



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

June 15, 2017

**IN THE MATTER OF THE DETERMINATION OF THE RELATIVE RIGHTS IN AND
TO ALL WATERS, BOTH SURFACE AND UNDERGROUND, LOCATED WITHIN
THE DIAMOND VALLEY HYDROGRAPHIC BASIN NO. 10-153,
EUREKA AND ELKO COUNTIES, NEVADA**

INFORMATIONAL STATEMENT

Purpose of this Statement. The purpose of this statement is to provide the parties to this adjudication and the public with information regarding the State Engineer's plans and anticipated timelines for processing this adjudication. It is also to put all parties on notice of the dates contemplated for the hearing on any Objections to the Preliminary Order of Determination in order that the parties may set aside anticipated hearing dates well in advance of the hearing. This notice is informational only and is not intended to replace any notices required to be given by law.

Abstract of Proofs of Appropriation and Preliminary Order of Determination. Nevada Revised Statute § 533.140, as amended during the 2017 Legislative Session pursuant to Senate Bill 51, provides that as soon as practicable after the expiration of the time for filing proofs of appropriation, the State Engineer shall prepare an Abstract of Proofs of Appropriation and a Preliminary Order of Determination establishing the rights of claimants to the relevant waters. The State Engineer intends to have the Abstract of Proofs of Appropriation and Preliminary Order of Determination prepared and certified by no later than August 30, 2018. Notice setting the time and place for inspection of said proofs will issue concurrently with the notice of the Abstract of Proofs of Appropriation and Preliminary Order of Determination. In lieu of serving copies of the Abstract of Proofs of Appropriation and Preliminary Order of Determination, NRS § 533.140(3), as amended by Senate Bill 51, provides that the State Engineer may provide notice that the Abstract of Proofs of Appropriation and Preliminary Order of Determination are available on the Internet website of the Office of the State Engineer. The State Engineer anticipates issuing notice of the availability of the documents when they become available on the State Engineer's website.

Notice Setting Time and Place for Inspection of Proofs of Claims. Nevada Revised Statute § 533.140(2)(a) provides that the notice for the period for inspection must be at least 30 days before the first date of the inspection period, which is required by law to be open for not less than 20 days. Based on the anticipated date for the issuance of the Abstract of Proofs of Appropriation and Preliminary Order of Determination, **the period of inspection is likely to be set as October 8, 2018 through October 31, 2018.**

Objections to Preliminary Order of Determination. Nevada Revised Statute § 533.145 provides that any person claiming any interest in the water source, whether claiming under a vested right or under a permit from the State Engineer, may object to any finding, part or portion of the preliminary order of determination made by the State Engineer by filing objections with the State Engineer within 30 days after the evidence and proofs, as provided in NRS § 533.140, shall have been opened to public inspection, or within such further time as for good cause shown may be allowed by the State Engineer upon application. Such objections shall be verified by affidavit of the objector, or the objector's agent or attorney, and shall state with reasonable certainty the grounds of the objection. **Any objections to the Preliminary Order of Determination are anticipated to be ordered to be file-stamped in the Office of the State Engineer no later than November 7, 2018.** Please be informed, that due to the importance of moving this adjudication to completion, the State Engineer does not anticipate granting any requests to extend the time for filing objections.

Hearing on Objections to Preliminary Order of Determination. Nevada Revised Statute § 533.150, as amended by Senate Bill 51, provides that unless the requirement for a hearing is waived, that the State Engineer shall fix a time and place for the hearing of objections. **Please be informed that the State Engineer intends to conduct any necessary hearing on objections at the latest between February 11, 2019 and March 1, 2019.** Also, please be informed that the objectors are responsible for the court reporting fees for their portion of any hearing and a proportionate share of the reporting fees for general portions of any hearing relative to the entire proceeding. **The State Engineer's goal is to have the Order of Determination issued by January 31, 2020.**

SERVICE LIST

**INFORMATIONAL STATEMENT IN THE MATTER OF THE DETERMINATION OF
THE RELATIVE RIGHTS IN AND TO ALL WATERS, BOTH SURFACE AND
UNDERGROUND, LOCATED WITHIN THE DIAMOND VALLEY HYDROGRAPHIC
BASIN NO. 10-153, EUREKA AND ELKO COUNTIES, NEVADA.**

Bailey Family Trust, et al.
P.O. Box 29
Eureka, NV 89316

Sadler Ranch, LLC
P.O. Box 831
Forest Knolls, CA 94933

James E. and Vera L. Baumann
P.O. Box 308
Eureka, NV 89316

Theodore M. and Olive M. Thompson
P.O. Box 474
Eureka, NV 89316

Beck Family Trust
289 La Costa Ave.
Dayton, NV 89403

Daniel S. Venturacci
8500 Schurz Highway
Fallon, NV 89406

Arc Dome Partners, LLC
289 La Costa Ave.
Dayton, NV 89403-8774

Bar D Land and Livestock, LLC
HC 62 Box 62141
Eureka, NV 89316

Gary and Melody Garaventa
Garaventa Family Trust
P.O. Box 65
Eureka, NV 89316

Eureka County
P.O. Box 677
Eureka, NV 89316

Peter J. and Gladys P. Goicoechea
P.O. Box 97
Eureka, NV 89316

Merkley Ranches, Inc.
400 Jiggs Highway Unit 17
Spring Creek, NV 89815

Robert & James P. Ithurrealde
P.O. Box 26
Eureka, NV 89316

Solarjos, LLC
3049 Hiddenwood Dr.
Sandy, UT 84092

Nathan A. and Pernecia H. Johnson
P.O. Box 912
Eureka, NV 89316

USDI Bureau of Land Management
1340 Financial Blvd.
Reno, NV 89502

Ira R. and Montira Renner
HC 30 Box 343
Spring Creek, NV 89815

USDI Bureau of Land Management
3900 E. Idaho Street
Elko, NV 89801

USDI Bureau of Land Management
50 Bastian Road
Battle Mountain, NV 89820

Cottonwood Land & Livestock Co., LLC
71 Washington St.
Reno, NV 89503

Mary Bell Fiorenzi and Pernecia Johnson
Box 193
Eureka, NV 89316

Kobeh Valley Ranch, LLC
c/o General Moly, Inc.
790 Commercial St., Ste. B
Elko, NV 89801

Farr West Engineering
5510 Longley Lane
Reno, NV 89511

George Thiel
3950 Steamboat Dr.
Carson City, NV 89701

Paul Taggart
Taggart & Taggart, Ltd.
108 N. Minnesota St.
Carson City, NV 89703

Brent Kolvet
Thorndal, Armstrong, et al.
6590 S. McCarran Blvd., Suite B
Reno, NV 89509

Karen Peterson
Allison MacKenzie, Ltd.
402 N. Division St.
Carson City, NV 89703-4168

Therese Ure
Schroeder Law Offices, P.C.
10615 Double R. Blvd.
Reno, NV 89521

Ted Buetel
Eureka Co. District Attorney
P.O. Box 190
Eureka, NV 89316

Luke Busby
216 East Liberty St.
Reno, NV 89501

Micheline Fairbank
Sr. Deputy Attorney General
100 N. Carson St.
Carson City, NV 89701

Justina Caviglia
Deputy Attorney General
100 N. Carson St.
Carson City, NV 89701