincoln and White Pine Counties, appeal NSE decision.
  - [BLM issues Final EIS](#) which generates [local comments](#) and 40,000 emails - not form letters - from Sierra Club, CBD, Water Watch and more.
  - [BLM issues Record of Decision, approving pipeline right of way for Spring, Cave, Dry Lake and Delamar Valleys](#)
  - Last Call at the Oasis documentary released; Stewards of the Rangeland Water shown on Reno public TV.

- 2013 [Governor of Utah announces he will not sign the Nevada Utah Agreement](#), which was negotiated in secret between the states over the past five years. GBWN and Utah allies declare victory . . . for now.
- Attorneys for GBWN, three Tribes, Nevada and Utah counties, and the LDS Church present oral arguments in Nevada District Court, arguing before Judge Robert Estes that the NSE decision on Spring, and CDD should be overturned
  - Victory! [Judge Estes rules that the NSE decision was "arbitrary and capricious" and the monitoring and mitigation plans need triggers and specificity](#)
  - [GBWN helps to update and distribute the Baker Ranch virtual water tour on DVD.](#)
- 2014 The NSE and SNWA appeal Judge Estes' ruling to the Nevada Supreme Court, and SNWA Board moves ahead with the "Water Grab."
- GBWN, White Pine County and other partner groups [appeal the DOI BLM Record of Decision](#) on the Pipeline Project in Federal District Court in Las Vegas.
  - June 20-22 — [Snake Valley Festival, Baker, Nevada](#)
  - July 09, 2014 — [Nevada Division of Water Resources holds "listening sessions" across Nevada](#) 
  - SNWA advisory committee reaffirms commitment to pursuing water grab as part of resource plan; this plan is approved by the SNWA board. For additional historical details see the [SNWA Water Resource Plan](#)
- 2015 Nevada State Supreme Court Developments
- All parties' briefing on the merits of SNWA's and the Nevada State Engineer's appeals was completed during the fall, ending in December of 2014. Then, this past February, the Court issued an order dismissing SNWA's and the State Engineer's original appeals on the ground that Senior District Judge Estes's 2013 ruling, which overturned the State Engineer's approval of SNWA's water rights for the Project, was a remand order and not a properly appealable final order.
  - It is important to recognize that the Supreme Court's order dismissing the original appeals does not truly dispose of the issues on appeal because both SNWA and the State Engineer resubmitted all the same issues through Petitions for Writs of Mandamus that still are pending before the Court. [\[More Information\]](#)
- 2016 Time-line: Federal lawsuit against the Record of Decision (ROD) approving SNWA's Pipeline Project.
- New Federal Website - Colorado River Basin Insights using open data.
- [Order on Stipulation Extending the Briefing Schedule in the Federal lawsuit against the Record of Decision \(ROD\) approving Southern Nevada's \(SNWA's\) Pipeline Project](#) — The schedule was extended at the request of the Department of Justice (DOJ). It extends the initial briefing deadlines by about 90 days — United States District Court for the District of Nevada, Southern Division
  - [Drought in the Colorado River Basin Insights using open data](#) — Since 2000, the Colorado River Basin (Basin) has been experiencing a historic, extended drought that has impacted regional water supply and other resources, such as hydropower, recreation, and ecologic services. During this time, the Basin has experienced its lowest 16-year period of inflow in over 100 years of record keeping, and reservoir storage in the Colorado River system has declined from nearly full to about half of capacity. This application was developed by the U.S. Geological Survey and the Bureau of Reclamation in support of the Department of the Interior's Open Water Data Initiative (OWDI). This visualization is part of a multi-agency effort to showcase the usefulness of open data (i.e., data provided in a discoverable, sharable, and machine-readable format) by exploring the current 16-year drought and its effects on the Colorado River Basin — *U.S. Geological Survey and the Bureau of Reclamation*
  - [June 2, 2016 - GBWN and allies file reply brief in federal case challenging BLM's Record of Decision for the pipeline](#)
  - [September 14, 2016 - NSE to hold status conference on remand for Spring, Cave, Dry Lake, and Delamar Valleys](#)

## 2017 (1) Advocates Celebrate Protection of Nevada Water Law as Nevada Legislature Adjourns

- Assembly Bill 298 was a proposal by the Southern Nevada Water Authority [SNWA] to lay out the definitions of certain terms and a detailed monitoring, management and mitigation (or 3M) process in Nevada's water law. The bill however died in the face of extensive opposition from environmentalists, sportsmen, ranchers, farmers, rural residents and governments, tribes, and businesses. This broad group of stakeholders feared the language was too permissive and would lead to more of the state's groundwater basins becoming over-allocated.
- [Read GBWN's testimony on Assembly Bill 298](#)
- [See GBWN's webpage about this legislation](#)

## (2) Federal case against BLM challenging 2012 right of way decision in favor of SNWA's pipeline project

- Oral arguments in the federal case against the U.S. Bureau of Land Management [BLM] challenging the federal agency's 2012 decision to grant a right of way to SNWA for its pipeline project were held in 2017 in Las Vegas. This lawsuit sought to confirm that the federal environmental review of SNWA's controversial project was fundamentally deficient and inadequate.

GBWN's attorney Simeon Herskovits presented arguments on behalf of a group of Plaintiffs, including GBWN, White Pine County, rural local governmental entities, and citizens groups. Attorneys for co-plaintiffs including the Goshute, Duckwater Shoshone, and Ely Shoshone Tribes, and the Center for Biological Diversity presented argument with Simeon. Arguments were made challenging the BLM's failure to comply with the National Environmental Policy Act, the Federal Land Policy and Management Act, and the National Historic Preservation Act.

While the federal judge did not stop the proposal, he order the BLM to take another look at possible environmental effects of SNWA's project, which included whether the project will meet Clean Water Act requirements and whether it will be possible to replace or restore remote wetlands if groundwater pumping begins in the Spring, Cave, Dry Lake and Delamar valleys. Pipeline opponents say ancient natural water basins beneath the Nevada-Utah state line aren't naturally replenished in today's arid climate conditions. "There can be no question that drawing this much water from these desert aquifers will harm the ecosystem and impact cultural sites," the judge said.

Simeon Herskovits, representing GBWN, Indian tribes and Nevada's White Pine County, has predicted that it won't be easy to correct the deficiencies because during decades of study the water authority hadn't provided any "concrete verifiable plan. All parties expect the case will be appealed to the 9th U.S. Circuit Court of Appeals in San Francisco.

- [Read the judge's ruling — 39 page PDF](#)

## (3) Fourth State Hearing on Controversial SNWA Water Pipeline Concludes

- The Nevada State Engineer's Office concluded its latest round of hearings on the controversial plan by SNWA to take groundwater from eastern Nevada and pipe it over 250 miles to Las Vegas. The two-week proceeding by the state's top water official comes after a state district court sided with White Pine County, Great Basin Water Network, and allies, finding that the previous 2012 rulings on the same applications granted more water than was available. The [court also found](#) SNWA did not have specific plans to monitor and mitigate predicted impacts, or guarantee that senior water rights and the environment would be protected.

White Pine County and Great Basin Water Network, along with the Goshute, Ely Shoshone, and Duckwater Shoshone Tribes and the Church of Jesus Christ of Latter Day Saints, presented evidence critical of the project to the State Engineer in this most recent hearing. The \$15 billion project has been predicted to have devastating impacts to both senior water rights and the environment over a large area in eastern Nevada with potential impact in western Utah. Spring Valley, which lies to the west of Great Basin National Park in White Pine County, is among those targeted.

This latest remand hearing is the fourth round of hearings on water rights applications filed in 1989. Previous State Engineer decisions granting water to SNWA under the applications were

overturned in court on a variety of due process, legal, and scientific grounds. The first week of hearings allowed SNWA to make their case, with opponents presenting evidence in the second week.

Before the State Engineer makes a decision, he's asked all parties to draft a proposal for how they'd like him to rule. A decision is not expected until February at the earliest, which will then likely go back to the court for review.

- [For additional details see GBWN's webpage on this issue](#)

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