SOUTHERN NEVADA WATER AUTHORITY
BOARD OF DIRECTORS
REGULAR MEETING
AUGUST 20, 2026
MINUTES

CALL TO ORDER	9:02 a.m.
BOARD MEMBERS PRESENT	Marilyn Kirkpatrick, Chair Dan Stewart, Vice Chair Scott Black Olivia Diaz Justin Jones Steve Walton (by telephone)
BOARD MEMBERS ABSENT	Jim Gibson
STAFF PRESENT	John Entsminger, Colby Pellegrino, Doa Ross, Paul Johnson and Greg Walch
OTHERS PRESENT	None

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

COMMENTS BY THE GENERAL PUBLIC

For full public comment, visit snwa.com/apps/snwa-agendas/index.cfml

Laura McSwain requested that the minutes from the SNWA Board of Directors meeting of July 16, 2026, be amended to include a summary of her comments in addition to the attached written copy of her comments. She then spoke on items 5, 6 and 7. She said that item 7 was pulled from the agenda in July to then be signed by the General Manager on August 11, and that the Board was now being asked to ratify the agreement. She questioned the division of authority between management and the Board and challenged the conservation methodology used to justify the agreement. Ms. McSwain stated that water savings through voluntary conservation and efficiency improvements were not the same as reallocating water from mandatory restrictions imposed on existing residents and commented that Nevada's contribution under the agreement was disproportionate compared to California's contribution. Ms. McSwain said that items 5 and 6 demonstrated that Southern Nevada had the ability to acquire and develop additional water resources; therefore, growth should pay for the resources needed to support it. Ms. McSwain provided a copy of her written comments, which are attached to these minutes.

Scott Millington spoke on item 5. As the General Manager of the Muddy Valley Irrigation Company (MVIC) in Moapa Valley, Nevada, he said that the MVIC and the Authority had been working together since the mid-90s. He said that the Muddy River contributed to the Authority's Intentionally Created Surplus (ICS) credits, and that the MVIC assists the Authority on the reporting of ICS. Mr. Millington stated that Moapa Valley was a rural community with shareholders in the MVIC that were grateful for the opportunity to lease or sell water at fair market value to the Authority. He asked that the Board support the proposed agreement between MVIC and the Authority.

Sam Castor said that the authority to make Colorado River water decisions belonged to the Colorado River Commission, not the Authority. He said that public comments were not being considered since decisions had already been made and commented that the Authority's conservation policies were harming Las Vegas by increasing temperatures through landscape removal while extracting additional water savings from residents. Mr. Castor noted that the Authority was reallocating significant amounts of water, including giving away 50,000 acre-feet of water to San Diego's desalination plant, while local residents ultimately bear the costs. He said that developers should be responsible for securing their own water resources rather than relying on conservation measures imposed on existing residents to accommodate growth. He also alleged retaliatory behavior related to customer water billing and meter replacements and said that legal challenges would follow if the Board proceeded, which could also affect their reputations and positions.

Carol Reynolds spoke on item 7. She questioned the Board's approval process. She said the public deserved to know by what authority the agreement was signed. Ms. Reynolds noted that residents were responsible for the conservation efforts that saved the water that is now being considered as surplus and available for sale. She asked what the money paid by the federal government would be used for and to what benefit for residents.

Diane Henry spoke on item 7. She questioned the transparency and fairness of the agreement, asking what was accomplished in discussions with the Bureau of Reclamation since the agreement appeared unchanged. She challenged the process by which the General Manager signed the agreement without prior board approval or a public hearing. She said that Nevada was being asked to give up a disproportionate share of its Colorado River allocation, while California would contribute a much smaller percentage and the Upper Basin states would contribute nothing. Ms. Henry stated that Nevada's conservation efforts were not being adequately recognized and called for sacrifices to be shared more evenly across the basin.

ITEM NO.

1. ***For Possible Action:* Approve agenda with the inclusion of tabled and/or reconsidered items, emergency items and/or deletion of items, and approve the minutes from the meeting of July 16, 2026.**

Chair Kirkpatrick asked that the July 16, 2026, minutes be amended to reflect Ms. McSwain's comments.
Mr. Entsminger said that staff would amend the minutes.

FINAL ACTION: Director Jones made a motion to approve the agenda for this meeting and to approve the amended minutes from the meeting of July 16, 2026. The motion was approved.

BUSINESS AGENDA

2. ***For Possible Action:* Approve and authorize the General Manager to sign, in substantially the same form as attached hereto, an amendment to the Non-Exclusive Access and License Agreement between the State of Nevada, acting through the Nevada Division of State Lands, for and on behalf of the Nevada Army National Guard, and the Authority for use of real property necessary to construct, operate, and maintain Authority water facilities within Garnet Valley, and authorize payment in a total amount not to exceed $257,560 for the term of the agreement.**

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

3. ***For Possible Action:* Approve and authorize the General Manager to sign an agreement between Hazen and Sawyer and the Authority to provide professional engineering services for miscellaneous civil, electrical, mechanical, and control systems projects for a total amount not to exceed $6,000,000.**

FINAL ACTION: Director Black made a motion to approve staff's recommendation. The motion was approved.

4. ***For Possible Action:* Approve and authorize the General Manager to sign an agreement between Jacobs Engineering Group Inc., and the Authority to provide professional engineering services for miscellaneous civil, electrical, mechanical, and control systems projects for a total amount not to exceed $6,000,000.**

FINAL ACTION: Director Diaz made a motion to approve staff's recommendation. The motion was approved.

5. ***For Possible Action:* Approve and authorize the General Manager to execute, in substantially the same form as attached hereto, a Second Amended and Restated Water Operation and Management Agreement between Muddy Valley Irrigation Company and the Authority; authorize the General Manager, or his designee, to approve leasing of irrigation company shares; execute ministerial documents to effectuate the transactions; and pay the associated administrative costs of the irrigation company for an amount not to exceed $3,950,000 for the first year with three percent annual increases thereafter.**

FINAL ACTION: Director Black made a motion to approve staff's recommendation. The motion was approved.

6. ***For Possible Action:* Approve and authorize the General Manager to negotiate and execute extensions or amendments for operation and management agreements with water-rights holders on the Virgin and Muddy rivers (excluding the Muddy Valley Irrigation Company); authorize the General Manager, or his designee, to approve the lease of shares (excluding Muddy Valley Irrigation Company shareholders); execute ministerial documents to effectuate the transactions; and pay the associated administrative costs of the irrigation companies for an amount not to exceed $5,210,000, representing a maximum increase of 50 percent of non-lease costs currently paid, 20 percent for leases of 10 years or less, and 40 percent for leases of at least 30 years, all subject to three percent annual increases.**

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

7. ***For Possible Action:* Ratify the System Conservation Implementation Agreement between the Bureau of Reclamation and the Authority, which was executed on August 11, 2026, and through which the Authority will create up to 50,000 acre-feet of System Conservation Water in exchange for $16,250,000 in federal funding and authorize the General Manager to approve future modifications if such modifications do not fiscally impact the Authority.**

John Entsminger, General Manager, said that when this item was first brought to the Board in July, staff realized that there were terms and conditions within the agreement that would have given additional authority to the federal government to allocate water to other parts of the lower basin. Those concerns have now been addressed in this agreement. Therefore, staff was comfortable recommending moving forward with the agreement. He said that it was important for the Board to recognize that a recorded decision from the federal government on how it was going to operate the river was imminent. Every draft the Authority had seen anticipated Nevada contributing to this sort of a system conservation effort. Therefore, the decision was whether the Authority take advantage of federal funding for this type of contribution while federal funding is available, and while we still have the water available to us to offset reductions to Nevada's overall allocation as part of these banked resources.

Director Jones said that his preliminary concerns had been addressed, and that it was financially prudent for the Authority to receive compensation for system conservation that may be required by the federal government anyways.

FINAL ACTION: Director Jones made a motion to approve staff's recommendation. The motion was approved.

8. ***For Information Only:*** **Receive an update from staff on water resources including, but not limited to, drought conditions in the Colorado River Basin, conservation programs and initiatives, activities on the Colorado River, and water resource acquisition and development.**

Mr. Entsminger said that the Authority continued to work with the other Basin States to reach an agreement that would not require litigation; however, the Authority was prepared to take the steps necessary to protect the community based on the federal government's decision when it was released.

NO ACTION REQUIRED

Public Comment

Judith Clark spoke concerning her water bill that had increased to as much as $900. She said that her bill was a financial hardship, and that she had removed trees and grass to reduce water use. She asked the Board to hold more evening meetings so working residents could attend and commented that funds from the federal government for conservation should be given to residents. Furthermore, Ms. Clark asked the Board to consider the impact on residents facing hotter temperatures and increasing expenses.

Laura McSwain thanked the Board for accommodating her request regarding the meeting minutes. She spoke concerning enforcement of the non-functional grass law after the beginning of the year and stated that multiple questions have been asked in the community about enforcement of the law, but no official proposal had been brought to the Board for consideration. Ms. McSwain alleged that Mr. Entsminger told Berkshire Hathaway that commercial customers with non-functional grass would have their water shut off. She said that the law specifies that beginning January 1, 2027, Colorado River water may not be used to irrigate non-functional turf, but that was not the same thing as saying that all water service to a commercial property would be terminated. Ms. McSwain asked whether a decision had already been made regarding enforcement that had not been presented to the Board and stated that enforcement of the law was subject to active litigation and any proposed implementation should be approved through a public process. Ms. McSwain provided a copy of her written comments, which are attached to these minutes.

Cheryl Purdue asked what the Authority was doing to bring in an alternative source of water to support the Colorado River and noted that conservation was insufficient to solve the problem. She said that solutions take time and money, and that the Board should find out if anything was being done.

Laura Weber said that the Authority should consider periodic meetings held at later times for the public to be able to participate. She said that it seemed that decisions were being made without the general public's comments.

Adjournment

There being no further business to come before the Board, the meeting adjourned at 9:39 a.m.

Copies of all original agenda items and minutes, including all attachments, are on file at the Las Vegas Valley Water District, 1001 South Valley View Boulevard, Las Vegas, Nevada.

#1

Water Fairness
COALITION

August 20, 2026

SNWA Board of Directors Meeting – Agenda Items 5,6 and 7

Board of Directors:

In July, this agreement came before you for approval and was pulled. On August 11, the General Manager signed it anyway. Today you are being asked to **ratify** it.

We've confronted the question of where administrative authority ends and Board authority begins, I think we all remember the septic waiver program.

If management could execute this agreement subject to later ratification, why was Board approval requested in July, and what changed after the item was pulled?

But the additional conservation material provided with this agenda raises more important issues to consider.

SNWA must attest that absent this agreement, it **would have used this water in 2026.** Yet the methodology supporting that conservation reaches all the way back to **2002**, measuring today's much lower per-capita consumption against that baseline.

So:

How much of the 50,000 acre-feet SNWA now wants to monetize came from decades of efficiency improvements, voluntary conservation and increasingly efficient new development, and how much came from mandatory restrictions imposed on existing residents?

That distinction matters because saving water through efficiency is fundamentally different from creating "available" water by taking established water use away from existing residents. One is conservation. The other is a reallocation of who gets to use the resource.

Historically, much of that burden was prospective: **new development had to become more efficient.** Increasingly, the burden has become retrospective: **existing residents and established communities are required to surrender existing water use and landscaping to create additional capacity.**

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And when that reallocation is compelled, while the resulting water is used to accommodate other demands or monetized for $16.25 million, it is no longer conservation, but appropriation.

And consider what Nevada is being asked to contribute compared with California.

This agreement represents up to **16.7 percent of Nevada's 300,000 A/F apportionment.**

Metropolitan is leaving up to **200,000 acre-feet, only about 4.5 percent of its 4.4 million acre foot apportionment.**

If California were contributing the same proportion as Nevada, it would be leaving approximately 733,000 acre-feet in Lake Mead; not 200,000.

And California itself says this water is being left in Lake Mead to help stabilize the Colorado River and protect hydropower generation. Fine, then the burden should be theirs and at a proportional share.

Meanwhile, Items 5 and 6 demonstrate that Southern Nevada can **acquire and develop additional water resources.**

If growth creates additional demand, **growth should bear the cost of acquiring the resources necessary to support it.**

Instead, Item 7 asks you to monetize another 50,000 acre-feet of conservation for **$16.25 million**, without retaining an ICS credit for that water.

Before deciding Nevada has 50,000 acre-feet to spare, look at your own data and ask how those savings were produced....and why Nevada, with the smallest Lower Basin allocation, is contributing proportionately so much more than California.

Before casting the unanimous vote required to ratify this agreement, I ask each of you to explain **how you justify this action, and to what degree you are willing to accept environmental decline in Southern Nevada in pursuit of ever-lower water use.**

Respectfully submitted,

WATER FAIRNESS COALITION, INC

Laura McSwain, President

#2

Water Fairness
COALITION

August 20, 2026

SNWA Board of Directors Meeting – Second Public Comment

Board of Directors:

Director Stewart has repeatedly asked a very simple question concerning AB 356:

What are the consequences for someone who has not complied? In fact this question has been asked repeatedly at presentations given by SNWA representatives throughout the valley.

And as I recall the discussion at the last meeting, Mr. Entsminger indicated that something addressing this issue would be coming before the Board soon.

But now, before this Board has publicly considered and adopted whatever those consequences are going to be, we are hearing reports that Mr. Entsminger told Berkshire Hathaway that they had better get with their commercial customers because people in commercial areas who still have grass are going to have their **water shut off.**

If that report is accurate, we have a much bigger problem.

AB 356 says that, beginning January 1, 2027, Colorado River water may not be used to **irrigate nonfunctional turf.**

That is not the same thing as saying that all water service to a commercial property will be terminated.

Has a decision already been made about the consequences of noncompliance that has not yet been presented to this Board or disclosed to the public?

And most importantly, when you say "shut off their water," do you mean prohibiting Colorado River water from being used to irrigate nonfunctional turf, as the statute provides, or do you mean terminating water service to the entire commercial property?

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This is particularly troubling because AB 356 and SNWA's implementation and enforcement of it are currently the subject of active litigation, including challenges concerning SNWA's authority and due-process protections. Against that backdrop, it is even more important that neither the public nor the business community be threatened with an enforcement consequence that has not been clearly identified, legally supported, and publicly adopted.

It should not be represented to this board that the consequences of noncompliance are still coming while simultaneously telling the business community what the consequences supposedly already are.

If that is, in fact, going to be the enforcement policy, then the public deserves to know when that decision was made, by whom, under what legal authority, and why this Board is only now being told that an enforcement policy is forthcoming.

Respectfully submitted,

WATER FAIRNESS COALITION, INC

Laura McSwain, President