



## **Residents, Nonprofit Groups Say “No!” to SNWA Bailout**

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Nevada residents, nonprofit conservation groups, ranchers and others across the Intermountain West are urging the Nevada Legislature to resist efforts to enact a legislative “fix” to a recent Nevada Supreme Court decision on Spring Valley water rights.

The Court, in a unanimous decision, in January ruled that numerous parties had to be heard on the impact on groundwater in the Spring Valley region of White Pine County by pumping plans from the Southern Nevada Water Authority. The agency plans to withdraw billions of gallons from the region.

The Supreme Court decision focused on the due process rights of those who would or could be affected by the State Engineer’s decision to approve water rights for SNWA in the Spring Valley, and the court ordered a lower District Court to make sure those concerns were heard. Many potential protestants, including new residents and inheritors of property, nonprofit conservation groups, American Indian tribes and others, were improperly excluded from the process after the SNWA waited two decades to bring the hearing before the State Engineer.

The SNWA is attempting to again deny those same due process rights with a small army of lobbyists in Carson City, diverting attention from legislators who are working to address Nevada’s fiscal crisis.

Simeon Herskovits, an attorney representing those who wanted to be heard in the Spring Valley hearing, said the agency and allies are spreading misleading claims in an effort to impose a legislative “fix” to the issue. He stressed that the Court’s ruling is narrowly focused on the SNWA-Spring Valley hearing and that water-rights holders do not have to fear losing their water.

“There is absolutely no validity to the claim that the ruling will jeopardize the seniority

of anyone's water rights applications," said Herskovits, who has successfully prevailed in various courts against SNWA's "water grab."

"That claim is directly at odds with the actual language of the Supreme Court's ruling, and thus seems to be nothing more than an empty threat being spread by lobbyists to scare Nevada water rights applicants," he said.

Herskovits further noted that the legislation proposed by the State Engineer would significantly benefit SNWA while doing nothing to protect the Court-affirmed rights of new residents of rural White Pine County. He rejected lobbyists who have argued that the Court decision threatens normal commercial lending in the state.

"The ruling doesn't jeopardize anyone's financing for anything. It doesn't prevent the pipeline from moving forward," he said. "It doesn't even affect the timeframe within which SNWA was planning to build the project and make the water available."

Rural rancher Dean Baker, whose family has worked land in White Pine and neighboring Millard County, Utah for 50 years, urged the Legislature to resist the push for a SNWA bailout.

"The legislative fix suggested by the state government would do nothing to protect the legitimate rights of people who have purchased or inherited land in White Pine County since 1989," he said. "It's being pushed hard and pushed only to take care of the SNWA. It's being totally exaggerated by SNWA just to get out of the court decision. Other water-rights holders will not be affected by this. It's just SNWA."