

**BASIN 162 GROUNDWATER MANAGEMENT  
ADVISORY COMMITTEE**

**MEETING MINUTES**

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**June 23, 2015 – 9:00 AM  
BOCC Chambers, Pahrump, NV**

Regular Members: Gregory Hafen II – Chair  
Gregory Dann– Vice Chair  
Lenny Badger  
Wendy Barnett  
Kristian Bentzen  
Walt Kuver  
Mike Floyd

Alternate Members: Kenny Bent  
Judith Holmgren

Legal: Marla Zlotek

Finance: Amy Fanning

Staff: Darrell Lacy  
Oz Wichman  
Levi Kryder  
Teddi Osburn

Acronyms: AG - Attorney General  
AVSTP - Amargosa Valley Science & Technology Park  
BOCC - Board of County Commissioners  
BOR - Bureau of Reclamation  
CSWP- Community Source Water Protection  
CNRWA - Central Nevada Regional Water Authority  
DOA - Department of Agriculture  
DOI - Department of Interior  
EPA - Environmental Protection Agency  
GID - General Improvement District  
GM - General Manager  
GWE- Groundwater Evaluation Grant  
GWMP – Groundwater Management Plan  
HUD - Housing and Urban Development  
IRWMP - Inter Regional Water Management Program  
MOU - Memorandum of Understanding  
NTS - Nevada Test Site  
NCWDGB - Nye County Water District Governing Board  
NRWA – Nevada Rural Water Association  
NWRA - Nevada Water Resources Association  
RFP - Request for Proposals  
RNWA - Rural Nevada Water Authority  
ROW - Right of Way  
SNWA - Southern Nevada Water Authority  
USDA - United States Department of Agriculture  
UGTA - Underground Test Area  
USGS - United States Geological Survey  
WD - Water District

*Mission Statement: "To create an equitable groundwater management plan for the Pahrump Basin and the Pahrump Community that balances water supply and demand today and for the future."*

## **BASIN 162 GROUNDWATER MANAGEMENT PLAN ADVISORY COMMITTEE**

1. **(00:00:30) Call to Order – Pledge of Allegiance**
2. **(00:00:31) Roll Call – Present:** Gregory Hafen II, Greg Dann, Kristian Bentzen, Wendy Barnett, Walt Kuver, Mike Floyd **Absent:** Lenny Badger
3. **(00:01:01) General Public Comment (first): Three-minute time limit per person. Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.**  
None
4. **(00:01:22) Approval or Modifications of the Agenda for the Groundwater Management Plan Advisory Committee Meeting of June 23, 2015.**  
No modifications
5. **(00:01:54) For Possible Action – Deliberation and decision regarding the seating of alternate members to fill vacancies, either temporary or permanent, for current and future meetings.**  
Greg Dann felt that it was important to allow alternate members to fill in for regular members when there was an absence since they are knowledgeable and qualified to be involved in the decision making process. Gregory Hafen II related some of the rules for replacement of absent members that had already been accepted by this committee.  
  
Greg Dann made a motion that alternate member Kenny Bent be allowed to fill in for absent member Lenny Badger as a temporary replacement for the current meeting only. Kristian Bentzen seconded the motion.  
  
During public comment Dwight Lilly commented on SB 222 which defines membership requirements for the Nye County Water District Governing Board. He felt that these same rules should be applied to the Groundwater Advisory Committee, implying that certain members that are affiliated with local utility companies should not be on this committee. Greg Hafen responded by noting that those committee members were actually appointed by the BOCC and not the NCWD Governing Board.  
  
The motion was approved with a vote of 5-1 in favor. Wendy Barnett cast the only dissenting vote. Kenny Bent proceeded to join the regular members by taking the vacant seat of Lenny Badger.
6. **(00:09:39) For Possible Action – Approval of Minutes for April 14, 2015.**  
Wendy Barnett made a motion to approve the minutes for April 14, 2015. Kristian Bentzen seconded the motion. The motion was approved with a vote of 7-0 in favor.
7. **(00:10:27) Correspondence and Announcements**  
Greg Dann reminded everyone that he will be manning a booth at the Liberty Festival which will provide Pahrump Water information to the public. In response to a question from Wendy Barnett, Mr. Dann noted that he will not claim affiliation with any particular group, and that it will be just him and a few members from the local Chamber of Commerce.
8. **(00:11:05) Ex-Parte Communications and Conflict of Interest Disclosure Statements**  
None

**9. (00:11:07) For Possible Action – Presentation, deliberation and decision regarding draft sections of the Groundwater Management Plan for Basin 162.**

Gregory Hafen II explained that this was the 1<sup>st</sup> Draft and staff had been working very diligently to get it ready for today's meeting. Input will be taken from members and the public in order to get an idea about which direction the plan needs to be moving. There has been a review of this document by the DWR and they have suggested a few changes.

Oz Wichman went through the document page by page and clarified some of the suggestions made by Jason King and his staff: Mr. King felt that there is no need to describe this as a "50 year plan" (pg. 2) since this is not a requirement in State Statute. He also had concerns about how to frame the discussion of perennial yield as it relates to portions of Basin 162 that lie within Inyo County, CA.

Mr. Wichman explained the difference between relinquished water rights and those that are dedicated to a parcel map or subdivision as shown in the Table on page 4. Another Table on page 7 will be modified as per Mr. King's suggestion to include domestic well relinquishments, and the line dealing with reuse and recharge credits will be split between the 2 topics. He noted that Mr. King stressed the importance of RIB's and treated effluent reuse for increasing the perennial yield of "real wet water" in the basin. The over-allocation number can be reduced by capturing excess water rights that were dedicated for subdivisions and by removing water rights that were relinquished during the parceling process. Regarding a water importation plan that was proposed by Mr. Wichman, Mr. King wanted to make sure that the difference between residential use only and the combined residential and commercial usage (GPCD) was clearly defined.

On page 12 regarding the last bullet point referring to irrigation of golf courses, Darrell Lacy suggested that language be changed to only allow irrigation with treated effluent. On page 14, under Potential Impact of Conservation Savings, Mr. King suggested that the 49,000 population figure be clarified to note that this is today's population (approximately 38,000) plus an additional 11,000 people leading to a grand total of 49,000. In the Growth Control section Mr. King suggested that the phrase "without importing water" be removed when referring to the old figure of 495,000 as the full build-out number since that number is now deemed unreasonable. Mr. Wichman referred to the Table on page 17 in the calculation of a "tip-over" point for the Pahrump Basin without importation of water.

Referring to page 20, there was discussion about the Water Board's request for the GWMP Committee to put together a Conservation Credit Plan that strictly targets agricultural water rights in the event that SB 81 failed, which it did. Mr. Wichman was looking for direction from the committee on this issue. Greg Dann commented that the DWR holds agricultural water right holders to a higher standard than that of other water right owners. He feared that the new water regulations in California will bleed over into Nevada and will have a negative impact upon farming in Nevada.

Next, Gregory Hafen II began the process of going over the draft plan page by page in order to gather input from each committee member. On page 2, Walt Kuver suggested that the 300 gallons per day for water usage be clarified to state that it includes outside usage. There was discussion about GPCD in a utility company versus usage by the domestic well owner. Oz Wichman noted that the DWR is using a figure of .5 AFA in their estimates for domestic well usage which closely matches the amount reported in the Volunteer Domestic Well Metering Program. Wendy Barnett felt that the figure from the VDWMP was not accurate as that number is based upon only 7 reporting wells. Only the DWR figure should only be referenced in this document. Mr. Wichman reminded the committee that this was just an average since there are many wells that have never been pumped.

Darrell Lacy related that protection of the rural lifestyle is incorporated in the Master Plan for Pahrump. Walt Kuver requested that there be a follow-up paragraph clearly defining uses that are

referred to in the Table on Page 4. Greg Dann and Oz Wichman agreed that the definition of Quasi-Municipal usage was the “kitchen sink” and not clearly defined. Kenny Bent related that the 8,000 AF of water that is flowing unimpeded south of the Manse Fan needs to be a topic for discussion. Gregory Hafen noted that this water is addressed later in the plan in the pumping redistribution section. John Guillory explained that Desert Land Entry water rights are certificated but may not necessarily be perfected at this point. They still show up as permitted water rights in the pumpage inventory. Walt Kuver commented that water rights referred to as being in “limbo” need to be removed from the inventory. Greg Dann felt that there should be a reference to maintaining a “rural lifestyle” on page 5 with regards to the 2 AFA allowed for a domestic well under current water law. Gregory Hafen II stressed that the Master Plan should also be referenced when addressing the rural lifestyle in Pahrump. Kenny Bent expressed concerns over the number of septic systems that could potentially be developed in the Pahrump Basin. Darrell Lacy felt that this problem could be addressed by implementation of specific health codes rather than limiting the number of systems.

Walt Kuver felt that there needs to be proof that RIB’s actually work on the valley floor. Oz Wichman feels that they do have potential but questioned the political will of the community when it comes to spending large sums of money on that type of project. Greg Dann agreed that RIB’s may not contribute significant amounts of return water to the basin. Mr. Wichman felt that direct reuse will be a part of the future for this community. Just look to the Las Vegas basin as an example of what the future could hold for Pahrump. RIB’s can have a direct impact in offsetting over-allocation of water in this basin. He noted that a rib component will likely include sewage treatment facilities. Tonopah currently includes treated effluent in its irrigation system for the town. But, Mr. Wichman stressed that the political will must be present from governing boards and the general public. Kenny Bent had concerns about the presence of pharmaceuticals in recycled water. Mr. Wichman noted that there are monitoring wells already established in this valley from which samples are drawn for evaluation.

After a brief break the committee resumed their discussion. Wendy Barnett had concerns about the suggestion for the interconnection of existing utilities as is mentioned on page 8. She thought that it was impractical if not virtually impossible at this point. Gregory Hafen did not want to completely rule out this option for now. Ms. Barnett and Mr. Hafen will bring in information that they have available with regards to interconnection within their own individual utility companies.

In referring to page 10, Oz Wichman noted that the importation plan previously discussed will be included in the appendices for the plan. He will make a clarification that the 5,000 AFA proposed for importation is for residential use only. Mr. Wichman discussed the trigger point at which a water importation plan may be considered. He suggested that identifying a source from which to import water needs to be established long before the need becomes apparent. There was discussion about costs associated with developing this type of project. He emphasized that most of the money spent will be for the pipe itself.

Regarding page 12, Greg Hafen related that turf restriction figures came from the plan currently in place for the Pahrump Utility District. Wendy Barnett explained that there was not near enough treated effluent available to sufficiently irrigate golf courses in her utility district during the summer. Gregory Hafen II suggested that language be changed to reflect that effluent be used “to the extent feasible.” There was discussion about recharge of treated effluent back into the aquifer and related public health concerns. Watering restrictions based upon the time of the year was a topic of discussion. Greg Dann felt that watering should not be limited to 3 days per week in September when the weather can still be quite hot. Gregory Hafen II will look into modifying the proposed watering schedule. All water users in the valley should adhere to this schedule. There was suggestion that grey water reuse be encouraged. Mr. Lacy will bring in the NRS that refers to the collection of rainwater. One member asked if commercial farming operations would be subject to watering restrictions. There was other discussion about conservation incentives for new construction and monetary incentives for the removal of high water consumptive plants and turf.

Wendy Barnett suggested rebates for replacement of old toilets and will bring information about UICN's rebate program to the next meeting. It was mentioned that the Nye County Water District should finance the rebate program. There was discussion of various plant species that should be included in a prohibited plant list. Greg Dann agreed to bring back information on plants that may or may not be considered as appropriate for a water conservation strategy. He noted that the Mondale and Aleppo pine trees, plus the Athel Tamarisk seem to be the only trees that can survive in this environment when irrigation is withdrawn. Wendy Barnett volunteered to present the preferred plant list from UICN at the next meeting. Oz Wichman noted that conservation measures just discussed were aimed primarily at new construction/development.

During conservation about the Table on page 17, all agreed that there must be continued evaluation and discussion concerning population levels that can be sustained in the Pahrump Valley. Oz Wichman related that he will be removing the last paragraph on page 18 as the DWR is continuing to have internal discussions about how they might handle the issue of restricting water usage and a requirement for meters on new domestic wells, a plan which was endorsed by this committee. The item will be on hold until such time as the DWR has a definitive answer.

Greg Dann related that there have recently been some rulings on curtailment by the DWR in other basins in which domestic wells were exempt. John Guillory, from the DWR, related that those rulings probably dealt with surface water issues only. There was discussion about GWMP proposals for changes to County Code that could reduce development density, and how that might be implemented through the RPC.

Oz Wichman related a request from the Water Board to change the name of Water Banking to that of a Water Conservation Credit specifically as it relates to agricultural water rights. He reminded committee members that they had previously voted to have Mr. Wichman pursue the water banking concept at the State level. Wendy Barnett was in favor of the voluntary relinquishment of water rights by agricultural right holders to prevent wasting of water and reduce over-allocation numbers, and that it should be pursued in the next legislative session. Greg Dann didn't feel that agricultural holders should be singled out as "evil."

During public comment John Bosta was of the opinion that a Groundwater Management plan is not required until the State Engineer declares Basin 162 to be a "Critical Management Area" (see attached). Dwight Lilly felt that the current GWMP Committee should be replaced with members that provide better representation for the private well owner. He mentioned that an alternate plan is being developed by another outside group which will be presented to the BOCC, as well as plans to address legislatively a proposal to change existing water law and bring it into the 21<sup>st</sup> century.

Wendy Barnett made a motion that the name of the Water Banking concept be changed to Water Conservation Credit. Mike Floyd seconded the motion. There was no further discussion. The motion passed with a vote of 4-3 in favor. Kenny Bent, Greg Dann and Kristian Bentzen cast the dissenting votes.

Oz Wichman emphasized that the Conservation Credit plan would only apply to agricultural water rights, specifically those that were only pumped once every 5 year in order to prove beneficial use. Wendy Barnett felt that this should not just be limited to agricultural usage.

**10. (02:45:20) For Possible Action – Presentation, discussion and possible decision regarding ongoing and short-term projects of the Nye County Water District.**

None

**11. (02:45:36) Staff Reports/Comments:**

**A. Darrell Lacy**

None

**B. Oz Wichman**

None

**C. Levi Kryder**

None

**D. John Klenke**

None

**12. (02:45:53) For Possible Action – Discussion, Direction and Possible Decision Concerning Future Meetings/Workshops.**

Wendy Barnett made a motion to schedule a meeting for Tuesday afternoon beginning at 2:00 PM on July 28<sup>th</sup>, and another meeting for Tuesday, August 25<sup>th</sup> beginning at 9 AM. Kenny Bent seconded the motion. The motion passed with a unanimous vote of 7-0 in favor.

At the July 28<sup>th</sup> meeting Draft 2, incorporating all of today's changes, will be brought back to the committee for further analysis and comment.

**13. (02:50:09) General Public Comment (second) - (Three-minute time limit per person) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item.**

None

**14. (02:50:24) Adjourn**

Gregory Hafen adjourned the meeting.