

Another Owens Valley

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ON APRIL 23, 1991 THE *NEW YORK TIMES* ran a front-page story entitled “Battle Lines Drawn in Sand: Las Vegas Seeks New Water.” The article explained, “Seventy years after the City of Los Angeles grabbed control of the water rights in the Owens Valley of California, with raw chicanery chronicled in the film ‘Chinatown,’ rural Nevadans say history is about to repeat itself. They fear that their land, like the Owens Valley, will dry up into a parched dust bowl, its water diverted to build a vast city in an arid basin.”

From its western terminus in Bishop in Owens Valley, U.S. 6 heads northeast, climbs the White Mountains, then follows the basin-and-range topography across central Nevada to Tonopah, Ely, and eventually the hamlet of Baker in Snake Valley, near Great Basin National Park and 230 miles north of Las Vegas. Spanning 100 miles of the Nevada-Utah border, Snake Valley is one of a series of inter-range basin aquifers that the Southern Nevada Water Authority (SNWA) hopes to tap for the further development of Las Vegas and urbanized Clark County. Still in the planning stages after years of negotiation, the SNWA (usually pronounced “sun-wah”) pipeline has thus far acquired a number of ranches and water rights in key locations as far north as Spring Valley west of Snake Valley and near Ely. Further SNWA initiatives are underway seeking new water permits from the State Engineer and defending in court those they have been awarded in contested proceedings. Partially funded by Las Vegas building permit fees, SNWA recently has suffered from the housing collapse. But they remain determined to build a pipeline, motivated perhaps by a growing scarcity of water in the West, especially declining Colorado River flows and reservoirs.

Reminiscent of the Owens Valley rebels of the 1920’s and environmentalists of the 1970’s, Nevada citizens have organized in the committee to Protect Snake Valley (<http://protectsnakevalley.com>) with support in the region from the Great Basin Water Network (<http://www.greatbasinwater.net>).

Resistance to the Las Vegas water grab in central



FIGURE 1. Route of the proposed 285-mile SNWA pipeline connecting Las Vegas with central Nevada aquifer basins at a cost from 3 to 12 billion dollars. (Image courtesy of PLAN)

Nevada is the work of a variety of citizens, ranchers, environmentalists, lawyers, scientists, and journalists. Some of the inspiration behind this movement, as the *New York Times* noted, derives from the history of Owens Valley. In 2006, the Progressive Leadership Alliance of Nevada (PLAN) published an attractive booklet entitled “Las Vegas and the Groundwater Development Project” (by Cristina Roessler) that recalls the story of the Los Angeles Aqueduct and its consequences for the Eastern Sierra communities and environment. Greg James, retired head of the Inyo County Water Department and long-time Bishop resident was invited to meet with the Snake Valley community for advice about parallel experiences and protective strategies. Slogans, banners, and spoofs began to appear in Snake Valley equating history and the present, LADWP and SNWA.

Dean Baker is a rancher who lives in the coincidentally named hamlet of Baker, Nevada, headquarters of the 12,000-acre family ranch he established with his father and now operates with his four sons. Baker is a graduate of the University of Utah, a pilot, and citizen politician who describes himself as “just an alfalfa farmer.” But a very smart one, as becomes apparent when he talks about Snake Valley, the rancher’s lot, and the threat posed by SNWA’s pipeline. Since 1989, SNWA has been seeking water rights in the valleys to its north totaling some 100,000 acre feet per year (AFY), including 50,000 in Snake Valley. Some of these claims have already been established through million-dollar ranch purchases in Spring Valley. But the citizens of Snake Valley are resisting the water grab. Baker says that SNWA claims far exceed the actual amount of water available. Since electrical pumping was installed in the 1970’s, their own modest irrigation causes the water table to drop noticeably. Exporting large amounts of groundwater would destroy the ranches, communities, natural springs, and wildlife habitat of Snake Valley.

Baker’s assessment is shared by hydrologists John Bredehoeft, former U.S. Geological Survey chief of water



FIGURE 2. Protest sign and section of corrugated iron pipe that draw symbolic comparison of the Snake Valley and the Owens Valley experiences. (Image courtesy of the Great Basin Water Network.)



FIGURE 3. Dean Baker (right) and Bob DuBois survey irrigated fields of corn and new alfalfa on the Baker Ranch. Looking SW: ranch headquarters and the Snake Range.

resources for eight western states, and by Timothy Durbin, once the head of Nevada’s USGS office. Both experts say hydrological models show that the amount of water claimed just isn’t there. SNWA, they say, relies on bad science or “political science” while excluding the testimony of independent analysts.

Despite the long western drought and dwindling Colorado River, Las Vegas’s “need” for other people’s water is debatable. The city of 2 million is legendary in the annals of urban sprawl. New subdivisions spread over the surrounding desert far in advance of any effective demand. Urban planning is unfamiliar and unlovely to the powerful development and gaming industries. Water use is profligate, given the physical setting. Las Vegas consumes 174 gallons per person per day, excessive when compared to other southwestern cities such as Albuquerque (110), Tucson (114), or even the national average (153). Some California coastal towns manage with 70. Although Las Vegas has recently adopted a system of water credits and rebates for residential conservation, the casino fountains, artificial lakes, and golf course sprinklers continue to flow. A Pacific Institute study entitled “Hidden Oasis: Water Conservation and Efficiency” shows that a series of relatively simple system improvements and water-rate incentives could save SNWA some 86,000 AFY—nearly the amount the multi-billion dollar pipeline is (over-) estimated to deliver.

Among the communities that would be affected by the SNWA pipeline, Snake Valley boasts the most energized resistance movement. Like Owens Valley in the early years, citizens are mobilized and participate in a variety of ways. Dean Baker and his son-in-law, White Pine County Commissioner Gary Perea, joined a SNWA-sponsored Integrated Water Planning Advisory Committee until they found that their suggestions about the need for hydrological studies prior to decisions about building a pipeline were ignored. Although SNWA promised them “a seat at the table,” the seat came without a voice. Baker and Perea declined to be token participants in a predeter-

mined outcome, and Las Vegas learned that co-optation would not work.

While distressed ranchers in Spring Valley succumbed to generous buy-outs, the residents of Snake Valley refuse to sell and abandon their preferred way of life. The community turns out for meetings, public hearings, fund raisers, and political picnics. Cecil Garland, a rancher from Callao in the Utah portion of Snake Valley says, "We will resist because it is morally correct to resist. It's a choice of crops or craps." The controversy generates favorable publicity, including a series of articles by Emily Green in the *Las Vegas Sun* and the film "Desert Wars: Water and the West" produced by the University of Utah KUED public television station. Snake Valley's citizens' movement is explained by a higher proportion of family ranches, committed leaders, legal talent, and political experience acquired in the 1970's struggle against the ill-fated MX Missile scheme. Equally important is organizational assistance from environmental groups in Nevada and Utah such as PLAN and the Great Basin Water Network. John Huntsman, the popular Utah Governor (and now US Ambassador to China) spoke out in support of Snake Valley.

Another parallel between the struggles for survival in the Owens and Snake Valleys is the impressive success of legal action. In Owens Valley, it was the protracted Inyo v. Yorty lawsuit that established the applicability of the California Environmental Quality Act to depredations stemming from the Los Angeles Aqueduct (followed by key "public trust" decisions on Mono Lake). In 1989, LADWP was required to reduce groundwater pumping and mitigate environmental damage. In October 2009, the Nevada District Court, in a case brought by Atty. Simeon Heskovits's Taos firm Advocates for Community and Environment, vacated the State Engineer's ruling that gave SNWA rights to 18,775 AFY in the three valleys closest to Las Vegas. Without those rights, and with others sought farther north in potential jeopardy, this decision could render the pipeline financially infeasible. Emily Green calls it "a phenomenal reversal for Las Vegas in its 20-year quest for water from the Great Basin Aquifer." Of course, SNWA will appeal to the Nevada Supreme Court.

The story of western water wars continues to unfold. The Owens Valley-Los Angeles conflict has long been the familiar model, popular legend, and recusant inspiration. New citizen movements and rural rebellions continue to arise, each with its own special circumstances and energy. Snake Valley belongs in the Owens Valley tradition. Revealingly, only SNWA insists there are no similarities.

Author's note: A new (October 2009) 2-disk DVD of *Chinatown* is now available. Special features include interviews with various people connected with OVC.

Part 1 of this article appeared in the summer 2009 issue of the Rainshadow. The two parts can be read independently.

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