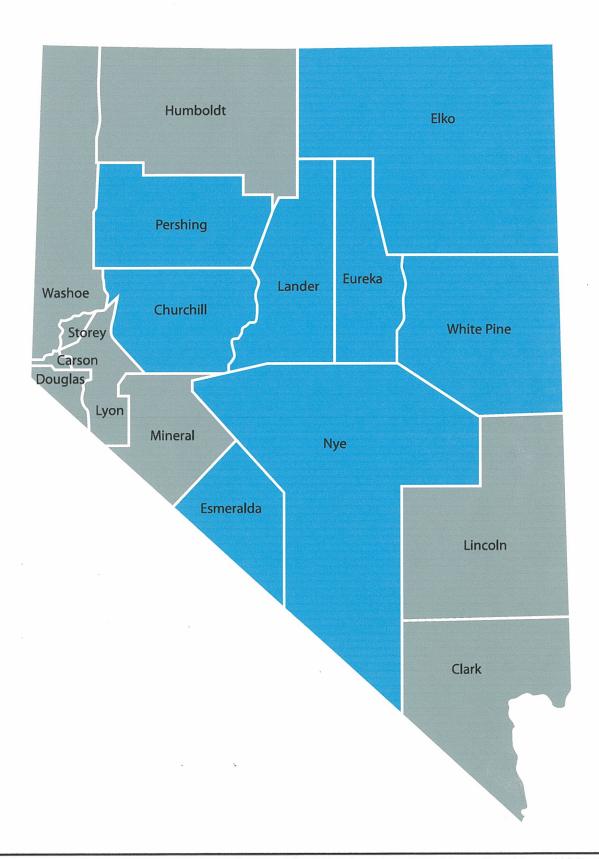
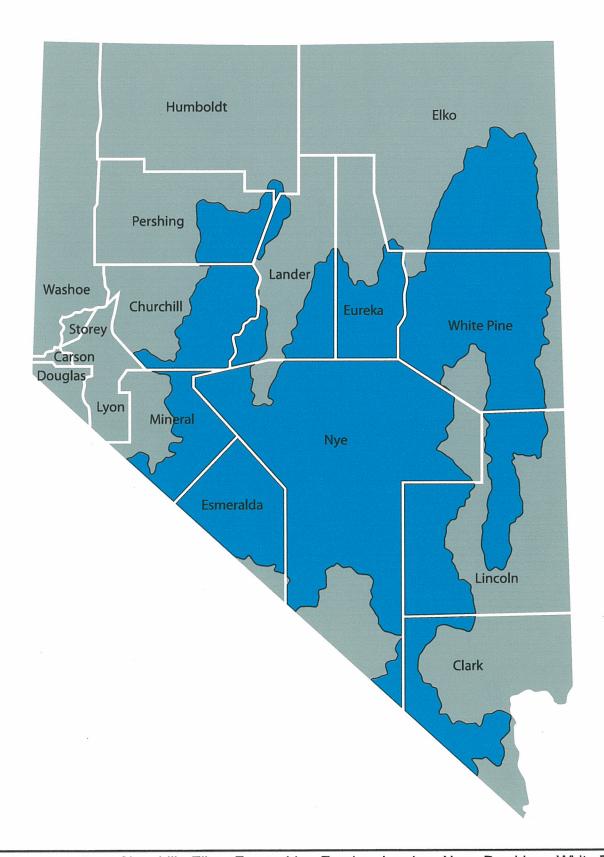
Central Nevada Regional Water Authority



Member Counties: Churchill • Elko • Esmeralda • Eureka • Lander • Nye • Pershing • White Pine

EXHIBIT G - LANDS
Document consists of 14 pages.
Entire Exhibit Provided
Meeting Date: 01-25-08

Nevada Central Hydrographic Region



Central Nevada Regional Water Authority

485 West B Street • Suite 103 • Fallon, NV 89406 • 775-747-2038



CENTRAL NEVADA REGIONAL WATER AUTHORITY FORM, FUNCTIONS AND MISSION

A. Form:

- 1. The Authority is a unit of local government established by agreement of six Nevada counties (Elko, Esmeralda, Eureka, Lander, Nye and White Pine Counties) in the fall of 2005. The agreement is pursuant to the provisions of Chapter 277 of NRS (Interlocal Cooperation Act).
- 2. Churchill County joined the Authority September 8, 2006, and Pershing County joined the Authority January 1, 2008. Therefore the Authority has 8 Member Counties.
- 3. The Authority has a 19 member board of directors.
- 4. The Authority meets at least every three months in a member county community.
- 5. The Authority's legal counsel is the Eureka County District Attorney.
- 6. The Authority's fiscal agent is the Elko County Comptroller.
- 7. The Authority's office is located in the Churchill County Government Complex.

B. Conferred Functions of the Authority:

- 1. Formulate and present united positions to agencies of the State of Nevada, the United States and other government entities relevant to water and water-related issues pertaining to Nevada's Central Hydrographic Region and the Member Counties.
- 2. Monitor available water supplies from all sources within and affecting Nevada's Central Hydrographic Region and separately within each Member County, and monitor the extent to which proposals to develop and export Central Hydrographic Region water may adversely impact availability of water for use by communities, residents, businesses and ecosystems in the Member Counties.
- Combine limited fiscal and staff resources for the purpose of obtaining technical support, legal counsel and policy advice necessary for sound water resource decisions
- 4. Facilitate the development and maintenance of a common base of data to a) better understand the water resources in the Central Hydrographic Region, and b) use and manage the Central Hydrographic Region's water resources.
- 5. Encourage citizen participation in water supply and management issues that are of concern to Member Counties and the Authority.
- Protect and conserve a balance between the human environment and natural
 ecosystems of the Central Hydrographic Region as they relate to water resource
 development.
- 7. Provide a secure foundation for future investment and development within the Central Hydrographic Region.

- 8. Communicate the functions and activities of the Authority to public and private interests.
- C. Mission: Protect the water resources of the Central Hydrographic Region so that this Region will not only have an economic future, but its valued quality of life and natural environment will be maintained.

CENTRAL NEVADA REGIONAL WATER AUTHORITY BOARD OF DIRECTORS

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Nye County

Nye County

Pershing County

White Pine County

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Churchill County Elko County

Esmeralda County Eureka County Lander County Nye County

White Pine County

Central Nevada Regional Water Authority

Board of Directors P.O. BOX 682 EUREKA, NV 89316

TEL: (775) 237-6010

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Memorandum

To:

Board of Directors

From:

Jon Hutchings and Steve Bradhurst

CC:

Judy Overton

Date:

August 28, 2007

Re:

2007/2008 Priorities

The following are a list of CNRWA priorities for your consideration and affirmation at the August 30, 2007 meeting in Fallon.

- 1) Complete the USGS and Websoft Services, Inc. contracts to develop a comprehensive database of water level information for the Central Region.
- 2) Complete the Earth Knowledge, Inc. contract to create and maintain a CNRWA public website and Member intranet service.
- 3) Initiate a consistency analysis of member county water resource plans with recommendations for a regional plan.
- 4) Adopt and promote among member counties a resolution calling for implementation of land-use/growth management plans that honor resource limitations and promote balanced, dispersed economic development in Nevada.
- 5) Monitor key water resource issues.
- 6) Promote water resource education aimed at local governments and the public.

Central Nevada Regional Water Authority Baseline Water-Level Data Assessment

The Central Nevada Regional Water Authority (CNRWA) was established by county commissions that have a part of the Central Hydrographic Region (CHR) in their counties. Today, the CNRWA has seven member counties: Churchill, Elko, Esmeralda, Eureka, Lander, Nye, and White Pine. An eighth member county, Pershing County, will join in January 2008. CHR is the largest hydrographic region in Nevada (1 of 14). The Central Hydrographic Region has 78 gound-water basins in 12 counties. Hydrographic information in the Central Region is limited; many basins have been studied only at the reconnaissance level. Data that do exist are held by a variety of federal and state agencies, local government, private and non-governmental organizations, making the widely dispersed data difficult to access for decision makers.

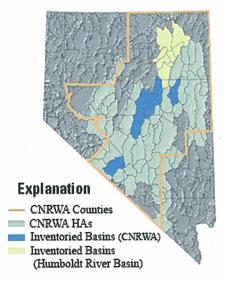


The creation of a ground-water level measurement database for CNRWA is beneficial; CRNWA members can use this database to 1) evaluate the sustainability of current ground-water supplies, 2) identify impacts of future development, and 3) reinforce future actions to secure good, quality water for use by member counties. Ground-water level measurements can be evaluated for temporal trends, identify the occurrence and movement of ground water, and to help quantify subsurface flow between basins. These are necessary early steps in developing an understanding of the water resources in a basin. Management of water-resources information as well as water-resources planning is an ongoing commitment that benefits all communities within the CNRWA counties.

Cooperative Program with USGS and NDWR

The U.S. Geological Survey (USGS) and the State of Nevada Division of Water Resources (NDWR), working in cooperation with the CNRWA, surveyed all existing

ground-water level data to compile baseline water-level information for the Central Region. First, the source, characteristics, and quality of ground-water level data was determined. Second, all existing ground-water level measurements and supporting attributes were compiled, assessed, and, where necessary, processed into a map-based website that could easily be accessed by member counties. This website is available from NDWR at http://webmap.water.nv.gov/. In addition, several basins were inventoried during field investigations to evaluate the condition of existing wells, establish well locations so they can be easily revisited, and identify areas where additional ground-water data is needed.



Future Work

Member counties understand the issues specific to their region and can provide valuable guidance as to where additional ground-water level information is needed. This input could establish priorities for continued field investigation of existing wells and for establishment of a ground-water monitoring network.

A ground-water monitoring network is a useful tool for evaluating the water resources in a basin. USGS, NDWR, and individual counties, manage several ground-water level monitoring networks throughout the State. USGS, in cooperation with CNRWA, can assist member counties in the development of a ground-water level monitoring strategy that includes basin priorities, identifying and training citizens or county personnel, acquiring the necessary field equipment, and establishing procedures for quality assurance of measurements. Data collected could be submitted to NDWR for inclusion in their groundwater level database and would be available through the current map-based website.

Central Nevada Regional Water Authority

December 14, 2007

RESOLUTION 07-01

RECOMMENDING THE FOLLOWING: 1) EVERY WATER BASIN IN A MEMBER COUNTY HAVE A LAND USE PLAN, AND 2) A LAND USE PLAN FOR A MEMBER COUNTY AND ANY CITY WITHIN A MEMBER COUNTY MUST BE BASED ON THE SUSTAINABLE WATER RESOURCES WITHIN THE MEMBER COUNTY; HOWEVER, A LAND USE PLAN MAY BE BASED UPON THE ACQUISITION OF WATER RESOURCES OUTSIDE THE MEMBER COUNTY IF THE LAND USE PLAN HAS BEEN APPROVED BY A VOTE OF THE RESIDENTS OF THE MEMBER COUNTY AND/OR CITY WITHIN THE MEMBER COUNTY RESPONSIBLE FOR THE LAND USE PLAN

A. <u>BACKGROUND</u>

- 1. Nevada counties and cities are required to prepare land use plans that regulate and restrict the improvement of land, and such regulation must take into account the total population which the available natural resources will support without unreasonable impairment of the natural resources, including water resources.
- 2. The rapid growth in Nevada's urban counties and cities has shown that an effective link is lacking between land use plans and the sustainable water supplies needed to implement the land use plans. Therefore, land use plans for Nevada's urban counties have created land use entitlements and resulting property owner expectations that cannot be supported by available water resources within those urban counties and cities.
- 3. The disconnect between the land use plans adopted by Nevada's urban counties and cities and available water resources to implement those plans has encouraged public and private parties to develop plans to transport water from rural Nevada to the urban counties and cities.
- 4. Citizens and governments in rural Nevada have a right to an economic future, and they see a bright economic future as a result of employment opportunities associated with information technologies, tourism, recreational services, telecommunications, mining, development of new energy sources and people desiring to live in rural Nevada.
- 5. In rural Nevada, water is essential to the sustenance of present and future economic vitality and environmental amenities. Rural governments in Nevada recognize that unwise diversion of water from Nevada's rural areas to its urban areas potentially leads to economic, social and environmental harm in the rural areas, including negative effects on a) commerce and industry, b) agriculture and ranching, c) tourism, d) air quality, e) water quantity and quality, f) wildlife, and g) recreational opportunities.

6. Nevada's water resources (surface water and groundwater) are limited and must be wisely and conservatively managed, especially during periods of long-term drought and climate change. Therefore using rural Nevada water to accommodate future centralized growth in urban Nevada is costly and risky, not only in terms of a dependable water supply for new growth, but also in terms of cost/benefit.

B. CENTRAL NEVADA WATER AUTHORITY POLICY STATEMENT

The Authority believes there is a lot at stake when land use plans in a county create land use entitlements and resulting property owners expectations that cannot be supported by available water resources within that county. At a minimum, rural Nevada's scarce water resources are at stake and therefore rural Nevada's valued quality of life (i.e., streams, lakes, clean air, beautiful deserts, recreation opportunities, wildlife, etc.) and economic future. The Authority believes member counties and their cities should adopt a policy and implementing ordinance that links land use plans in a county to available water resources within the county. Such a policy should include the following critical elements:

- 1. Every water basin in a member county should have an adopted land use plan. The adopted land use plan will make apparent to the Nevada State Engineer, urban counties and cities, and water speculators the degree to which member counties require water for their future economic development and the continued protection and enhancement of the natural environment critical for wildlife, recreation opportunities and quality of life.
- 2. A land use plan for a member county and any city within a member county must be based on the sustainable water resources within the member county; however, a land use plan may be based upon the acquisition of water resources outside the member county if the land use plan has been approved by a vote of the residents of the member county and/or city within the member county responsible for the land use plan.

C. <u>CENTRAL NEVADA REGIONAL WATER AUTHORITY MANAGEMENT</u> <u>DIRECTIVE</u>

- 1. The Central Nevada Regional Water Authority believes in the collaborative process, and therefore believes Nevada's future can best be served if rural and urban governments avoid polarizing battles over water resources and instead work together at the elected official level, with staff support, to address Nevada's scarce water resource problem. By doing this, rural and urban Nevada governments will have a better understanding of the cumulative and long-term effects of their actions and hopefully will decide to pursue winwin solutions. The Authority will explore ways to develop and implement the desired collaborative process.
- 2. The Central Nevada Regional Water Authority will ask member counties and their cities to adopt this resolution and also take the appropriate steps to incorporate it into law.

The Central Nevada Regional Water Authority hopes non-member counties and their cities will adopt this resolution and take the appropriate steps to incorporate it into law.

3. The Central Nevada Regional Water Authority will post this resolution to its web site to be referred to and transmitted as necessary.

Adopted this 14th day of December 2007 by unanimous vote of the Board of Directors of the Central Nevada Regional Water Authority.

Joni Eastley, Chairman

Attest:

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SUSAN G. PAPROCKI NOTARY PUBLIC STATE OF NEVADA APPT. No. 05-94063-14 MY APPT. EXPIRES JAN. 21, 2009 NRS 533.370 Approval or rejection of application by State Engineer: Conditions; exceptions; considerations; procedure.

1. Except as otherwise provided in this section and NRS 533.345, 533.371, 533.372 and 533.503, the State Engineer shall approve an application submitted in proper form which contemplates the application of water to beneficial use if:

(a) The application is accompanied by the prescribed fees;

(b) The proposed use or change, if within an irrigation district, does not adversely affect the cost of water for other holders of water rights in the district or lessen the efficiency of the district in its delivery or use of water; and

(c) The applicant provides proof satisfactory to the State Engineer of:

(1) His intention in good faith to construct any work necessary to apply the water to the intended beneficial use with reasonable diligence; and

(2) His financial ability and reasonable expectation actually to construct the work and apply the water to the intended

beneficial use with reasonable diligence.

2. Except as otherwise provided in this subsection and subsections 3 and 11 and NRS 533.365, the State Engineer shall approve or reject each application within 1 year after the final date for filing a protest. The State Engineer may:

(a) Postpone action upon written authorization to do so by the applicant or, if an application is protested, by the protestant

(b) Postpone action if the purpose for which the application was made is municipal use.

- (c) In areas where studies of water supplies have been determined to be necessary by the State Engineer pursuant to NRS 533.368 or where court actions are pending, withhold action until it is determined there is unappropriated water or the court action becomes final.
- 3. Except as otherwise provided in subsection 11, the State Engineer shall approve or reject, within 6 months after the final date for filing a protest, an application filed to change the point of diversion of water already appropriated when the existing and proposed points of diversion are on the same property for which the water has already been appropriated under the existing water right or the proposed point of diversion is on real property that is proven to be owned by the applicant and is contiguous to the place of use of the existing water right. The State Engineer may:

(a) Postpone action upon written authorization to do so by the applicant or, if the application is protested, by the

protestant and the applicant.

(b) In areas where studies of water supplies have been determined to be necessary by the State Engineer pursuant to NRS 533.368 or where court actions are pending, withhold action until it is determined there is unappropriated water or the court action becomes final.

4. If the State Engineer does not act upon an application within 1 year after the final date for filing a protest, the

application remains active until acted upon by the State Engineer.

5. Except as otherwise provided in subsection 11, where there is no unappropriated water in the proposed source of supply, or where its proposed use or change conflicts with existing rights or with protectible interests in existing domestic wells as set forth in NRS 533.024, or threatens to prove detrimental to the public interest, the State Engineer shall reject the application and refuse to issue the requested permit. If a previous application for a similar use of water within the same basin has been rejected on those grounds, the new application may be denied without publication.

6. In determining whether an application for an interbasin transfer of groundwater must be rejected pursuant to this

section, the State Engineer shall consider:

(a) Whether the applicant has justified the need to import the water from another basin;

- (b) If the State Engineer determines that a plan for conservation of water is advisable for the basin into which the water is to be imported, whether the applicant has demonstrated that such a plan has been adopted and is being effectively carried out; (c) Whether the proposed action is environmentally sound as it relates to the basin from which the water is exported;
- (d) Whether the proposed action is an appropriate long-term use which will not unduly limit the future growth and development in the basin from which the water is exported; and

(e) Any other factor the State Engineer determines to be relevant.

7. If a hearing is held regarding an application, the decision of the State Engineer must be in writing and include findings of fact, conclusions of law and a statement of the underlying facts supporting the findings of fact. The written decision may take the form of a transcription of an oral ruling. The rejection or approval of an application must be endorsed on a copy of the original application, and a record must be made of the endorsement in the records of the State Engineer. The copy of the application so endorsed must be returned to the applicant. Except as otherwise provided in subsection 12, if the application is approved, the applicant may, on receipt thereof, proceed with the construction of the necessary works and take all steps required to apply the water to beneficial use and to perfect the proposed appropriation. If the application is rejected, the applicant may take no steps toward the prosecution of the proposed work or the diversion and use of the public water while the rejection continues in force.

(a) The State Engineer receives an application to appropriate any of the public waters, or to change the point of diversion, manner of use or place of use of water already appropriated;

(b) The application involves an amount of water exceeding 250 acre-feet per annum; (c) The application involves an interbasin transfer of groundwater; and

(d) Within 7 years after the date of last publication of the notice of application, the State Engineer has not granted the application, denied the application, held an administrative hearing on the application or issued a permit in response to the application,

the State Engineer shall notice a new period of 45 days in which a person who is a successor in interest to a protestant or an affected water right owner may file with the State Engineer a written protest against the granting of the application. Such notification must be entered on the Internet website of the State Engineer and must, concurrently with that notification, be mailed to the board of county commissioners of the county of origin.

9. Except as otherwise provided in subsection 10, a person who is a successor in interest to a protestant or an affected water right owner who wishes to protest an application in accordance with a new period of protest noticed pursuant to