Meeting Urban Water Demands in Nevada: The Las Vegas Proposal [outline]

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MEETING URBAN WATER DEMANDS IN NEVADA:
THE LAS VEGAS PROPOSAL

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UNCOVERING THE HIDDEN RESOURCE:
GROUNDWATER LAW, HYDROLOGY AND POLICY LAW
IN THE 1990s

Natural Resources Law Center
University of Colorado
School of Law
Boulder, Colorado

June 15-17, 1992
OUTLINE
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GROUNDWATER LAW, HYDROLOGY AND POLICY IN THE 1990'S
JUNE 15-17, 1992
BOULDER, COLORADO

I. DUTIES OF THE STATE ENGINEER
   A. Appropriation - Surface since 1905, groundwater since 1939
   B. Adjudication - Grandfathered Water Rights
   C. Distribution - Decreed Streams
   D. Dam Safety - All dams 10 feet and 10 acre-feet

II. APPROPRIATION
   A. For all practical purposes, all surface water is appropriated
   B. Majority of groundwater is not near populated areas
   C. Over 50% State Engineer appropriation process deals with change applications
   D. Marketing constitutes major reapportionment to higher beneficial uses

III. ADJUDICATION
   A. 50 on-going
   B. 4 active
   C. Reserved rights
      1. Negotiated settlement
      2. Off reservation storage
      3. abandonment
      4. Rebuttable presumption
      5. Forfeiture - retro

IV. DISTRIBUTION
   A. All decreed streams
   B. Except Truckee, Carson, Walker & Colorado
      1. Truckee & Carson - Federal Water Master
      2. Walker - U. S. Board of Commissioners
      3. Colorado River - Secretary of the Interior

V. DAM SAFETY
   A. Ten feet high or 10 acre-feet, needs a permit
   B. Inspection, 36' high hazard dam
   C. 400 + all dams
VI. WATER FOR A GROWING NEVADA
   A. Conservation
   B. Conversion of existing rights to municipal use
   C. Importation

VII. INTERBASIN TRANSFERS
   A. Existing
      1. Marlette-Hobart, Carson, Virginia City, Dayton & back
      2. Wendover
      3. Tonopah
      4. Las Vegas
      5. Carson, Groundwater for Carson Valley & Dayton segment
   B. Interstate
      1. Wildhorse - Duck Valley
      2. Boca, Tahoe, Truckee Meadows, Fallon
      3. Mesquite
   C. Proposed
      1. Honey Lake, 12 days of hearings - 136 exhibits
      2. Las Vegas Valley Water District (Nov 1992)
      3. Eco-Vision
      4. Mesquite

VIII. OTHER ISSUES
   A. Yucca Mountain
   B. Mine Dewatering
   C. Abandonment - who's burden?
   D. Forfeiture - retroactivity