

SUBCOMMITTEE ON WATER, OCEANS, AND WILDLIFE
REMOTE OVERSIGHT HEARING

October 15, 2021

2:00 p.m. ET

Oversight Hearing on “*Colorado River Drought Conditions and Response Measures – Day One.*”

John J. Entsminger’s Response to Question for the Record

Question from Rep. Jim Costa, CA

1. The “Law of the River” and the quantification of the Upper and Lower Basin states amounted to around 17 million acre-feet of water, which was determined was the annual flow at the time. However, we know in the previous two decades it has been more like 12.4 million acre-feet. And this does not even account for other Native American tribes with water right claims that have yet to be resolved. There is a tremendous amount of demand, and with climate change we know the yield is only going to decline. Let’s say the annual yield over the next 30 years is 10 million acre-feet, maybe with climate change it’s more or less. **How do we take into account how we got to the original allocation, with the Upper and Lower Basin States and the Native American tribes, and then reallocate that on a lot less water?**

Response of John J. Entsminger, General Manager, Southern Nevada Water Authority:

Within the borders of the State of Nevada there are no outstanding Native American tribal claims to Colorado River water. However, we support the resolution of outstanding claims in other states.

The math is not complex. We draw water every day from a system where uses exceed inflows despite the fact that a majority of states in both the Upper and Lower Basins are currently using less than their full legal entitlements. Therefore, any process to bring the system into balance must include agreement on how to match uses with available supply.

Any new or expanded use of Colorado River will add to the overall supply and demand imbalance unless accompanied by a commensurate reduction of an existing use within the basin.

The only way we can capitalize on the successes of past river cooperation is to confront the realities of climate change with transparency and candor. My sincere hope is that in doing so we can continue to demonstrate that the flexibility and management solutions for the water supply of 40 million people can be found within our existing laws and compacts -- through collaboration and not litigation.