

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Fourth Session
March 9, 2007**

The Committee on Government Affairs was called to order by Chair Marilyn K. Kirkpatrick at 9:02 a.m., on Friday, March 9, 2007, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Marilyn Kirkpatrick, Chair
Assemblywoman Peggy Pierce, Vice Chair
Assemblyman Kelvin Atkinson
Assemblyman Bob Beers
Assemblyman David Bobzien
Assemblyman Chad Christensen
Assemblyman Jerry D. Claborn
Assemblyman Pete Goicoechea
Assemblyman Ruben Kihuen
Assemblyman Harvey J. Munford
Assemblywoman Bonnie Parnell
Assemblyman James Settlemeyer
Assemblyman Lynn D. Stewart
Assemblywoman RoseMary Womack

STAFF MEMBERS PRESENT:

Amber Joiner, Committee Policy Analyst
Scott McKenna, Committee Counsel
Mary Kay Doherty, Committee Secretary
Olivia Lloyd, Committee Assistant



OTHERS PRESENT:

Ernest Schank, President, Board of Directors, Truckee-Carson Irrigation District

Chair Kirkpatrick:

[Meeting called to order at 9:02 a.m. Roll called.]

Today we have our last presentation on water.

Ernest Schank, President, Board of Directors, Truckee-Carson Irrigation District:

[Read from prepared statement ([Exhibit C](#)).]

Chair Kirkpatrick:

Are there any questions? [There were none.]

Ernest Schank:

There are a couple of slides in front of you ([Exhibit D](#)). This is a picture of Lahontan in the 1950s. This is a picture, which gives you a perspective. This is the Churchill County side. This is what they call the channel, and this is the Silver Springs side over in here. This is where most of the activity in Silver Springs takes place. This shows an aerial of the dam. This is the Truckee Canal coming into the dam.

Assemblyman Goicoechea:

We had a presentation from the Carson Sub Conservancy. Can you touch on how you maintain those sloughs, and what occurs below the dam?

Ernest Schank:

We have complete control of all of the diversions in segment eight. We do not have a lot of control over what comes into the reservoir, but we try to ensure people do not take water they have no right to take.

The folks on the Carson River, over the years, have been good. There have been few legal challenges. The system has run fairly well. An interesting part of the Alpine Decree is that after 65 years of proceedings and record, Federal Judge Bruce Thompson divided the Carson River into eight independent segments. It is still the longest federal court case on record. He understood the system. We do not need to monkey with it.

Assemblyman Goicoechea:

I wanted to let the Committee know that once you got below the dam, it is the Truckee Carson Irrigation District.

Ernest Schank:

There are a few properties at the tail end of the Carson River that did not come into the project. There are 20,000 acres of ground that used to be water before the Newlands Project was built. The United States bought all but two properties. Those water rights were transferred. Their place is in Lahontan Reservoir to this day.

We serve 1,300 acre-feet of water a year below the Reclamation Project into two ranches on the lower end of the river before the water enters the Carson Sink.

Assemblywoman Parnell:

We dealt with a contentious piece of legislation in the Natural Resources Committee in the 1999 session. Did it end up being a good piece of legislation? Did it do the right thing?

Ernest Schank:

Yes, it did the right thing. I do not like seeing water taken from the project. In the end, the bill makes fewer people pay the charges that are incurred in the delivery of water.

Many of these people—a lot of them are elderly—were prohibited from using the water. They were prohibited from selling their water; yet, they continued to pay the operation and maintenance fees.

The legislation provides more water to Pyramid Lake. It has not changed the usage on the project. Historically, for one reason or another, there have been only 60,000 acres irrigated in a given year.

Assemblywoman Parnell:

That was a tough piece of legislation. There was even a question about whether or not that bill would get voted out of committee.

Ernest Schank:

There are still some minor problems that we hope we can iron out. There was good intent by all parties to solve a problem that had been around for a long time. It was a problem created by the United States.

The federal government left their contractor out there alone and did not sustain the things they required the State to do when Truckee Carson Irrigation District took over operation of the project.

Chair Kirkpatrick:

Does anyone else have questions? [There were none.]

Does anyone have a public comment? [There were none.]

Is there anything from the committee? [There were none.]

Meeting adjourned [at 9:38 a.m.]

RESPECTFULLY SUBMITTED:

Mary Kay Doherty
Committee Secretary

Rachelle Myrick
Transcribing Secretary

APPROVED BY:

Assemblywoman Marilyn K. Kirkpatrick, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Government Affairs

Date: March 9, 2007

Time of Meeting: 9:00 a.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Sign in sheet
	C	Ernest Schank, Truckee-Carson Irrigation District	Prepared statement.
	D	Ernest Schank, Truckee-Carson Irrigation District	Power Point presentation