

**SOUTHERN NEVADA WATER AUTHORITY  
BOARD OF DIRECTORS  
SPECIAL MEETING  
SEPTEMBER 13, 2018  
MINUTES**

CALL TO ORDER 11:00 a.m., Board Chambers, Southern Nevada Water Authority,  
100 City Parkway, Seventh Floor, Las Vegas, Nevada

BOARD MEMBERS PRESENT Marilyn Kirkpatrick, Chair  
Bob Coffin, Vice Chair  
Jim Gibson  
Peggy Leavitt  
John Lee  
John Marz  
Steve Sisolak

BOARD MEMBERS ABSENT

STAFF PRESENT John Entsminger, Julie Wilcox, Dave Johnson, Tabitha Fiddymont

OTHERS PRESENT

*Unless otherwise indicated, all members present voted in the affirmative.*

**COMMENTS BY THE GENERAL PUBLIC**

*For complete comments, audio is available online at [snwa.com](http://snwa.com)*

Patrick Donnelly, Karen Curry and Ed Uehling spoke against the Authority filing to appeal the Nevada State Engineer's ruling regarding the Authority's Clark, Lincoln and White Pine Counties Groundwater Development Project, and encouraged the Board to seek alternative water resource solutions for the Las Vegas Valley.

**ITEM NO.**

1. ***For Possible Action: Approve agenda with the inclusion of tabled and/or reconsidered items, emergency items and/or deletion of items.***

FINAL ACTION: A motion was made by Director Gibson to approve the agenda for this meeting. The motion was approved.

2. ***For Information Only: Go into closed session to receive information from General Counsel regarding potential litigation or arbitration involving matters over which the Board has supervision, control, jurisdiction or advisory power, and deliberate toward a decision on the matter pursuant to NRS 241.015(3)(b)(2).***

The Board went into closed session.

**BUSINESS AGENDA**

3. ***For Possible Action: Authorize the General Manager, or his designee, to file a petition for judicial review of the State Engineer's Ruling No. 6446 of August 17, 2018, and participate in and/or initiate subsequent appellate proceedings related to the Authority's Clark, Lincoln and White Pine Counties Groundwater Development Project.***

John Entsminger, General Manager, said that the Authority continues to evaluate water resource solutions for Southern Nevada, including additional conservation and ocean desalination. However, the Clark, Lincoln and White Pine Counties Groundwater Development Project was the only project contained entirely within the State of Nevada and that it would be prudent to keep the project within the Authority's future resource portfolio.

Director Gibson disclosed that he was the president of a private business that has groundwater applications in Lincoln County, but that the applications are not located in the basins related to the Authority's filings being discussed under this item. After discussion with General Counsel, Director Gibson said that it was determined that this disclosure did not impact his independent judgement and that he did not have a conflict of interest in the matter; therefore, he planned to deliberate

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and vote on the matter. Tabitha Fiddymment, Director of Legal Services, confirmed that the law supported Director Gibson's position and disclosure, and she advised him to participate and vote on the matter.

Vice Chair Coffin said that he supported the proposal and that the Authority should continue to pursue it.

Chair Kirkpatrick said that the Authority should be at the table by filing a petition for judicial review of the State Engineer's ruling since she believed that this ruling would have unintended impacts on other groundwater applications in the state.

Director Marz said that the Board had a responsibility to intervene because the judge's ruling impacts all groundwater users in Nevada. Therefore, the Authority has a need to get the matter clarified and resolved so that the Board could understand what water resource options exist for the future.

**FINAL ACTION:** Vice Chair Coffin made a motion to approve staff's recommendation. The motion was approved.

**Public Comment**

There were no speakers.

**Adjournment**

There being no further business to come before the Board, the meeting adjourned at 11:45 a.m.

**Copies of all original agenda items and minutes, including all attachments, are on file in the General Manager's office at the Las Vegas Valley Water District, 1001 South Valley View Boulevard, Las Vegas, Nevada.**