

HUMBOLDT RIVER BASIN WATER AUTHORITY



OVERVIEW OF ORGANIZATION AND KEY ISSUES

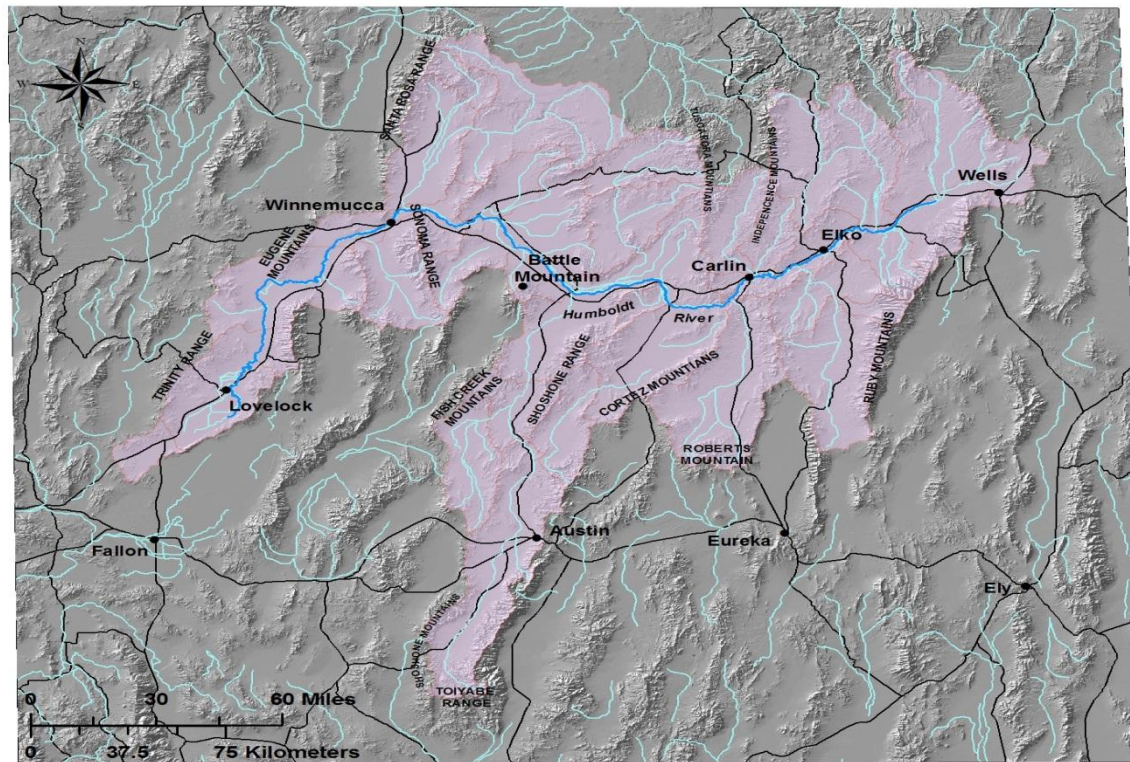
PRESENTATION TO NEVADA LEGISLATURE'S PUBLIC LANDS COMMITTEE

May 4, 2012

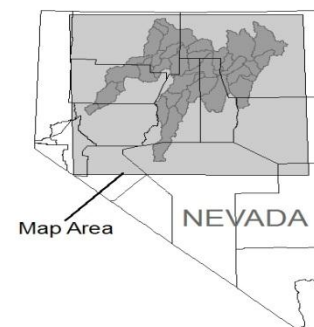
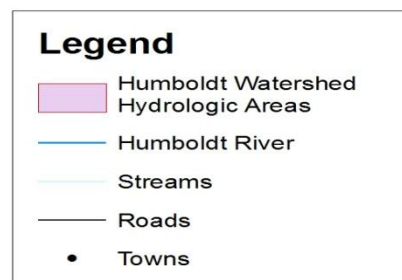
EXHIBIT G – LANDS
Document consists of 10 slides.
Entire Exhibit provided.
Meeting Date: 05-04-12

HUMBOLDT RIVER BASIN CHARACTERISTICS

- **Drainage area of 7,410 square miles**
- **Annual average flow of the Humboldt River is 296,000 ac. ft.**
- **There are approximately 690,000 ac. ft. of decreed and permitted water rights within the entire Humboldt River Basin**
- **Highly efficient water use is key to meeting demand which greatly exceed annual average flows**
- **Contains largest gold mines in North America**
- **Annual variations in flow produce economic and environmental uncertainty (see cover photographs)**



Based on data from U.S. Geological Survey;
North American Datum 1927, Zone 11



Humboldt River System

FORMATION OF THE AUTHORITY

- **Established in 1993 by Elko, Eureka, Lander, Humboldt and Pershing County Commissions in Response to EcoVision Water Export Proposal**
- **Organized pursuant to Interlocal Cooperation Act (NRS 277.080 and 277.170) in 1993**
- **Counties each contribute \$6,000 - \$8,000 annually**
- **Fifteen Member Board of Directors meets every 3-4 months**
- **Board Members Appointed by Member County Commissions**
- **Meetings Held Throughout the Humboldt River Basin**

MAJOR ROLES AND RESPONSIBILITIES

- **Recognize and protect all existing decreed and certificated water rights**
- **Identify and seek to resolve inter-county water allocation and management issues**
- **Formulate positions for presentation to relevant local, state, and federal agencies**
- **Monitor water supply and demand within the Basin**
- **Monitor the extent to which proposals to develop and export Humboldt River Basin water may adversely affect the water balance for member counties within the Authority**
- **Recommend appropriate federal and state legislation for the management of surface and ground water within the Humboldt River Basin**
- **Encourage environmental stewardship of the Humboldt River Basin and recharge area ecosystem**
- **Provide a secure foundation for future investment and development within the Humboldt River Basin**

Publications Sponsored By Humboldt River Basin Water Authority

Intertech Services Corporation, *Stockwater Permits and the Bureau of Land Management: Prospects for Joint Ownership Under SB96*, A Report to the Senate Natural Resources Committee, March 1995.

Kennedy/Jenks Consultants, *Evaluation of Water Resource Alternatives for the Humboldt River Basin*, September 2000.

Intertech Services Corporation, *The Humboldt River: Consideration of Natural Conditions in Establishing Water Quality Status Under Section 303(d) of the Federal Clean Water Act*, December 2004.

Stone, Mark, David McGraw, Asako Stone, Mary Ohren, *Humboldt River Basin Water Authority Data Gaps Analysis*, Division of Hydrologic Sciences, Desert Research Institute, Nevada System of Higher Education, February 2007. (SB 62 Grant Funded)

Nevada Water Resources Association, *Vested Water Rights in Nevada*, March 2007. (SB 62 Grant Funded)

David McGraw and Mary Ohren, *Humboldt River Basin Water Quality Standards Review*, Division of Hydrologic Sciences, Desert Research Institute, Nevada System of Higher Education, May 15, 2007. (SB 62 Grant Funded)

Intertech Services Corporation, *Forecasting Water Demand in the Humboldt River Basin: Capabilities and Constraints*, August 2007. (SB 62 Grant Funded)

KEY ISSUES

1. Drought Planning and Mitigation

- Much of Humboldt River Basin in severe (D-2) to exceptional (D-4) drought conditions
- Drought to persist or intensify over next three months
- Greater percentage of future moisture to be rain vs. snow
- State of Nevada Drought Plan not being implemented

2. Need for Additional Underground Storage within Humboldt River Basin to Ensure Adequate Water Supply During Years of Below Average Runoff

- Roughly 50 percent of years have below average flows
- Opportunities for water-banking exist

3. Interbasin Transfers of Water

- Safeguards needed to ensure surface and groundwater supplies in source basins is adequate to maintain environmental quality while enabling future local economic expansion

4. Federal Acquisition of Water Rights at Springs and Seep Sites

- Maintenance of partial private rights to springs and seeps for range livestock industry essential to encouraging effective public-private partnerships on public lands

5. Proposal to Expand Federal Definition of Waters of the U.S.

- Proposed federal legislation would adversely impact agriculture, mining and other land uses in rural Nevada.

KEY ISSUES Cont'd.

6. State Designation of Beneficial Uses of Humboldt River for Water Quality Regulation Not Appropriate

Nevada Division of Environmental Protection designation of the Humboldt River for municipal drinking water use results in inappropriately high water quality standard

7. Industrial Related Reductions to Base Flow of the Humboldt River

- Newmont South Operations Area and Leeville Project SEISs estimate reduction in base flow at Dunphy of 3.4 cfs or 2,461 AFY (241,160 AF over 100 year recovery period). No mitigation proposed.

8. Gaps in Data Availability Impair Effective Water Quantity/Quality Decisions By The State of Nevada

- Evapotranspiration and precipitation monitoring needed to support safe and sustainable perennial yield estimates
- Groundwater level monitoring needed to warn of possible adverse lowering of water tables
- Expanded monitoring of actual groundwater pumpage and use required to make informed decisions regarding special management of hydrographic basins
- Limitations in water quality monitoring data result in unacceptable uncertainty regarding extent and causes (natural vs. man-induced) of pollutant loading and violation of standards in the Humboldt River system

9. Long-term Consumptive Use Associated with Mine-Related Pit Lake Evaporation

- For example, 1,500-1,700 gpm or 2,400 – 2,700 afy, forever at Lone Tree

Recommendations to Legislature's Public Lands Committee for Action

- 1. Encourage activation of the Nevada State Drought Response Committee and related Task Forces in response to severe to exceptional drought conditions in Elko, Eureka, Humboldt, Lander and Pershing counties**
- 2. Express opposition to finalization and use by EPA and/or the Army Corps of Engineers of the proposed guidance entitled, "EPA and Army Corps of Engineers Guidelines Regarding Identification of Waters Protected by the Clean Water Act" (EPA-HQ-OW-2011-0409) and related support for S. 2245 (Preserve the Waters of the United States Act)**
- 3. Maintain enhanced funding to Nevada Department of Water Resources to maintain progress in processing backlog of water right applications and to continue to enhance online data sources**
- 4. Provide additional funding to Nevada Division of Environmental Protection to enhance water quality data collection and monitoring in Humboldt River Basin**
- 5. Require applicants to the Nevada Division of Environmental Protection seeking a waiver from mine reclamation regarding pit lakes be required to demonstrate that they hold a water right covering pit lake evaporation as a condition of approval of said waiver**

Recommendations to Legislature's Public Lands Committee for Action Cont'd.

6. Restore State of Nevada funding for cloud seeding activities in the Ruby Mountains.

7. Submit a letter to the U.S. Forest Service encouraging no further delay in approving and investing in water related range improvements not withstanding U.S. Forest Service concerns with Nevada water law concerning stock water rights.

For Additional Information Contact:

Mike L. Baughman, Ph.D.

Contract Executive Director

Humboldt River Basin Water Authority

c/o P.O. Box 2008

Carson City, Nevada 89702

(775) 883-2051 or (775) 315-2544 (c)

mikebaughman@charter.net