

HUMBOLDT RIVER BASIN WATER AUTHORITY

POLICY STATEMENT ON CONJUNCTIVE WATER MANAGEMENT

Adopted December 9, 2022

BACKGROUND

Conjunctive management is the integrated management of hydrologically connected water regardless of the source to improve the overall availability and reliability of water while reducing conflict and potential long term harm to the resource.

One of the fundamental principles of integrated water resources management is the interconnected nature of water in the hydrological cycle, including the interactions between surface water and groundwater. The appropriation of water resources without adequate consideration of these interactions can lead to long-term degradation of water resources and the ecosystems they sustain. In response to this and to growing pressure on water resources from increasing development, water experts have developed a body of knowledge termed “conjunctive water resources management” to promote management approaches that treat surface water, groundwater and other components of the water cycle as a single, interconnected resource, where appropriate.

While conjunctive management is a pragmatic approach, its implementation in Nevada has been inconsistent and limited primarily to evaluating the impacts of groundwater pumping on surface water rights. The understanding of connectivity in individual systems is still inadequate in many areas of Nevada, however, it is generally accepted in the scientific community that perennial stream systems and springs throughout Nevada are hydrologically connected to groundwater aquifers. Moreover, conjunctive management in Nevada comes at a time when over a century of case law and rights to use surface and ground water have generally existed in separate regulatory schemes.

Existing Nevada law (NRS 533.024) declares that it is the policy of the State of Nevada to manage conjunctively the appropriation, use and administration of all waters of this State, regardless of the source of water. Apart from this Legislative declaration adopted in 2017 no other statutes related to conjunctive water management have been enacted and the Division of Water Resources has not yet adopted regulations governing conjunctive water management. The Division of Water Resources is, however, undertaking conjunctive management on a case-by-case basis in certain areas (e.g., Humboldt River Basin and Order 1329).

Member Counties: Elko • Eureka • Humboldt • Lander • Pershing

I. ***It is the policy of the Humboldt River Basin Water Authority that conjunctive management of hydrologically connected water resources is generally appropriate and warranted but may not be in select cases and should only be implemented after a complete vetting with local and public coordination of how issues and impacts will be worked through.***

II. ***It is the policy of the Humboldt River Basin Water Authority that conjunctive management of the appropriation, use and administration of hydrologically connected waters, regardless of their source, when and where warranted, is important when assisting to protect existing water rights and the integrity of the prior appropriation system.***

III. ***It is the policy of the Humboldt River Basin Water Authority that the State Engineer should use appropriate analytical tools, numerical capture models, and best available science to determine conflicts, impairment, or effects on surface water rights by existing groundwater permits, new applications to appropriate groundwater, and applications to change existing groundwater appropriations.***

IV. ***It is the policy of the Humboldt River Basin Water Authority that the Division of Water Resources should adopt regulations that establish a framework for how and when it will implement conjunctive water management within its statutory authority and that the regulation making process for such should comply with the Nevada Administrative Procedures Act (NRS 233B).***

V. ***It is the policy of the Humboldt River Basin Regional Water Authority that conjunctive management should never be used to affect or eliminate priorities or justify forfeiture or claims of abandonment of water rights.***

VI. ***It is the policy of the Humboldt River Basin Regional Water Authority that water rights holders should not be required to accept monetary compensation for conflict with or impairment of their water rights.***

VII. ***It is the policy of the Humboldt River Basin Water Authority that a formal, integrated management plan with guarantees, financial and otherwise, should be the foundation for conjunctive water management with such plan including:***

- *Any necessary actions and measures to avoid new or address existing conflicts with or impairment of senior-priority water rights by the diversion and use of water by junior-priority ground water rights; and*
- *Replacement water of acceptable quality provided in equal quantity at the time and place required to avoid or address conflicts with senior-priority water rights.*

VIII. *It is the policy of the Humboldt River Basin Water Authority that monitoring and management based on specific, measurable, attainable, and relevant objectives be used as primary tools to assure that implemented conjunctive management measures are effective and sustainable in the long term and avoid unintended consequences for other water users or water-dependent resources.*

IX. *It is the policy of the Humboldt River Basin Water Authority that conjunctive management should occur at the most local level possible where the unique set of conditions is well understood and where interested water users can efficiently and fully participate and remain informed.*

X. *It is the policy of the Humboldt River Basin Water Authority that conjunctive management must include sustained data and information sharing and open dialogue between the Division of Water Resources and water users in any conjunctive management area in a format that is easily accessible and understood.*

XI. *It is the policy of the Humboldt River Basin Water Authority that public entities such as irrigation districts and municipal water purveyors should be allowed to collectively manage both surface and ground water in a conjunctive water management area in accordance with requirements by the State Engineer or other legal sideboards.*