

IN THE OFFICE OF THE STATE ENGINEER  
OF THE STATE OF NEVADA

ORDER

#1285

REQUIRING WATER USERS OF THE  
LITTLE HUMBOLDT RIVER  
AND ITS TRIBUTARIES TO INSTALL AND MAINTAIN  
HEADGATES AND MEASURING DEVICES

WHEREAS, Findings of Fact, Conclusions of Law and Decree were issued by the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt in the *Matter of the Determination of the Relative Rights in and to the Waters of the Little Humboldt River and Its Tributaries* in Humboldt and Elko counties.

WHEREAS, the Little Humboldt River and Tributary Decree provides "[t]hat water diverted for irrigation should be measured at or near the point where the main ditch enters or comes adjacent to the lands to be irrigated. Headgates should be maintained for the proper measurement of waters in the main ditches."<sup>1</sup>

WHEREAS, Nevada Revised Statute (NRS) § 536.010 provides that:

1. The owner or owners of any ditch or canal shall maintain to the satisfaction of the State Engineer a substantial headgate at or near the point where the water is diverted, which shall be of such construction that it can be locked and kept closed by the water commissioner.
2. Such owners shall construct and maintain, when required by the State Engineer, suitable measuring devices at such points along such ditch as may be necessary for the purpose of assisting the water commissioner in determining the amount of water that is to be diverted into the ditch from the stream, or taken from it, by the various users.
3. Every owner or manager of a reservoir located across or upon the bed of a natural stream or of a reservoir which requires the use of a natural stream channel shall be required to construct and maintain, when required by the State Engineer, a measuring device of a plan to be approved by the State Engineer, below such reservoir, and a measuring device above such reservoir, on every stream or source of supply discharging into such reservoir, for the purpose of assisting the State Engineer or water commissioners in determining the amount of water to which appropriators are entitled and thereafter diverting it for such appropriators' use.
4. When it may be necessary for the protection of other water users, the State Engineer may require flumes to be installed along the line of any ditch.

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<sup>1</sup> *In the Matter of the Determination of the Relative Rights in and to the Waters of the Little Humboldt River and Its Tributaries in Humboldt and Elko Counties*, Case No. 3157, Sixth Judicial District Court of the State of Nevada, In and For the County of Humboldt, Finding of Fact XVIII, (May 9, 1935).

**NOW THEREFORE, IT IS HEREBY ORDERED** that all water users of the Little Humboldt River and its tributaries as identified in Attachment A of this order **shall install and maintain headgates and measuring devices by April 1, 2018.**

**IT IS FURTHER ORDERED** that pursuant to NRS § 536.030, if any person neglects or refuses to install the headgate, measuring device or flume, as required by NRS § 536.010, the State Engineer may, in the discretion of the State Engineer, install the headgate, measuring device or flume, as the case may be, and in the first instance charge the actual cost thereof to the water distribution account and thereafter present an itemized statement of the charge to the board of county commissioners of the county wherein the charge and expenses were incurred. The board of county commissioners shall thereupon present a bill for the expenses to the person liable therefore under this section and NRS §§ 536.010 and 536.020, and if that person neglects for 30 days thereafter to pay it, the bill and costs become a lien upon the lands and property of the person so liable for the payment of the bill, and must be collected as delinquent taxes against the lands and property are collected.

Failure to comply with this order will result in the filing of a complaint in the Sixth Judicial District Court of the State of Nevada for the County of Humboldt as set forth under NRS §§ 533.460, 533.475, 533.480 – 533.482 and 536.120 – 536.210.



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JASON KING P.E.  
State Engineer

Dated at Carson City, Nevada this

8th day of June, 2017.

**ATTACHMENT A**

**OFFICE OF STATE ENGINEER  
LITTLE HUMBOLDT DISTRIBUTION  
ELKO COUNTY**

NAME AND ADDRESS	PARCEL NO	PROOF NO	HARVEST	MEADOW	DIVERSIFIED	TOTAL	
						ACRES	ACRE FEET
Crawford Cattle, LLC 5195 Kirkway Dr. Winnemucca, NV 89445-3914	004-060-001	0617	128.69			128.69	463.28
Ellison Ranching HC 32 Box 240 Tuscarora, NV 89834-9703	007-320-002	01067	83.40		110.70	194.10	399.87

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LITTLE HUMBOLDT RIVER DISTRIBUTION FOR HUMBOLDT COUNTY**

NAME AND ADDRESS	PARCEL NO	PROOF NO	HARVEST	MEADOW	DIVERSIFIED	TOTAL	
						ACRES	ACRE FEET
BELL, John R. & Jhona L. P.O. Box 8 Paradise Valley, NV 89426	04-0331-35	0591	249.22		51.24	300.46	943.31
BELL, Forrest & Lilla Family Trust PO Box 48 Paradise Valley, NV 89426	04-0331-10	0696 0700 0701 0701A	51.87 193.65 377.36	16.93	36.39 17.51 35.35	88.26 211.16 412.71	30.47 219.48 712.90 1390.31
BELL, Forrest & Lilla Family Trust PO Box 48 Paradise Valley, NV 89426	04-0401-32	0666A		42.57		42.57	76.63
BOWERS, Matthew P.O. Box 15396 Boise, ID 93715	04-0401-46	0676	18.00			18.00	64.80
BUCKINGHAM Holdings PO Box 10 Paradise Valley, NV 89426	04-0401-74	0598 0598A	196.11 200.48			196.11 200.48	706.00 721.73
BUCKINGHAM, Robert BAR X RANCH PO Box 100 Paradise Valley, NV 89426	04-0331-06	0650 0667 0666 01240	439.98 353.35 327.25 23.95		19.52 20.40 327.25	459.50 373.75 327.25 23.95	1601.50 1290.42 1178.10 86.22

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						ACRES	ACRE FEET
BUCKINGHAM, R & K Trust PO Box 100 Paradise Valley, NV 89426	04-0383-01	0671 0671B	248.05 6.66	102.23	116.85	467.13 6.66	1182.16 23.98
BUCKINGHAM, Kenneth R. Trust PO Box 10 Paradise Valley, NV 89426	06-0201-50	0679 0679A 0679C	188.30 195.97 209.53		153.00 159.77	341.30 355.74 209.53	815.58 849.28 754.31
		0652 0652D	500.83 604.17			500.83 604.17	1802.99 2175.01
		0584 0586	159.10 204.07	9.80	21.05 2.30	180.15 216.17	591.71 754.36
		0607 0607A	245.98 80.62		11.20 35.98	257.18 116.60	895.61 322.61
BYPASS Trust Under Lowry Trust 1805 E. Burton Ave. Tulare, CA 93274-3184	04-0481-12	01234	159.00			159.00	572.40
CASSINELLI, Daniel R. & Anita PO Box 29 Paradise Valley, NV 89426	04-0601-19	0693	74.06		132.78	206.84	386.12
STEINMAN, Gary L. & Jeannie M. c/o Chabot, Tim and Roxanne 9530 Hwy 95 North Winnemucca, NV 89445	04-0471-26	01601 50392 50394	0.50 0.50	- -	- -	0.50 0.50	1.80 1.80



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ECHEVARRIA, Joseph & Marty P.O. Box 37 Paradise Valley, NV 89426	04-0551-02	0592			97.30	97.30	87.57
FERRARO, Peter J PO Box 130 Paradise Valley, NV 89426	04-0471-73	0600 0600A (12805) 0672 0672A (10673) 0672B	79.10 51.20 382.60 37.90 152.65 9.80		85.24	164.34 51.20 382.60 94.92 168.85 9.80	361.48 184.32 1377.36 817.78 578.70 35.28
GORDON, R&C et al. 22005 Grass Valley Road Winnemucca, NV 89445	04-0481-20	0661 0662 0689	26.42 388.60 113.20		205.51 228.05 120.55	231.93 616.65 233.75	280.07 1604.21 516.02
DOUBLE Vee Gem Ranch LLC c/o Richard Graham P.O. Box 990 Winnemucca, NV 89446	04-0481-06	0659 0659A 0659B 0660 0660A	38.96 71.45 72.02 65.40 58.70		27.80 68.61 8.00 19.10	38.96 99.25 140.63 73.40 77.80	140.26 282.24 321.02 242.64 228.51
HANSEN, Monty E. & Renee Alane 245 Harmony In Sun Valley, NV 89433	04-0591-05	01601 50393	0.50			0.50	1.80
HOGAN, Doug & Donna 7610 Wash O'Neil Creek Rd Winnemucca, NV 89445	04-0471-21	01601 (82706) (84894)	0.07 0.73 0.87			0.07 0.73 0.87	0.25 2.63 3.13

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HUMBOLDT Co. 50 W. 5th Street Winnemucca, NV 89446	04-0401-10	01857	4.78		0.34	5.12	17.51
TALANCON, Jose Family Trust c/o Ingle, Richard and Cathy P.O. Box 592 Mt Shasta, CA 96067	04-0481-10	0675 0694	169.24		167.17 15.00	336.41 15.00	759.72 13.50
KEYSTONE Ranch PO Box 18 Paradise Valley, NV 89426	04-0331-37	0583 0654A 0654B (16980) 0654C 0654D (11093) 0654E	302.55 220.52 15.53 17.51 134.21 11.60		18.62 36.88 0.09 49.93 14.95	321.17 257.40 0.09 65.46 17.51 149.16 11.60	1105.94 827.06 0.32 100.85 63.04 496.61 41.76
KERN, David & Susan PO Box 70 Paradise Valley, NV 89426	04-0331-09	0657 0657A 0658 0658A 0658B 0658C 0658D 0668	108.84 201.05 76.25 37.60 9.90 141.20 11.58 97.26			108.84 201.05 76.25 37.60 22.10 152.90 11.58 121.91	391.82 723.78 274.50 135.36 46.62 518.85 41.69 372.32



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						ACRES	ACRE FEET
SMITH, Roy & Charlotte Revoc. Trust c/o Las Flores Cattle Co. 101 Ranch Rd. Winnemucca, NV 89445	06-0201-16	0669 0669A 0669B	743.42 232.41 72.51		17.36 39.10	760.78 232.41 111.61	2691.94 836.68 296.23
LESPERENCE Community Trust PO Box 210 Paradise Valley, NV 89426	04-0401-50	0584		0.00	109.50	109.50	98.55 98.55
LUCAS, Steven E. 3300 Feedlot Road Winnemucca, NV 89445	04-0281-23	0604 0651 0665 (11104) 0665A	270.96 59.01 405.81 86.23 214.30		26.57 84.37 107.58	297.53 59.01 490.18 193.81 214.30	999.37 212.44 1536.85 407.25 771.48
MARVEL, Joseph C. & Camma D. 9209-B 101 Ranch Rd. Winnemucca, NV 89445	06-0201-42	0649 0649A 0649B 0652D	145.40 135.69 101.69 54.56		36.00	145.40 135.69 137.69 54.56	523.44 488.48 398.48 196.42
MARVEL, Peter & Kathi Trust PO Box 44 Paradise Valley, NV 89426	04-0481-08	0674 0674A 0691 0691A	190.03 151.63 262.98 69.55	64.40	321.41	190.03 216.03 584.39 69.55	684.11 661.79 1236.00 250.38
Mathews, Andrew C & Echo C PO BOX 5 Paradise Valley, NV 89426	04-0471-70	01601	12.01			12.01	43.24

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						ACRES	ACRE FEET
MILLER, F.L. & G.L. Rev TR 5530 Crabtree Grove Sparks, NV 89436	04-0471-64	0670	259.93		97.75	357.68	1023.72
Ninety-Six Ranch PO Box 14 Paradise Valley, NV 89426	04-0481-18	0676A 0676B 0676C 0677 0678 0679A 0679B 0680 0680A 0680B 0681 (21076) 0682 0684 (21075) 01854 01241 01241A	23.55 91.45 36.60 982.01 338.17 16.30 62.10 178.95 234.53 31.43	76.80	650.38 8.65	1709.19 346.82 16.30 62.10 178.95 426.13 371.74 70.83	84.78 329.22 131.76 4258.82 1225.20 58.68 223.56 644.22 1016.75 334.57 148.61
RECANZONE, Carlo J. & Victoria L. PO Box 20 Paradise Valley, NV 89426	04-0332-04	0703 0703A	37.10 196.06		48.87 58.43 21.38	48.87 141.83 23.98	133.56 705.82 43.98 352.83 28.60
RECANZONE, Carlo J. & Victoria L. PO Box 20 Paradise Valley, NV 89426	04-0332-04	0703 0703A	434.43 62.55		127.04 79.82	561.47 142.37	1678.28 297.02
ROWE, D. & C.; et al. 5900 Feed Lot Rd. Winnemucca, NV 89445	06-0201-22	01182 01338 01341			582.75 112.85 905.25	582.75 112.85 905.25	524.48 101.57 814.73

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SANTA ROSA MEADOWS RANCH, LLC 755 Foothill Road Gardnerville, NV 89460		04-0631-02	0600A 0697 0702 (18653) 0702A	18.30 30.31 280.69 117.16		304.3	18.30 334.61 280.69	65.88 382.99 1010.48 421.78
T Five Ranch PO Box 1 Paradise Valley, NV 89426		04-0471-55	0599 0601 0601A 0601B 0695 0698 0699	255.15 32.52 57.48 205.86 268.34 305.61		35.79 104.60 47.45 10.52 28.39	290.94 32.52 104.60 104.93 205.86 278.86 334.00	950.75 117.07 94.14 249.64 741.10 975.49 1125.75
Thomas, Jean P.O. Box 31 Paradise Valley, NV 89426		04-0401-79	2773		94.90		94.90	171.00
TOLOTTI, Mary G. Family Trust et al. 1855 Caughlin Creek Rd. Reno, NV 89519		04-0331-03	0655 0656 0656A	23.20 10.90 2.40			23.20 10.90 2.40	83.52 39.24 8.64