

# CLEARWATER CANYON

**DRAFT**

Proposed  
Full Nomination Packet

## CLEARWATER CANYON

SOUTHERN NEVADA PUBLIC  
LANDS MANAGEMENT ACT  
Land Acquisition Nomination  
Round 5

EXHIBIT E Lands

Document consists of 83 pages.

- ☐ Entire document provided.
- ☒ Due to size limitations, the cover and pages 5 through 10 provided.  
A copy of the complete document is available through the  
Research Library (775/684-6827) or e-mail [library@lcb.state.nv.us](mailto:library@lcb.state.nv.us).

Meeting Date: 12-17-03

Robert Parlasca, Owner  
Winnemucca, Nevada

**Southern Nevada Public Lands Management Act  
Land Acquisition Nomination Round 5  
Clearwater Canyon**

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**Southern Nevada Public Lands Management Act  
Land Acquisition Nomination  
Round 5**

**CLEARWATER CANYON**

**Nominated by:** Board of Humboldt County Commissioners  
Courthouse, Room 205  
50 West 5<sup>th</sup> Street  
Winnemucca, Nevada 89445  
(775) 623-6300

Board of Pershing County Commissioners  
P.O. Drawer "E"  
Lovelock, Nevada 89419  
(775) 237-2342

**Property Owner:** Robert Parlasca  
561 Keystone Ave #358  
Reno, Nevada 89503  
E-Mail: rparlasca@charter.net  
W: 775-788-5207; H: 775-625-3200; F: 775-786-1887

**Date Acquired:** November 30, 1998

**Legal:** Section 5: T33N, R39E: All (640 acres)  
Section 7: T33N, R39E: All (640 acres)  
Section 9: T33N, R39E: All (640 acres)  
Section 16: T33N, R39E: All (640 acres)  
Section 17: T33N, R39E: All (640 acres)  
Section 19: T33N, R39E: All (640 acres)

**County:** Humboldt

**APN:** 08-511-02  
08-511-07  
08-511-09  
08-511-15

**Legal:** Section 13: T33N, R38E: S ½ (320 acres)  
Section 14: T33N, R38E: SW ¼ and SW ¼ SE ¼ (200 acres)  
Section 23: T33N, R38E: All (640 acres)

**County:** Pershing

**APN:** 09-300-28 09-300-69  
09-300-27 (280 acres) 09-300-70

**Acres:** 5,000+/-

**Acquiring Agency:** Bureau of Land Management, Winnemucca Field Office

**Rights Being Offered for Acquisition (X indicates those offered):**

- X Fee Acquisition of Land
- X Water Rights: Restrictions on points of diversion to surface and artesian water rights held by owner as required to maintain minimum stream flow in Clear Creek and minimum pool elevations in the fishing ponds. Restrictions to be placed on deeds to the following water rights:
  - Certificate 251 – Clear Creek
  - Certificate 2710 – Clear Creek
  - Certificate 9472 – 3 artesian wells
- o Conservation Easement (e.g. Development Rights)
- X Mineral Rights: Any mineral rights held by owner on offered lands. An initial review by BLM's Nevada State Office has determined that Dr. Parlasca is the owner of the mineral estate for most of the property being offered. Owner understands that BLM will conduct an official title search prior to the agency proceeding with any agency appraisal of the offered lands.
- X Access Easement: Landowner will donate a gravel road thru deeded property for access to property. Owner also will grant an easement thru section 35: T33N, R38E for access to Grand Trunk Canyon to the south of the acquisition property.
- o Patented Mining Claims
- o Other

**Rights to be Reserved (X indicates those reserved):**

- o Access Rights
- X Water Rights: Except as noted above, all water rights are reserved.
- o Mineral Interests
- o Development Rights
- o Other

**Rights of Others:** Preliminary investigation indicates that mineral rights on some parcels may be held by parties other than owner.

**Asking Price:** The asking price for the offered land including restrictions on points of diversion to surface water and artesian well water rights as required to maintain minimum stream flow in Clear Creek and minimum pool elevations in the fishing ponds; any mineral rights held by owner on offered lands; and access easements across improved road through other private land held by owner to the offered land is still under determination. The asking price will be based upon informal discussions by owner with real estate appraisers, water rights surveyors and real estate brokers with knowledge of the area and experience in selling properties with similar environmental and recreational

attributes as those found in Clearwater Canyon. Owner understands that SNPLMA requires that the offer price be the "fair market value" as determined by a federally approved appraisal pursuant to Section 206 of the Federal Land Policy and Management Act of 1976. Accordingly, owner recognizes that the fair market value from the federally approved appraisal may be higher or lower than the owner's asking price.

**General Description:** The Clearwater Canyon is located in the eastern portion of Pershing County and western portion of Humboldt County, Nevada. It is located approximately 15.6 miles SSW of the city of Winnemucca and approximately 4.7 miles south of the Dutchman Acres subdivision in Pershing County. The private property, in conjunction with the public lands, is coupled to comprise one of the longest, contiguous, perennial streams and riparian systems within the north central portion of the Great Basin<sup>1</sup>. Man-made structures on the property include a Jeep trail through the property and a two-story log cabin built in 2001. This cabin includes a separate outhouse with a Biolet, self-contained waste disposal system. There is a completely self-contained fire suppression system and a potable water system is under construction. A concrete diversion dam provides flows to a man-made pond. Two additional ponds, currently under construction, will be included. A minimum pool also will be included for all three bodies of water. The stream will have minimum flow rights through the private property that is being considered for sale.

The Clearwater Canyon drainage is approximately 22,000 acres and is made up of both public and private ownership. The private land consists of approximately 7,360 acres of which 4,160 acres are owned by Robert Parlasca. The remaining 3,200 deeded acreage has no access, other than horseback, to the watershed due to the steepness of its canyon walls. The 4,160 acres are key to the management and access to the watershed. At present access is denied to the public through the nominated property and therefore, use of the resources, by the public, is totally restricted in the drainage. The majority of the riparian values occur in the lower five miles of the canyon and are mostly located on the private lands for nomination. The balance of land offered is located at the mouth of Clearwater Canyon and contains stream/riparian features and existing and under-construction ponds.

**Resource Values:** Clear Creek flows approximately 10.8 miles from Sonoma Peak to the north and proceeds in a southwesterly flow to the Clearwater Ponds. The stream is snow fed and retains its flow during the dry summer months from approximately 80 published springs, and multiple unpublished springs, in the 22,000 acre drainage. Clear Creek is a perennial stream for which the lowest recorded flow rate was 1.15 cubic feet per second (approximately 538 gallons per minute), measured at the mouth of the canyon during the drought of 2003. The measurement was taken in August of 2003.<sup>2</sup> The quality of water in Clear Creek is excellent, meeting or exceeding federal safe drinking water standards for most constituents other than normal open stream bacteria, fecal bacteria is extremely

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<sup>1</sup> Personal communication with Jim Jeffers, retired Nevada Division of Wildlife biologist, October 2003.

<sup>2</sup> Paulsen, Ivan and Larry Hollinshead, Evaluation of the Habitat and Fishery of Clear Creek and Clear Creek Ranch Pond, Humboldt and Pershing Counties, Nevada, August 2003.

low.<sup>3</sup> The results of an analysis of a recent sample of Clear Creek water is provided in Attachment 6. Clear Creek waters have currently been nominated by the Nevada Department of Wildlife and US Fish and Wildlife for Class A status. The long contiguous riparian values are what set this system apart from others within the north central portion of the Great Basin ecosystem and provides consistent and stable wildlife habitat. The published and unpublished springs on the mountainsides enhance the ability of the watershed to maintain such a diverse ecosystem. The mountainside and riparian area have produced and sustained a wildlife habitat, both summer and winter, for mule deer, mountain lion, bobcat, chukar, Hungarian partridge, quail, multiple hawks and eagles, including both golden and the occasional bald eagle, great blue herons, night herons, and an extensive variety of smaller birds. The species of concern listed by the BLM include the spotted bat, small-footed myotis, long-eared myotis, long-legged myotis, fringed myotis, pale Townsend big-eared bat, pigmy rabbit, golden eagle, northern goshawk, western sage grouse, and burrowing owl. Also likely to occur within Clearwater Canyon are big horn sheep, bald eagles, sage grouse, and pigmy rabbits. One of the major resource values of the canyon is the fishery that has been rated a Blue Ribbon trout stream. A scientific evaluation of the stream fishery is included in Attachment 7 which concludes Clearwater Creek and the related pond is an exceptional fishery and highly desirable locations to fish with the opportunity to catch trophy class rainbow trout and trophy brook trout.<sup>4</sup>

**Federal Land Use Plan:** The offered parcels are within a checkerboard land ownership pattern. Adjacent lands are administered by the Winnemucca Field Office of the Bureau of Land Management. The Clearwater Canyon watershed is covered within the BLM's Sonoma-Gerlach Management Framework Plan. The Paradise-Denio and Sonoma-Gerlach Management Framework Plan Lands Amendment and Decision Record (1999) identifies the public lands adjacent to the offered parcels as suitable for retention and management by BLM. Various grazing allotment plans and evaluations have been completed for the adjacent public lands in past years by BLM.

**Federally Designated Area:** Not Applicable. Nearest federally designated area is the Tobin Range Wilderness Study Area located approximately 20 mile southeast of Clearwater Canyon.

**Hazardous Material, Safety or Liability Issues:** There are no known hazardous materials, safety, health or other liabilities associated with the acquisition of this land. This assessment is based on the owner's knowledge of historical use over the past five years, physical inspection of the property and the owner's knowledge that there are no legal or title issues associated with the property.

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<sup>3</sup> Personal communication with John Sherer of Sierra Environmental Monitoring, December 5, 2003.

<sup>4</sup> Paulsen, Ivan and Larry Hollinshead, Evaluation of the Habitat and Fishery of Clear Creek and Clear Creek Ranch Pond, Humboldt and Pershing Counties, Nevada, August 2003.

## Owner Statement

To: Humboldt County Commission  
50 West Fifth Street, Room 205  
Winnemucca, Nevada 89445

Pershing County Commission  
PO Box E  
Lovelock, Nevada 89419

Dear Sirs:

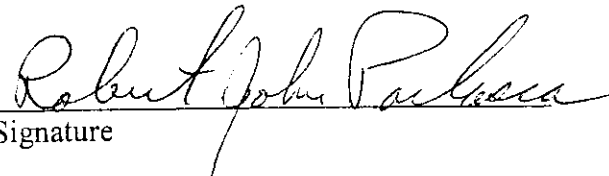
I, Robert John Parlasca, am legal owner of the approximately 5,000 acres of real property known as Clearwater Canyon, Sonoma Range, Section 5: T33N, 39E: All; Section 7: T33N, R39E: All; Section 9: T33N, R39E: All; Section 16: T33N, R39E: All; Section 17: T33N, R39E: All; Section 19: T33N, R39E: All; Section 13: T33N, R38E: South  $\frac{1}{2}$ ; Section 23: T33N, R38E: ALL; Section 14: T33N, R38E: SW  $\frac{1}{4}$  and SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ . The APN numbers are 08-511-02, 08-511-07, 08-511-09, 08-511-15, 09-300-28, 09-300-27 (280 acres), 09-300-69 and 09-300-70. I understand that the property is being nominated for acquisition in Round 5 of the Southern Nevada Public Land Management Act (SNPLMA).

I have read the document entitled "Federal Acquisition Process" and understand the basic process that the Federal government will follow if the above property is selected for acquisition under SNPLMA. I am willing to consider sale of the above property to the Federal government according to the process described in that document if acceptable terms and conditions can be mutually agreed upon.

I understand that the purchase price would be based on an agency-approved professional appraisal and that I have the right to accept or reject the value established by the appraisal.

My signature below indicates a willingness to consider sale of the subject property, but in no way creates an obligation to sell. I understand that I have the right to remove the property from consideration for purchase by the Federal government at any time, and agree to notify the appropriate Federal agency in a timely manner if I decide to do so.

Robert John Parlasca, Owner  
561 Keystone Avenue #358  
Reno, Nevada 89503

  
Signature

NOV. 24, 2003  
Date