

Judge again rejects Vegas water pipeline from rural valleys



LAS VEGAS (AP) — A state judge has again rejected a decades-long bid to tap groundwater beneath vast rangelands in northeast Nevada and pipe it to fast-growing suburbs and glittering gambling resorts in and around Las Vegas.

In a strongly worded statement, Judge Robert Estes said he saw no reason to undo findings he made in December 2013

that block a Southern Nevada Water Authority plan to spend billions of dollars to pump groundwater from four rural valleys in White Pine and Lincoln counties near the Utah border.

Simeon Herskovits, an attorney representing the Great Basin Water Network and most opponents of the project, called the ruling "the end of the road for the Southern Nevada Water Authority and the state engineer, unless they appeal again to the (state) Supreme Court."

"This project would have fatally and permanently harmed one part of the state to only temporarily slake the thirst of another part of the state, leading to a bigger problem down the road," Herskovits said Tuesday.

The order followed two days of hearings last November.

The judge restated his previous finding that the state's top water official, then-State Engineer Jason King, was "arbitrary and capricious" in granting pumping rights over objections from environmentalists, Native American tribes, ranchers, two Utah counties and the Church of Jesus Christ of Latter-day Saints.

"The court will not rescind the ... order and reinstate the award," Estes said. "This court finds that no new hydrological evidence or data was presented ... to justify an

appropriation of water to Southern Nevada Water Authority."

Authority officials didn't immediately say if they'll appeal. Current State Engineer Tim Wilson declined comment.

A statement from authority spokesman Bronson Mack suggested times have changed and the project might not be needed for several decades.

"Since these groundwater applications were filed more than 30 years ago, Southern Nevada has emerged as a world leader in urban water conservation," the statement said. "There no scenario in our Water Resource Plan where this project would be needed within the next 30 years."

Lake Mead, the Colorado River reservoir behind Hoover Dam, supplies about 90% the water used by the Las Vegas area's 2.2 million residents and more than 40 million tourists a year. The lake was last full in 1983. It is now less than half-capacity.

The state high court in 2010 struck down two previous rulings that would have given Las Vegas almost 79,000 acre-feet of water a year from the arid valleys — enough to supply some 170,000 new homes.

In 2011, King approved the authority plan. Estes followed with his 2013 order for King to recalculate whether there was enough water available in the groundwater basins to

supply the proposed demand.

King grudgingly rejected the proposal in 2018.

In November, attorneys for the authority argued that King made a mistake when he denied permits. They warned that if they couldn't get approval, other entities might find it impossible to develop for new water projects.

Pipeline opponents said tribal nations' due process rights were denied and the pumping plan did little to prevent possible damage to cultural areas including a grove of swamp cedars in White Pine's Spring Valley considered sacred to Shoshone tribes.