The Changing Political Fortunes of the Truckee-Carson Irrigation District

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The physical layout of the Carson and Truckee rivers has an impact on the conflicts described below. Both rivers originate in the Sierra Nevada mountains in California and terminate in Nevada. The Truckee River originates at Lake Tahoe and is fed below Lake Tahoe by Prosser Creek, Martis Creek, Independence Creek and the Little Truckee River. After crossing the border into Nevada the Truckee then flows east through Reno and Sparks then turns north terminating at Pyramid Lake, "a natural sink or basin, from which water can only leave by evaporation." The headwaters of the Carson River originate in an East and West fork, in Alpine County, California. Flowing eastward, that part of the Carson River undiverted by upstream users is impounded in the Lahontan Reservoir, part of the Newlands Project. After its use for irrigation purposes on the Newlands project, the waters of the Carson terminate in the Carson's sink, a "wetland which fluctuates in size depending on the extent of the winter's snow pack in the Sierra Nevada Mountains."

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1 This paper is an outgrowth of a comprehensive oral history of the Truckee-Carson Irrigation District and those affected by it. The project, under the sponsorship of the Bureau of Reclamation, was begun in 1994 and is ongoing. Seventy six of the proposed one hundred twenty five oral histories have been completed. For access to the interviews cited below, contact the author. The views expressed and the conclusions drawn are solely those of the author and not the Bureau of Reclamation.


This paper examines the changing political fortunes of the Newlands Project irrigators and its governing entity, the Truckee-Carson Irrigation District (TCID). TCID is controlled by an elected board of directors chosen by the water righted irrigators on the Newlands Project. The Project is made up of two divisions, the Truckee Division and the Carson Division. TCID has been a major political force in Lyon County and the Town of Fernely, location of the Truckee division, which is irrigated solely from the Truckee River, and in Churchill County and Fallon, location of the much larger Carson division, which is irrigated with water taken from both Truckee and Carson rivers. Beyond its close relationship with local and state governments in Nevada, the district has enjoyed a close, some would even say a cozy relationship with the Bureau of Reclamation who, until the late 1960’s, exercised a minimum oversight role.  

As originally conceived, the approximately 20,000 acres already farmed in Fallon, Nevada, from the natural flow of the Carson River, would grow to over 400,000 irrigated acres. Such a vast project needed the waters of both the Carson and Truckee rivers. While the project has only supported somewhere between 58,000 and 73,000 thousand irrigated acres, the decision to use Truckee River water, based on the ambitious original plans for the district, a decision which seemed to make good sense in 1902, has come back to haunt Newlands Project and those affected by it.

For most of its history, until the mid-1950’s, the Newlands Project had what it would now consider minor problems to deal with. In its early history the need for a drainage system for the project had to be worked out between the irrigators and the Bureau of Reclamation.

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Reclamation. As well, from time to time there would be difficulties with the employees of the electrical system operated by TCID.6

It was the authorization of the Washoe Project by the Congress in 1954, and the opposition of the Pryamid Lake Tribe to that project, that began a reexamination of the dramatic impact of the Newlands Project on Pryamid Lake. By the mid 1950’s the level of the lake had fallen 70 feet. The drop in the lake was caused by TCID diverting, at times, virtually the entire flow of the Truckee, through the Truckee Canal to the Lahontan Reservoir.7 With the level of the lake so low there now appeared, from the fish's point of view, an insurmountable dry Delta separating the lake and the Truckee River, the spawning grounds for the now extinct Lahontan cutthroat trout and for the qui-ui fish. In fact, during the very period in which the water was most needed for the fish runs, early spring through mid June, the District needed the water itself for irrigation purposes. The type of cutthroat trout that were unique to Pryamid Lake had become extinct by 1940, and the cui-ui, which do not need to spawn every year were surviving only on the excess flows of water created every few years by especially abundant winters, but they too were declining in number and clearly headed for extinction.

The opposition of the Tribe to the Washoe Project stemmed from its belief that the
Project, and especially the proposed Watashemu Dam\(^8\) on the east fork of the Carson River, would mean less water would be taken out of the Carson River for the Newlands Projects as more upstream uses on the Carson River would develop based on the newly stored water in the proposed dam. And that would mean that more water would have be taken out of the Truckee River for use on the Newlands Project, at the expense of Pyramid Lake.

In an attempt to assuage the Tribes' fears, the then Secretary of the Interior, Stuart Udall "... created [a] Department of the Interior task force...to prepare a report of the Department's plan for management and development of the water resources of the Truckee and Carson River Basins,"\(^9\) in light of the changes that would be made when, and if, the Washoe Project was completed. The report did reaffirm the dominant place of TCID in Department of Interior policy by making as its first recommendation and goal; the "provision of firm irrigation water supply [for the Newlands Project]."\(^{10}\) But the report did, in a mild fashion, raise questions about the practice of winter power generation by TCID.\(^{11}\) As with many Bureau of Reclamation projects, there is a power generation unit below Lahontan Reservoir. Designed to make electricity as the first use of irrigation

\(^8\) The Watashemu Dam was never built, but not because the Pyramid Lake Tribe opposed it. It was never built because the Bureau of Reclamation failed to convince the largest farmers (and therefore the largest water rights holders) to give up their vested water rights for contract water from the Bureau. Robert A. Whitney, Bureau of Reclamation (retired), Carson City Office. *Oral History Interview.* Transcript of tape-recorded Bureau of Reclamation Oral History Interview, conducted and edited by Donald B. Seney, California State University. June 15, and August 17, 1994. Carson City, Nevada. Pp. 113-115.


water, such hydroelectric facilities are functional and commendable. However, TCID diverted water from the Truckee River to the Lahontan Reservoir solely to generate electricity for the power system it operated in Churchill County. After creating hydro power this water ended up, not on farm fields, but in the Stillwater Wildlife Refuge at the terminus of the Carson River. And this was water that was not legally TCID’s; their decreed water rights were for agricultural use only. The Pryamid Lake Tribe asserted that this water should not be used for water power generation, but instead should be allowed to flow into Pryamid Lake. The District argued that the Bureau of Reclamation has done the same thing when they operated the project prior to the 1926 contract under which TCID assumed operation of the Project. In 1967 TCID stopped the practice of water power generation and turned the operation of the electrical system over to Sierra Pacific Power Company on a long-term lease.

But the ending of Winter power generation was not the most important element of the report, the most important change was the requirement that the Secretary of the Interior establish how much water the District was entitled to use: “a major outgrowth of the 1964 report was the establishment by the Secretary of the Operating Criteria and Procedures (OCAP) Committee assisted by an advisory committee to recommend rules

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12 The profits from the sale of electricity were used to help defray the operation and maintenance costs of the district; there by acting a subsidy for the irrigators. Doris Morin, *Oral History Interview*, op. cit.


14 Doris Morin, *Oral History Interview*. Pp. 20-21. According to Ms. Morin the reason the District turned over the operation of the electrical system to the Sierra Pacific Power was that the electrical workers had become unionized and the District was tired of the problems and conflicts that this caused.
and regulations for the operation of the Truckee and Carson Rivers.”\textsuperscript{15} This first (1967) and later OCAP’s have been a major irritant to the District which sees them as an unwarranted intrusion in its affairs.\textsuperscript{16} As well, the various OCAP’s have worked as a lever by which the Pyramid Lake Tribe has forced the district to take less water from the Truckee River, thereby freeing up additional water for the lake.

The first OCAP\textsuperscript{17} simply confirmed the amount of water that the district said it needed at that time (378,000 acre feet), less the diversions for water power generation, and imposed that as the amount of water the would be allowed to use. Lax as the rules were, they did give the Pryamid Lake Tribe a legal opening and in 1967 the Tribe filed a lawsuit in the Federal District in Washington D.C. to force the Secretary to develop reasonable, that is more restrictive, operating criteria and procedures.\textsuperscript{18} The case was heard by Judge Gerhard Gesell, and was a complete victory for the Tribe and the first of what would be a long line of set backs for TCID. Of the Secretary’s setting of 378,000 acre feet for Newlands Project use, Judge Gesell said, “…the government has failed to meet its burden of establishing that his decision was anything but arbitrary.”\textsuperscript{19}

\textsuperscript{15} Final Report, Pyramid Lake Task Force. p. 9.


\textsuperscript{17} Prior this first OCAP, the District used an estimated 406,000 acre-feet of water annually. That amounted an average gross duty of water of 5.8 acre-feet per irrigated acre. That is far above the duty of water allowed under the Orr Ditch Decree; which was 3.5 for bottom lands and 4.5 for bench lands.


\textsuperscript{19} Pyramid Lake Paiute Tribe of Indians v. Morton. p. 256.
Further the Judge ruled that the Secretary had failed to meet his trust responsibilities to the Pryamid Lake Tribe; "the Secretary's action is therefore doubly defective and irrational because it fails to demonstrate an adequate recognition of his trust obligations to the Pryamid Lake Tribe."  

TCID, on the advice of its counsel, had chosen not to become a party to the suit and had already announced that it would continue to divert as much water as it thought it needed from the Truckee River. Judge Gesell acknowledged this planned defiance in his opinion: "moreover, the absence of effective enforcement provisions in the challenge regulation must be considered in light of a formal statement by the district that it will disregard the new regulations and will divert water as it chooses by giving instructions to its own water masters."  

Judge Gesell voided the old OCAP and ordered the Secretary to devise new rules that allowed a maximum of 288,120 acre-feet of water for use by the district and, to devise enforcement mechanisms to ensure compliance by the district. If the government had chosen to appeal Judge Gesell's ruling it might have been reversed, but the then solicitor General of United States, Irwin Griswald, chose not to appeal the

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20 Such trust responsibilities or fiduciary obligations have been described as, "...without equivocation or reservation, the obligation to preserve and protect the properties of the Indian people, particularly in the arid west, and the Indians’ prior and paramount right to the use of water, without which the Indian people and their culture cannot exist."  William H. Veeder.  The California-Nevada Interstate Compact.  Bureau of Indian Affairs, Department of the Interior, Washington, D..C.  1972.  p. 3.


23 Prior to the imposition of the first OCAP that had allowed the District the use of 378,000 acre feet, the District had used 406,000 acre feet annually, not including water diverted for winter power generation.
As threatened, TCID did refuse to obey the new OCAP and continued to divert water at the old rate of 378,000 acre-feet per year. In an exchange of letters, the Secretary the Interior warned the District that all of the water diverted above the amount allowed in the OCAP mandated by Judge Gesell (i.e. 288,120 acre-feet) would have to repaid. Known as the recoupment issue, to this day the matter has not been resolved.

Another court battle began in 1973 when the Federal Government filed a suit to reopen the Orr Ditch Decree. The objective of the government, and the Pyramid Lake Tribe as a party to the suit, was to reduce diversions from the Truckee River, and give a larger water right to the Pyramid Lake Tribe for the restoration of the fish habitat in and around the lake. The Orr Ditch Decree was the case that had settled water rights claims on the Truckee River, including those of the Pyramid Lake Tribe. The Federal Government now contended that the Federal Government itself had erred in representing conflicting parties, the Tribe and the Newlands Project irrigators, in the Federal District Court proceedings that lead to the Orr Ditch Decree. The government argued that the Tribe had not been properly represented because the U.S. Justice Department was biased against the Indians and favored the irrigators. The Justice Department had secured only a small water right for the Indians for the purpose of farming. But the Pyramid Lake Tribe were not historically farmers, they were fisherman who depended on a healthy lake, one from which the Lahontan Cutthroat trout and the *cui-ui*, could spawn easily. The U.S. Supreme Court ruled, however, that the question of water rights on the Truckee had been full adjudicated, was settled, and could not be

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25 It is generally agreed that the District diverted a total of 1,058,000 acre feet of water during the time it defied the District Courts order. Understandably, TCID sees the matter differently.
reopened.\textsuperscript{26} This decision appeared to be a great victory for TCID and a real defeat for the Tribe.\textsuperscript{27}

During this same period other matters court suits were nearing decision in the 9th Circuit Court of Appeals, and that case concerned the Stampede Reservoir on the Little Truckee River. This Reservoir was part of the Washoe Project and was begun 1966 and completed in 1970. In 1966 then Secretary of the Interior Udall was under pressure to sign a contract with the Carson-Truckee Water Conservancy District for the operation of the Reservoir. Stampede Reservoir had always been intended to provide both drought protection and water storage for the Reno and Sparks area.\textsuperscript{28} Worried about the effect of the Reservoir on the water levels at Pyramid Lake Secretary Udall decided that the Reservoir would only be used for recreation and flood control purposes until some solution to the water supply problems for Pyramid Lake could be worked out.\textsuperscript{29}

Not satisfied with the delays and the reasons for it, Sierra Pacific Power Co., the intended beneficiaries of the water in Stampede Reservoir and the operators of Westpac, the water utility that then served Reno and Sparks, urged the Carson-Truckee Water Conservancy District to sue the Secretary. What Sierra Pacific Power wanted

\textsuperscript{26} Nevada v. The United States, 438 U.S. 110 (1983).


\textsuperscript{29} Joe Gremban, President, Sierra Pacific Power Company (retired). Oral History Interview. Transcript of tape-recorded Bureau of Reclamation Oral History Interview, conducted and edited by Donald B. Seney, California State University, Sacramento. October 24, 1994. p. 48.
was for the courts to force him to sign a contract with the District for the operation of the Reservoir. The outcome of this case was not what the Power Co. wanted or expected. In 1984, a year after the Supreme Court ruled that the Orr Ditch Decree was final, the Ninth Circuit Court of Appeals ruled that Stampede Reservoir must be operated for the benefit of the Pyramid Lake fishery. It based its ruling on the Endangered Species Act; the *cui-ui* was included on the first list of endangered species issued under the act, and a substitute for the Lahontan Cutthroat Trout which had been introduced by the Nevada Division of Fish and Wildlife in the early 1960’s and this fish was “threatened” under the terms of the same act. It can be argued that the Tribes victory in this case was more important than their unsuccessful attempt to overturn the Orr Ditch Decree. The Orr Ditch case had taken forty years, from start to finish, and there was no way to predict how long a reexamination of water rights on the Truckee River might take this time. The Stampede case was a clear and immediate victory which the U.S. Supreme Court refused to review.

This ruling, in the Stampede case, was a turning point, "It changed everything. And it ultimately created at the major political alliance [between] the Tribe with the Sierra Pacific Power Company. And ultimately what it meant was, instead of being in the situation on the Truckee and Carson and rivers of everybody against the Tribe, it's now

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30 The Carson-Truckee Water Conservancy District was a public entity created in order to contract with the U.S. Government for the delivery of water from Stampede Reservoir; water which was then made available to Westpac Utilities, the water purveyor for Reno and Sparks and a wholly owned subsidiary of Sierra Pacific Power Co. Federal law prohibited contracts between the Government and private entities for the delivery of water from a federally constructed and controlled dam. The dam is operated and maintained by the Bureau of Reclamation.

pretty much turned around so was not everybody against TCID."32 As the Pyramid Tribes’ attorney says above, this ruling was a profound event because it gave the Sierra Pacific Power Company, a very powerful influence in Nevada water politics particularly, as well as a major power in Nevada politics generally, a reason to form an alliance with the Tribe.33

The next political battle that bears on the conflicts surrounding the waters of the Truckee and Carson Rivers shifts to Washington, D.C. and out of the courts and into the U.S. Senate. When Paul Laxalt was Governor of Nevada and Ronald Reagan was Governor of California they completed negotiations for an interstate compact; negotiations that had begun in the 1950’s. The compact, among other things, apportioned the waters of the Truckee and Carson Rivers and the waters of Lake Tahoe between the two states. Both state legislatures had, as required, approved the compact.34 The U.S. Congress had failed to ratify the compact when it was presented to it in the 1970’s.

But now the strongest campaign for the approval or defeat of the compact was about to begin. In 1985 Senator Paul Laxalt (Nevada) announced both that he would not seek reelection in 1986, and that he wanted, as a last act in office, to see the compact ratified. The Pyramid Lake Tribe, with just as much resolve, decided it had to defeat the compact.35 The Pyramid Lake Tribe opposed the compact because they had


34 Nevada approved the compact in 1970 and California approved it in 1971.

35 For a discussion of the Tribes efforts to defeat the compact see: Joe Ely, former Tribal Chairman, Pyramid Lake Paiute Tribe, Oral History Interview. Transcript of tape-recorded Bureau of Reclamation Oral History Interview, conducted and edited by Donald B. Seney, California State University, Sacramento. Mesa, Arizona, May 17, 1996. Pp. 63-93 and Robert S. Pelcygar, Oral History
concluded that the compact would result in the destruction of Pyramid Lake. To defeat the compact the Tribe, under the leadership of Tribal Chairman Joe Ely, mounted an all out lobbying campaign. They hired a well-connected and powerful Washington D.C. lobbying firm, Wexler, Reynolds, Harrison and Schule. In order to pay for the campaign a rock concert was held on the Pyramid Lake reservation, and while the concert lost money for the promoters, Joe Ely had insisted that the Tribe’s $65,000 fee be backed by a bond, and it was this money that helped to defeat the compact. The legislation necessary for the ratification of the compact was introduced into the Senate Judiciary Committee. A single hearing was held, but because of the press of other committee business, particularly judicial nominations and the opposition of key Democrats on the Judiciary Committee, it was clear that the compact would not be passed out of the Committee. To save the compact Senator Laxalt, a member of the Senate Appropriations Committee, had a single line added to the fiscal 1987 appropriations bill that said, "The California and Nevada Interstate Compact is hereby ratified." Despite the efforts of the Tribe to kill the bill it passed out of the Appropriations Committee and was headed for the Senate floor.

Joe Ely and Robert Pelcygar had, by this time, met with Senator Mark Hatfield, the Chairman of the Senate Appropriations Committee and managed to raise serious doubt in his mind about the compact and its effects on Pyramid Lake. Hatfield began to pressure Laxalt to make a deal with the Tribe. At the same time the Tribe, through its lobbying and public relations firm, began to mount a campaign against the compact in

36 They were not alone in that view. See William H. Veeder, *The California-Nevada Interstate Compact*. Here he details the opposition of the Bureau of Indian Affairs. As well, the Department of the Interior was on record as opposed to the ratification of the compact. But since Ronald Reagan was now President and Paul Laxalt was a powerful senator and close personal friend of the president, the Departments’ opposition was not vigorous. On this point see also Robert Pelcygar, *Oral History Interview*, page 105 and Joe Ely, *Oral History Interview*, page 86.
the media. Editorials opposing the compact appeared in the *Washington Post*, *The New York Times*, and several newspapers in Oregon, the home state of Senator Hatfield. At this point Laxalt agreed to discuss a compromise with the Tribe. He agreed to language that was beneficial to the Tribe as well as a $50 million payment to the Tribe. But when word reached Joe Gremban, the President of Sierra Pacific Power and Roland Westergard, the Director of Natural Resources for the State of Nevada, they both told Laxalt that they would rather have no compact than what he had agreed to in the compromise. At this point Laxalt conceded defeat. Defeating a Senator as powerful as Laxalt, gave the Tribe a reputation that has helped it in all its future efforts to secure more water for Pyramid Lake. However, since the Tribe had gotten so much in the compromise from Senator Laxalt they were initially disappointed when the Nevada interests asked that the compact be withdrawn.

With the election of Harry Reid to the U.S. Senate in 1986, the Tribe's political position continued to improve. On election night, after it was clear that Senator Reid had been elected, a reporter at the Reno airport asked him what he thought was the most serious problem facing the people of Nevada and he replied, “the water wars in Northern Nevada.” As soon as he returned to Washington D.C. Reid assigned his

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38 Since the compact had been agreed to by both states in 1969, both California and Nevada had abided by the division of water in the agreement, though they were under no legal obligation to do so. Since it was clear that this “gentlemens agreement’ would continued to be abided by, there was no hurry to ratify the compact on the part of the two states. In fact, both states did adhere to the agreement until it was written into Public Law 101-618, in November, 1990.

39 Harry Reid. *Oral History Interview*. Transcript of tape-recorded Bureau of Reclamation Oral History Interview, conducted and edited by Donald B. Seney, California State University, Sacramento. November 5, 1995. Washington, D.C. p. 3. During the interview Senator Reid admitted something that is widely believed by who have been involved in the problems of the Truckee and Carson Rivers, and that
is that the Senator did not know what he was getting himself into; since none of the parties thought that any broad resolution of the conflicts was possible.


The first contact between the Power Company and the Tribe had occurred in 1985, but they were put on hold pending the outcome of the fight over the ratification of the compact.
Sierra Pacific Power to approach the Tribe to see if some sort of accommodation could be worked out.\textsuperscript{42} The final agreement between the Tribe and Sierra Pacific Power, known as the Preliminary Settlement Agreement, allowed Sierra Pacific to store water in Stampede Reservoir in drought years for use in Reno and Sparks; in non-drought years that water would be used to support the trout and \textit{cui-ui} runs from Pyramid Lake. Since the \textit{cui-ui} do not need to spawn every year and the Tribe has a hatchery to produce trout, the agreement met the needs of Sierra Pacific Power for drought protection and the Tribes need to protect their fishery. It was a clever and important agreement and cemented a political alliance between the Tribe and Sierra Pacific Power Co. This agreement became part of Public Law 101-618.\textsuperscript{43}

At the same time the Tribe and the Power Company were negotiating the Preliminary Settlement Agreement, the broader negotiations begun by Senator Reid in 1987 were going on. In early 1988 TCID decided to leave the talks. TCID maintains that they were forced out,\textsuperscript{44} other participants in the talks maintain the TCID left of their own accord.\textsuperscript{45} Wayne Mehl believes that they left voluntarily, in part because they thought that the talks would fail to produce any results.\textsuperscript{46}

Hearings were held on what would become Public Law 101-618 before the Senate

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\textsuperscript{42} Joe L. Gremban, \textit{Oral History Interview}. p. 49.


\textsuperscript{44} Ted de Braga, \textit{Oral History Interview}. p. 85


\textsuperscript{46} Wayne Mehl, \textit{Oral History Interview}. p. 44.
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Subcommittee on Water and Power in 1990.\textsuperscript{47} At this hearing TCID voiced its objections to the proposed legislation. Subcommittee Chairman, Senator Bill Bradley then ordered that the bill be laid aside for 90 days. During this period attempts were made to mollify the district, including offering the Fallon community a new high-quality water system, a system that would cost $50 million.\textsuperscript{48}

However, once it became clear that the legislation had a good chance of passage, TCID did all it could to kill the bill.\textsuperscript{49} That included trying to kill the bill in the House of Representatives. TCID’s lobbyist had some success in raising questions in the minds of some House members. Though Senator Reid was able to blunt the criticism and overcome the doubts and despite a last minute hold on the bill on the House floor, it passed.\textsuperscript{50} Those in favor of the legislation looked on TCIDs’ actions with frustration and anger. From their point of view TCID had withdrawn from the negotiations in 1988, and now we’re acting the part of the spoiler. TCID would not agree, and it continued its efforts to kill the bill, it was at this point that Section 209 was added to the bill. This section was aimed directly at TCID, and to this day there are very angry about it. Section 209 allows, among other things, for the Secretary of Interior to operate the

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\textsuperscript{47} Truckee-Carson-Pyramid lake Water Rights Settlement Act. ” Hearings before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources of the United States Senate. One Hunddred and First Congress, second session. February 6, 1990.
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\textsuperscript{48} There is no doubt that there were elements in the legislation that would, when implemented, have a profound impact on the Newlands project; these included the provision for wetlands and \textit{cui-ui} restoration among others.
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\textsuperscript{49} Thomas C. Jensen, Chief Counsel, Sub Committee on Water and Power, U.S. Senate. Oral History Interview. Transcript of tape-recorded Bureau of Reclamation Oral History Interview, conducted and edited by Donald B. Seney, California State University, Sacramento. November 11, 1995, Washington, D.C. Pp. 35-37
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\textsuperscript{50} ibid.
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Project on a year-to-year contract with TCID. To cancel an estimated $50 million debt the District owes the Federal Government if it accepts the OCAP. It forbids the district from suing to overturn the OCAP for seven years. There is no doubt that this section was meant to be punitive.\textsuperscript{51}

There is also no doubt that the passage of public law was a 101-618 with a major defeat TCID and a victory for all the other interests on the Carson and Truckee River systems. In fact, in the view of some of the participants, if the law's provisions for the establishment of a 25,000 acre wetlands at Stillwater, the terminus of the Carson River, are met by the purchase of water from willing sellers,\textsuperscript{52} the allocation of water to the District will be reduced by 125,000 acre-feet (five acre-feet of water are needed for each acre of wetlands). And when the qui-ui recovery plan mandated in the legislation is put into effect it will mean that another 100,000 acre-feet will go from willing sellers on the Newlands Project to Pyramid Lake. When both of these amounts are subtracted from the roughly 285,000 acre-feet of water now used on the Project the remaining 60,000 acre feet will sustain between 20,000 and 30,000 irrigated acres, about what was farmed, from the natural flow of the Carson River, before the Newlands Project was begun in 1902.

A mixture of aggressive advocacy on the part of the Pyramid Lake Tribe, court decisions and changing times have worked to undercut the political position of TCID.

\textsuperscript{51} See especially Thomas C. Jensen, \textit{Oral History Interview}. For a lengthy discussion of the efforts needed to pass Public Law 101-618. Mr. Jensen was the Chief Counsel of the Subcommittee on Water and Power and was involved in writing the legislation as well as the discussions that surrounded the passage of the act.

\textsuperscript{52} At this point several thousand acre feet of water rights have already been purchased for use at the wetlands from willing sellers. As well, the Bureau of Land Management (BLM) has started a land exchange program that may have profound effects on the Newlands Project. Developers who want BLM land in Las Vegas and Clark County have bought up water righted lands on the Newlands Project and exchanged them with the BLM for land in Southern Nevada. These water rights are then transferred to the Stillwater wetlands.
They see themselves as hard working, by and large conservative individuals who see the Project in the terms in which it was first presented to them by the old Reclamation Service in the early 20th century. That is, they see themselves as committed to making the desert bloom with water that would otherwise go to waste (in their view). They adhere to the idea that the Bureau of Reclamation should be their partners and helpers, as they were into the 1960’s. They now see the Bureau as an adversely, even an enemy, and they are understandably angry and bitter. In their minds, they not only have to face the water shortages that can be blamed on nature, but also the water shortages they see as created by the Bureau of Reclamation and other federal agencies, as those agencies divert water the irrigators think should be theirs, to other uses.

As TCID’s position has become more difficult they have become more isolated and more willing to compromise.53 Perhaps that is understandable, they have seen their position decline from that of an unassailable leader in northern Nevada water politics to one in which others see the end of the Newlands Project as not just possible, but inevitable.

53 There was another attempt to reach a settlement with TCID in 1994-1995. Also sponsored by Senator Reid, these discussions were conducted by a professional mediator that all sides had agreed on. But once again the irrigators and the Churchill County community, now represented by the Lahontan Valley Environmental Alliance, could not reach any agreements with the other participants.