



# Truckee-Carson Irrigation District

## Newlands Project

February 26, 2021

Via Electronic Mail: [nvsclerk@nvcourts.nv.gov](mailto:nvsclerk@nvcourts.nv.gov)

Elizabeth A. Brown  
Nevada Supreme Court Clerk  
201 S. Carson Street  
Carson City, Nevada 89701

FILED

FEB 26 2021

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY   
CHIEF DEPUTY CLERK

#### BOARD OF DIRECTORS

Eric Olsen, President  
David Sitt, Jr., Vice-President  
Bob Oakden, Secretary  
Lester deBraga, Treasurer  
Abraham Schank, Director  
Joseph Gomes, Director  
Wade Workman, Director

Rusty D. Jardine, Esq., General Manager &  
District Counsel

Re: **In the Matter of the Creation of a Commission to Study the Adjudication of Water Law Cases , in the Supreme Court of the State of Nevada, ADKT 0576**

Dear Ms. Brown:

On behalf of the Truckee-Carson Irrigation District (District), we here provide to you comments on the Petition filed by Chief Justice Hardesty, in the matter referenced above, pursuant to the Order issued in the matter on February 8, 2021. For reasons including those expressed herein, we support the creation of a Commission to Study the Adjudication of Water law cases in Nevada.

Our District was organized under state law (NRS Chapter 539) in 1918. Since 1925 the District has operated and maintained the Newlands Federal Reclamation Project, Nevada. Subject to the approval of a new contract with the United States, by the electors of our District, we hope to continue the relationship with the United States for another 25 years. Our duties include the delivery of water to water right holders in accordance with two (2) federal decrees: 1. The Orr Ditch Decree, as modified by the Truckee River Operating Agreement (TROA), for the Truckee River system; and, 2. The Alpine Decree –governing water rights on the Carson River. The performance of our duties is further guided by Federal Regulation specific to us: The Operating Criteria and Procedures for the Newlands Federal Reclamation Project, Nevada (OCAP) 43 C.F.R. Part 418. Routine daily activity at the District, under state rule, includes management of original water right maps and other records, dating back to the origin of the Newlands Project, along with the application of newly created State Engineer Project water right mapping, with which we assist our water right holders with matters such as proofs of beneficial use, water right transfers, and water right mapping –for submission to the Nevada State Engineer for review and approval.

It is difficult to imagine any other state, ours being the very driest, where the consequences of the determinations made under both federal and state rule relating to water have such an impact upon all human affairs.

FEB 26 2021

2666 Harrigan Road, P.O. Box 1356, Fallon, Nevada 89407-1356  
Phone: (775) 423-2141 FAX: (775) 423-5354

21-05773

The complexity of Nevada water law coupled with the force of the interests shaped thereby serves to compel creation of a Commission to study the adjudication of water law cases. Moreover, we support a Commission membership base that includes representation of rural Nevadans, federal interests, and the municipal, agricultural and tribal interests we serve in the City of Fernley, Churchill and Lyon Counties.

Respectfully,

TRUCKEE-CARSON IRRIGATION DISTRICT

By: 

Rusty D. Jardine, Esq.  
General Manager

Cc: Board of Directors