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Nevada Files Lawsuit Against Department of the Interior over Colorado River Operations Record of Decision

LAS VEGAS - The State of Nevada, in conjunction with the Colorado River Commission of Nevada and Southern Nevada Water Authority (SNWA), today filed a lawsuit in federal district court contesting the Department of the Interior's recently issued Record of Decision governing Colorado River operations.

"Under the proposed plan issued by the Department of the Interior, southern Nevada could lose more than 70 percent of its already meager Colorado River allocation while the Upper Basin states of Colorado, Utah, New Mexico, and Wyoming are not required to contribute a drop," explained Nevada Governor Joe Lombardo. "This isn't about political posturing; this is a matter of survival for a community that represents about two-thirds of our state's citizens and the lion's share of its economy."

Under the Record of Decision, which was released Friday, Aug. 21, Nevada, California, and Arizona would face potentially devastating cuts to their annual Colorado River water allocation while the four Upper Basin states would face no mandatory reductions at all and only vague voluntary conservation goals. Specifically, Nevada stands to have its 300,000-acre-foot allocation cut by up to 213,556 acre-feet, leaving Las Vegas and surrounding cities less than 86,500 acre-feet per year. For context, the community used slightly less than 212,500 acre-feet of water in 2024. SNWA General Manager John Entsminger said the level of additional reduction proposed by Interior is entirely unrealistic.

“Over the past 25 years, southern Nevada has become a global leader in water efficiency, reducing our Colorado River consumption by about 40 percent even as the community added 800,000-plus residents, so we have clearly demonstrated our ability to adapt and do more with less,” Entsminger said. “However, conservation has its limits, and there is just no way to meet even the basic needs of this community with the volume of water Interior has proposed.”

The litigation requests that the court set aside the Record of Decision and prevent the implementation of its provisions until its numerous legal and technical shortcomings are resolved. For instance, while Interior’s Final Environmental Impact Statement quantified the potential economic losses in agricultural and river-based recreation resulting from reduced water deliveries, the impact of draconian curtailments on southern Nevada’s \$180 billion economy were not analyzed, despite a legal requirement for Interior to address those impacts, an issue Nevada raised during the comment period.

“The Department of the Interior can’t roll Nevada and solve the entire Colorado River shortage on the backs of the Lower Basin states,” said Lombardo. “We’ve already shown that we’re willing to do our part, but the Colorado River is a shared resource, so the solution needs to involve everybody. Until that happens, we are prepared to fight for as long as it takes.”

Despite several years of negotiations, Upper Basin States have steadfastly refused to agree to any tangible reductions in use to stabilize the river, instead relying on a legally dubious attempt to reinterpret the Colorado River Compact so they retain their full water rights while forcing all shortages onto the Lower Basin States.

A preliminary hearing on this legal action has not yet been set.

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