

NEVADA DIVISION OF
WATER RESOURCES



Nevada Department of
**CONSERVATION &
NATURAL RESOURCES**

Water Conservation In Nevada Challenges & Opportunities

Subcommittee on Public Lands
May 23, 2022

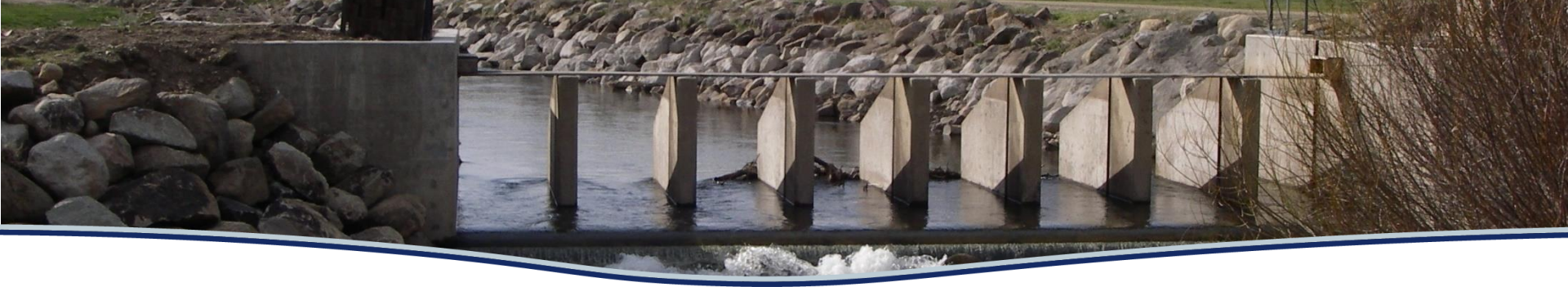
Presented by:

Adam Sullivan, P.E.

State Engineer

Micheline Nadeau Fairbank, Esq.

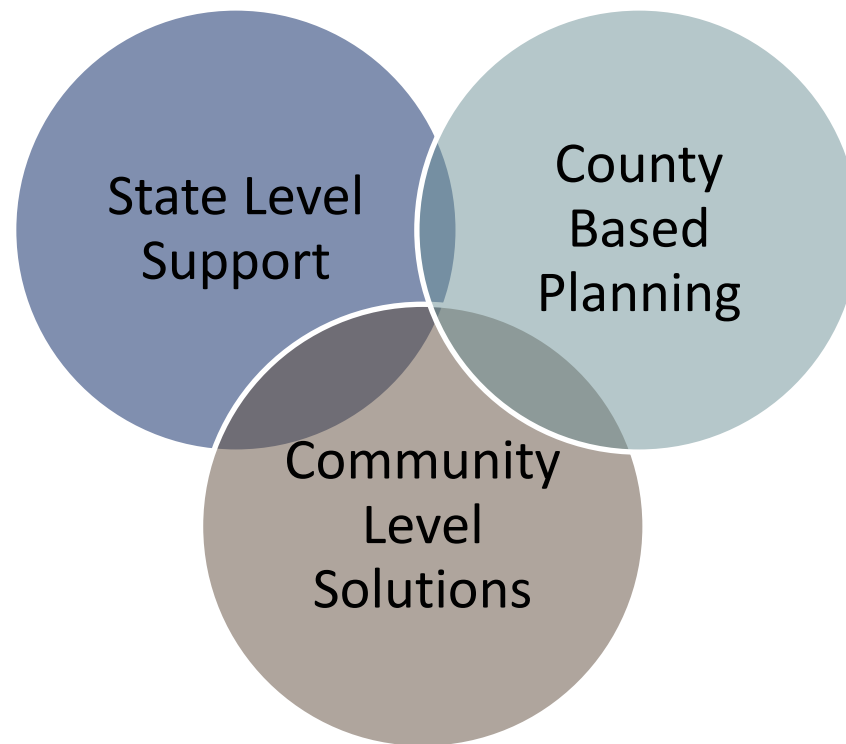
Deputy Administrator



NEVADA'S WATER LAW HAS LIMITATIONS






- »» Effective for core function of appropriating water for beneficial use
- »» Not effective or adaptive for:
 - managing shortages in groundwater resources
 - encouraging conservation
 - localized solutions
 - maintenance of sensitive environmental resources
 - multi-generational sustainability

DROUGHT HAS RAISED AWARENESS FOR PRIORITIZING CONSERVATION



Local level efforts are being implemented to respond to water shortages and prevent conflict

FUTURE OF RESPONSIBLE RESOURCE MANAGEMENT IS UNCERTAIN

-  Nevada's water law may impede innovative localized solutions
-  Legal precedent leaves significant uncertainty
-  Absence of clear legislative direction invites differing interpretations
-  Culture of resistance to adapting Nevada's water laws to contemporary issues
-  Legacy of mistrust

NEVADA'S WATER LAWS MUST CLEARLY DEFINE STATE ENGINEER'S ROLE

**Lack of clear legislative directives leaves uncertainty to
execute policy directives & responsibly manage Nevada's
water resources**

┌ *"Statements of policy set forth by the
Legislature are ...not operative statutory
enactments ..."*

*"The statute does not declare that the
best available science should dictate the
decisions."*

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LIMITED STATUTORY TOOLS TO ADDRESS WATER SHORTAGE



Administrative cancellation, forfeiture, and abandonment of water rights



Curtailment by priority



Designation of Critical Management Areas

However, Nevada's water law may get in the way of localized solutions that meet the needs of those communities

Priority alone is not enough to manage shortages

ADDITIONAL CHALLENGES

NDWR IS UNDERFUNDED



Absence of appropriate resources impedes NDWR's ability to meet basic obligations, let alone be more engaged in proactive water conservation efforts

NDWR'S MISSION IS UNCERTAIN



Disparate court decisions, lack of legislative directives, and lack of stakeholder support for guidance results in uncertainty for the agency and staff

LONG-TERM WATER MANAGEMENT REQUIRES INNOVATION



Updated science, acknowledgement of the limitations in existing law and removing impediments to community-led solutions is essential to allow for innovative water management strategies

Questions?



Contact

Adam Sullivan, P.E.

State Engineer

Micheline Nadeau Fairbank, Esq.

Deputy Administrator

Division of Water Resources

Phone: 775-684-2800

asullivan@water.nv.gov

mfairbank@water.nv.gov