



CONTACTS

President

John Dyer, PG, CEM
Amec Earth and Environmental
780 Vista Blvd.—Suite 100
Sparks, NV 89434-6656
775-331-2375
John.dyer@amec.com

Vice-President

Karen SooHoo
Property Specialists Inc.
975 Roberta Lane—Suite 104B
Sparks, NV 89432
775-332-6500
Karen@property-specialists.net

Secretary

Kathy Renfrow
NV Energy Company
P.O. Box 10100
Reno, NV 89520-0024
775-834-4273
krenfrow@nvenergy.com

Treasurer

Jo Pinther
Property Specialists Inc.
975 Roberta Lane—Suite 104B
Sparks, NV 89432
775-332-6500
JPinther@property-specialists.net

Newsletter Editor

Carol Buonanoma, CMS, GISP
Washoe County Assessor's Office
P.O. Box 11130
Reno, NV 89520-0027
775-328-2225
cbuananoma@washoecounty.us

Assistant Editor

Kelly Hirning, SR/WA
Truckee Meadows Water Authority
P.O. Box 30013
Reno, NV 89520
775-834-8214
khirning@tmwa.net

Region 1 Spring Forum in Phoenix

By Carol Buonanoma, CMS, GISP



Chris Banks (center, under the "Step Down" sign) socializes with members of Region 1 during the Friday night social event.

Region 1 held its Spring Forum on March 5, 2011. A new Region 1 Vice Chair was elected. Vivian Howell from Chapter 1 in Los Angeles will begin her duties in June as Chris Banks turns the reins over to the new Chair, Renee Marruffo.

John Dyer and Karen SooHoo attended the Forum as our Chapter 46 representatives. They reported that some lively discussions took place during the business meeting. Among the topics discussed were the International proposed budget for the upcoming year, which includes salary raises for some of the IRWA headquarters staff. In these difficult economic times, many of us find this hard to swallow. Some of us who have gone several years without a raise and even had reductions in our salaries wonder if there are any job

openings on the International staff.

The proposed new method for selecting locations for upcoming International conferences was discussed. Currently, individual chapters submit bids, do presentations at the International business meeting during each yearly conference and the directors (representatives from each of the chapters) vote for the location of their choice. It's been proposed that the locations be chosen at the Regional level, at the forums and each region would be in rotation for putting on the conference in one of their cities. Everyone agreed that more details about the new selection process would be needed before a decision can be made.

It was announced that from this point on, all regional chairs must hold an SR/WA

designation.

The cost of the new online IRWA courses came under fire during the meeting. The explanation being given for the high fees by International is that the courses were costly to develop and they are just trying to recoup their investment. Some members would like to know if the costs will be reduced once the courses have been paid for. It would be good to have an accounting of how much money has been recouped so far by International, but it is not likely that such information will be forthcoming.

For those of us who had dealings with Region 1 leadership during the past four years, I think I can speak for all of us in saying we will miss as Region 1 Chair, the ever-efficient, totally irreverent and often hilarious Chris Banks, SR/WA!

Inside this issue:

Table listing contents: President's Message (2-3), James L. West Dies (3), Mapping Lake Tahoe (4-6), Congratulations Are In Order (6), Elections Coming Up (6), Job Announcement! (7)

**COMMITTEE CHAIRS****Asset Management**

Lori Miles  
775-334-3396  
milesl@ci.reno.nv.us

**Education**

Carolyn Carrica, SR/WA  
775-834-4989  
research.cac@gmail.com

**Environment**

John Dyer, PG, CEM  
775-331-2375  
John.dyer@amec.com

**Historian**

Kelly Hirning, SR/WA  
775-834-8214  
khirning@tmwa.net

**Local Public Agency**

Lori Miles  
775-334-3396  
milesl@ci.reno.nv.us

**Membership**

Heather Edmunson, SR/WA  
775-834-8071  
hedmunson@tmwa.net

**Nominations and Elections**

(Vacant)

**Pipeline**

Ken Briscoe  
775-834-8021  
kbriscoe@tmwa.net

**Professional Development  
Chair 1**

Carolyn Carrica, SR/WA  
775-722-6698  
research.cac@gmail.com

**Professional Development  
Chair 2**

Carrie Byron, SR/WA  
775-328-6486

**Professional Development  
Chair 3**

Kelly Hirning, SR/WA  
775-834-8214  
khirning@tmwa.net

**Relocation Assistance**

Patty Paulson, SR/WA  
775-332-6500  
patty@property-specialists.net

**Survey**

David Crook  
775-358-9491  
dcrook@tristateitd.com

**Transportation**

Alan Yoshida  
775-332-2144  
ayoshida@rtowashoe.com

**Utilities**

Frank Borghetti  
(775) 834-7127  
fborghetti@nvenergy.com

**Valuation**

Steve Johnson, MAI  
775-322-1155

**Web Site**

Carol Buononoma, CMS, GISP  
775-328-2225  
cbuononoma@washoeconomy.us

**Photographer**

Frank Borghetti  
775-834-7127  
fborghetti@nvenergy.com

## President's Message

By John Dyer, PG, CEM



### Greetings Right of Way Colleagues,

From the erratic 'pen' of your chapter president. What a time! Devastating earthquakes, wrenching recessions, partisan legislatures and football player-owner-whiners! As my mining world friends would say, "it's a dog's breakfast."

### IRWA and the Economy

We are nearly one quarter of the way through 2011—seems like it just got here! Are we seeing the light at the end of the tunnel, the hoped for recovery on other side of the recession mountain? Some economic indicators from the private business world seem hopeful, whereas the public sector still continues to struggle deeply, still feeling for the bottom, bracing for the full impacts on public employees and programs still unknown.

For those of us still employed, we are grateful, even if with reduced compensation. For those of us seeking a new position or a changed

vocation, IRWA is there to support you with references, opportunities and personal interaction within the chapter network. Coming out of this recession, IRWA will participate in the new focus and reach of the public works and utility agencies, defining, training and networking their ROW agents. Your participation in IRWA activities—classes, membership meetings, conferences—is the best way to get IRWA benefits in these difficult times.

Part of the new focus and reach of the public works and utility agencies is the greater reliance on consultants. Many past agency/utility ROW agents have found their new role as independent contractors or working for consulting firms, due to retirements, early retirements and lay-offs. This trend is also reflected in the IRWA membership with the increase in the numbers and activity of consultant individuals and firms.

### Chapter 46

On the local chapter level, the chapter board has renewed the efforts to engage our NDOT members, especially those from Carson City, where our ROW brethren reside. We held one meeting in November in Carson

City, and another will occur there in April. On-going changes in NDOT management and staff lead us to believe we can have a greater role in the training, the meetings and the networking that benefits NDOT's agency mission.

Also, your chapter representatives attended the Spring Forum in Phoenix on March 5, one of the two semi-annual meetings that connect the chapters of Region 1 to each other, and that allows communication up and down the organization on the business and function of the IRWA organization. The Phoenix chapter was a wonderful host, providing a great example of a well-chosen location, and an efficient, cost-effective meeting. For those who attended (myself, Karen Soohoo, Chapter 46 VP, and Carolyn Carrica, International Environmental Committee member, and Chapter 46 Education Chair) it was an opportunity to represent our chapter, hear what goes on at IRWA headquarter-

(Continued on page 3)





(Continued from page 2)

ters, and see colleagues who are friends and important network connections in our profession. As of June, our Region Chair, Chris Banks will finish her two year term. The new officers will be Rene Maruffo and Vivian Freeman.

It is nearly that time again: out with old, in with the new! A slate of officer candidates for the 2011-2012 year will be voted on at the April membership meeting,

and inducted at the May membership meeting. Others who are interested but not on the slate are welcome to present their interest and can declare their candidacy for an officer position. Please recognize this is an important opportunity to advance your career, participate more fully in the IRWA organization, develop your leadership skills and significantly increase your professional network. This can make an important difference for you as we weather the painful final stages of the recession and the new economic order.

important opportunity to advance your career, participate more fully in the IRWA organization, develop your leadership skills and significantly increase your professional network. This can make an important difference for you as we weather the painful final stages of the recession and the new economic order.

**IRWA International**

The IRWA annual international conference will be held in June, in Atlanta, Georgia. We will be repre-

sented by our President and Vice-president. We appreciate and encourage any others from our chapter who may choose to attend.

Please join us in the membership meetings through May, welcoming the incoming chapter officers. And again in September with the new chapter year. As a chapter and as part of the greater IRWA organization, want to help all our members -old, new and prospective-in these difficult times. IRWA has an important role in the post-recession emergence of the national economy and public works, the role of the ROW agent and ROW consulting. It all happens locally, at the chapter level.

John Dyer  
President, 2010-2011  
IRWA Chapter 46

*Chapter 46 Lifetime Member, James L. West Dies*

By Carol Buonanoma, CMS, GISP

When I joined the IRWA in 1994, Chapter 46 was under the leadership of Julie Sulahria as President, Dave Vill as Vice President, Carolyn Carrica as Secretary and our esteemed Treasurer was Jim West. I did not know at that time that Jim had served as our treasurer for many years. By the time he retired, he'd been Chapter 46 Treasurer and Tax Accountant for 20 years!

Jim began his working years in the banking profession, transferring to various Nevada towns while working his way up to branch manager. Having spent 25 years in banking, he was the ideal person to take charge of Chapter 46's finances. Jim became involved in the IRWA when he started his second career as a right-of way agent for the State of Nevada. He worked for NDOT for 25 years before

retiring in 1997. Jim lived a life of service, participating in the Lions Club and the Jaycees as well as serving as the organist at his church for most of his adult life. He also played the organ for church services at the Veteran's Hospital and the Nevada Mental Health Institute.

James L. West died April 3, 2011 at the age of 82.

**Meeting Dates**

<b>Board</b>	September 1, 2010
<b>Membership</b>	September 15, 2010
<b>Board</b>	October 6, 2010
<b>Membership</b>	October 20, 2010
<b>Board</b>	November 3, 2010
<b>Membership</b>	November 17, 2010
<b>Board</b>	December 1, 2010
<b>Membership</b>	December 15, 2010
<b>Board</b>	January 5, 2011
<b>Membership</b>	January 19, 2011
<b>Board</b>	February 2, 2011
<b>Membership</b>	February 16, 2011
<b>Board</b>	March 2, 2011
<b>Membership</b>	March 16, 2011
<b>Board</b>	April 6, 2011
<b>Membership</b>	April 20, 2011
<b>Board</b>	May 4, 2011
<b>Membership</b>	May 18, 2011



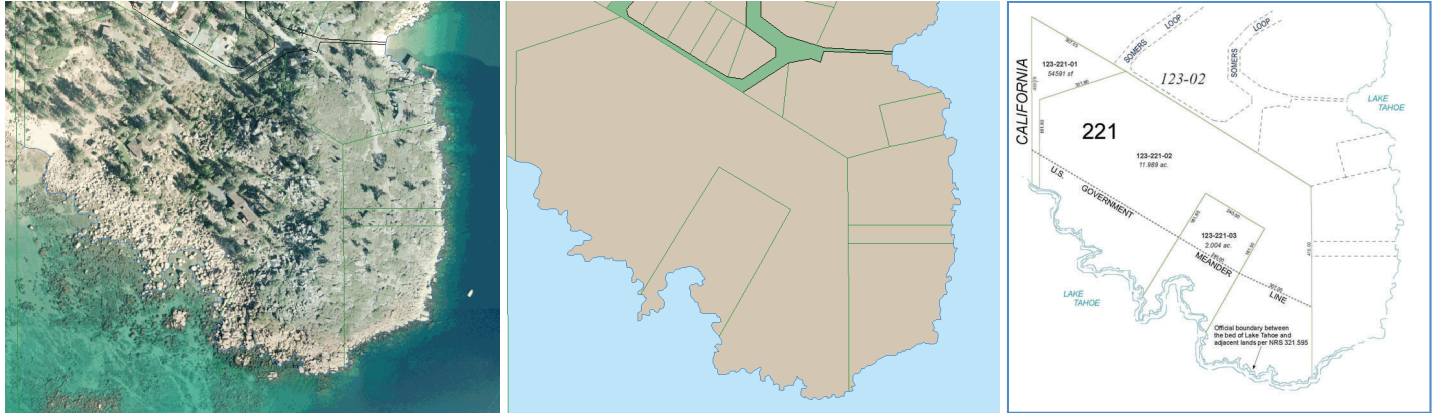
**Next Meeting  
April 20, 2011**

Location:  
NVEnergy  
875 E. Long Street  
Carson City, NV  
Bring your own lunch.

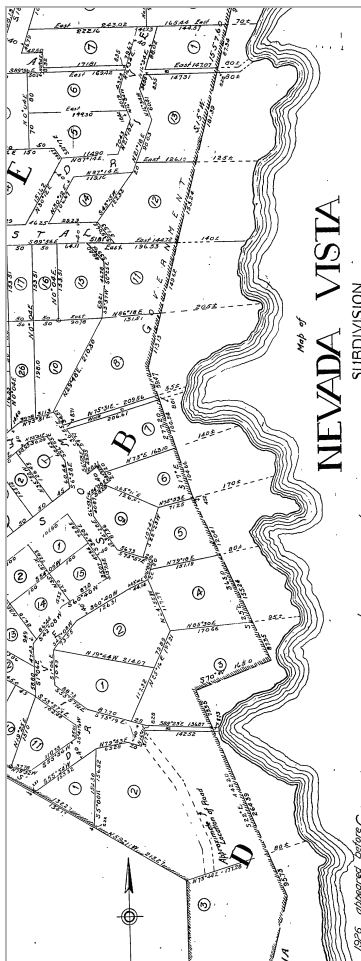
The speaker will be Jeanette Belz who is a lobbyist. She'll be talking about the current legislative session.

# Mapping Lake Tahoe While Water Seeks Its Own Level

By Carol Buononoma, CMS, GISP



**NRS 321.595 Boundary between bed of Lake Tahoe and adjacent lands.** The boundary between the bed of Lake Tahoe, owned by the State of Nevada in its sovereign capacity, and adjacent lands owned by others or by the State in any other capacity, is established as a line whose elevation is 6,223 feet, Lake Tahoe datum.



## A Brief History

The waters of Lake Tahoe are contained in a granite basin formed by the Sierra Nevada and Carson mountain ranges. At the deepest part of the lake, the water's depth is 1,645 feet – one third of a mile. The only outlet for the 39 trillion gallons of water contained in the lake is at the point in the rim where the Tahoe Dam sits, guarding the water level of the Lake since it was built in 1913.

Humans have been drawn to the shores of this spectacular place since the end of the Ice Age but it was not until John Fremont “discovered” Lake Tahoe that we began to leave our ecological footprints all over the area. In the mid-1800s nearly the entire forest surrounding Tahoe was

decimated in order to supply lumber to the mines in the Comstock Lode. Once the forest started replenishing itself, people discovered the area as a vacation destination and construction began on get-away cabins and commercial development catering to tourists. Beginning in the 1930s until as late as the early 1960s, many deeds for property at the lake contained a list of restrictions that included, “No part of said premises ever, at any time, shall be sold, conveyed, leased or rented to any person other than of the Caucasian Race.” Descendants of the original inhabitants of the area – the Washoe Tribe – have undoubtedly found this wording ironic, to say the least.

By the 1950s, the once-

pristine mountain lake had begun suffering the effects of sewage effluent, septic system leakage and the beginnings of air pollution from the increase in traffic and the use of wood burning fireplaces. The construction of infrastructure for the 1960 Olympics held at Squaw Valley brought many more people to the area and residential development dramatically increased from then until the early 1980s.

From the Ice Age through the early 1800s, there was no concern (that we know of) as to the ownership boundaries of property around Lake Tahoe. The trouble seems to have started in the early twentieth century when members of the “Caucasian Race” started establishing prop-



erty lines. Not only were these new inhabitants polluting the air and water, they were also fighting over the lands surrounding the lake. They have, since their arrival on the scene, argued with each other and they have argued with the lawyers and surveyors who have been hired to validate their arguments with each other. It seems strange that the inhabitants of one of the most scenic places on earth are so contentious. One wonders if there are such things as ancient Indian curses.

### Mapping the Lake

Among the many challenges in cadastral mapping, none is more complex and difficult than the interpretation of riparian boundaries. Water as a

**Cadastral map.** A map for the purposes of making a cadastre. A cadastre is an official register used to apportion taxes. Hence it is a map to show the value and relationship of lands for taxing purposes.

moving force of nature continually changes land. Making maps where water ebbs, flows and washes ashore can only be accomplished as a snapshot in time. Adding to the difficulty, humans love to live near water and in many instances, this makes the land much more valuable than land that does not have a water boundary. When something is expensive, many people want an exact measure of what they own.

Ownership disputes over land on the shoreline of Lake Tahoe have abounded over the past eighty years. There is one especially troublesome area at the Lake that has created many questions beginning in the early 1930s when several versions of a map subdividing Crystal Bay were drawn, but never officially recorded in the Office of the Washoe County Recorder. The lots shown on these maps were sold from the time the subdivision map was first drawn until the present day using legal

descriptions referring to the lots in the Crystal Bay Park Subdivision. This subdivision map now only exists as tattered copies, and copies of those copies, in various files in county and private offices. Sometimes differing conclusions are reached by people depending on which version of the map they have. This most valuable real estate in our area is still conveyed in most cases using legal descriptions based these early maps. We are fortunate that the subdivision map for Nevada Vista, dated 1926 is on record at the Washoe County Recorder's Office.

Whether a map is recorded or not, land owners at Lake Tahoe have argued for years that their ownership line along the shore is the high water line of the lake, or the low water line, or the mean high water line, or the ordinary high water line, or the approximate low water line, etc.

It may be helpful to leave the word "water" out of any conversations having to do with the boundary of Lake Tahoe and adjacent lands. A line around the basin of the Lake at an elevation of 6,223 is the boundary, even if it's submerged.

This boundary was officially established, in 1979, when the Nevada legislature enacted a statute that located the ownership line between the bed of Lake Tahoe (owned by the State of Nevada) and privately owned land adjacent to the lake. Thus, the official boundary of the lake bed was set at an invisible line that most people don't understand, but mercifully it doesn't move or constantly change. The elevation of 6,223 feet is considered to be the natural rim of Lake Tahoe. When the water is at this level, many of the sandy beach areas of the lake are above water and

*(Continued on page 6)*

...it may be seen that the ambulatory nature of riparian boundaries requires the use of certain procedures that may not be necessary in the more conventional upland boundaries. The first such requirement is that it is necessary to associate a time with the determination of a water boundary. The location of a riparian boundary today may not be the same as the location of that boundary a few years later. A second requirement is the necessity to determine the nature and cause of any changes that have taken place, considering... avulsion and humanmade changes. A final requirement is the necessity under certain conditions to determine the location of historic shorelines when changes have occurred in a shoreline that have not resulted in a change of title.

*Brown's Boundary Control and Legal Principles* by Walter G. Robillard, and Donald A. Wilson



(Continued from page 5)

this is what the average person can relate to.

The water level in Lake Tahoe is regulated by the Tahoe Dam in Tahoe City, California which was built by the Federal Bureau of Reclamation in 1913. A Federal Water Master makes sure that the water level in the lake does not exceed 6,229.1 and at-

tempts to make sure the level does not fall below 6,223. Historically, the water level in Lake Tahoe has been as high as 6,231 in 1907 and dropped below the official elevation of 6,223 when drought caused it to fall to 6220 in 1992.

In 2004, when Washoe County had aerial photos flown for use in our GIS, we were fortunate that this area was included in the

flight because the water level in Lake Tahoe was at an elevation of 6,222.88—very near the official elevation. Using the water line in these digital photos, I was able to visually trace the lake’s boundary into the GIS database from which we create the assessor’s maps.

In the past, the assessor’s mapping staff had to rely on the old reference maps of Tahoe from the 1930s to create an approximation of the water line. Although the recently remapped shoreline on the our maps is an approximation of the lake’s official boundary, I have had some inquiries about the accuracy of the new shoreline. My response is that it is as accurate as my eye is sharp and my hand is steady and it is - at best - only an illustration. The updated shoreline on

the assessor’s maps is better than what we had before we had digital aerial photos, but it is not meant to represent a surveyed boundary line. The disclaimer on all our maps clearly states this.

The shoreline of Lake Tahoe, as with any other water body, changes constantly as the water laps the shore gently in good weather and thrashes it furiously in stormy weather.

Like Sisyphus in Greek mythology, who was condemned to roll a huge boulder up a hill only to watch it roll back down repeatedly throughout eternity, such seems to be the task of mapping the shore of Lake Tahoe.

## Congratulations Are In Order



**Carrie Byron, SR/WA** has a new job! She is the Supervisory Right of Way Agent at the Nevada Department of Transportation in Carson City.

## Elections Are Coming Up!



Elections will be held at our membership meeting on April 20th at NV Energy in Carson City. The address is 875 E. Long Street. BYOL—bring your own lunch. We have to bring brown bag it since there is no cafeteria in that building.

The slate of nominees are as follows:

- Karen SooHoo, President**
- Kathy Renfrow, Vice-President**
- Lori Miles, Secretary**
- Jo Pinther, Treasurer**

Nominations will also be accepted from the floor.

Please plan to attend this important meeting, and remember—we will be installing our newly elected officers at the May 18th meeting. Party time!

## Senior Right of Way Agent

Reports to : Right of Way Manager  
Classification : Exempt  
Manages Others : No  
Experience : 5+ years

This position is exempt from overtime.

### POSITION AND PREFERRED QUALIFICATIONS: **Senior Right of Way Agent.**

Candidate must have a minimum of five (5) years field-oriented (hands-on) linear right of way acquisition (fiber optic cable preferred; pipeline or highway infrastructure accepted) and permitting in progressively more responsible positions. Proficient with office automated applications, strong organizational skills and self-confidence in a changing business environment where a high degree of public scrutiny is to be expected.

HIRING AGENCY: Praxis Fiber for work on the Digital 395 Fiber Optic Project (Reno, NV to Barstow, CA)..

CONTACT: Lee Pemberton • 873 North Main Street, Suite 223 • Bishop, CA 93514  
lpemberton@praxisfiber.com

### ESSENTIAL JOB DUTIES:

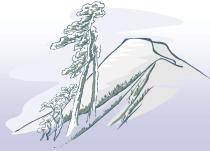
Candidate will be tasked to perform full-service (work is field-oriented with minimal administrative support), multi-jurisdiction (project consists of approximately 600 miles of high-speed backbone and distribution fiber optic cable in two states and encompassing over 20 local, state and federal entities, including railroads and Indian Reservations), and multi-discipline (candidate must have a sound understanding of the right of way profession including negotiation, law, appraisal, engineering, document preparation and records management) right of way acquisition, permitting and entitlement practices.

Candidate will work at the direction (task assignment) of the Project Right of Way Manager but will undertake day-to-day activities with minimal direction from the Manager. Candidate must be self-directed and self-motivated.

Position will require a high degree of sophistication and confidence when undertaking agency interaction and negotiations, with similar sophistication expected regarding the practices of the right of way profession in general. Position requires the ability to resolve routine to complex technical and personality-related issues (know-how combined with people skills).

Candidate must have excellent communication skills (verbal, listening and writing) and must be thorough in follow-through and documentation once permit applications or other entitlement documents are prepared and initiated. Candidate needs to be experienced and comfortable in public speaking and appearing in public hearings.

**BASIC QUALIFICATIONS:** Experience acquired through an undergraduate degree in business, real estate, geography or related degree majors IN COMBINATION with the five (5) years work experience in the field noted above. Right to work and remain in the United States. Valid US Driver's License.



Sierra Nevada Chapter 46  
International Right of Way Association  
P.O. Box 11352  
Reno, NV 89510-1352

Visit us on the web at [www.irmvchapter46.org](http://www.irmvchapter46.org)

**Robert Schiffmacher, MAI**

Real Estate Appraiser

Office, Commercial & Industrial Properties  
Eminent Domain • Rights of Way • Easements

**Warren & Schiffmacher, LLC**

85 Keystone Ave. #C, Reno, NV 89503  
Phone: (775) 686-2622 • Fax: (775) 688-4681  
bobws@gbis.com  
[www.warrenschiiffmacher.com](http://www.warrenschiiffmacher.com)



975 Roberta Lane, Ste. 104-B  
Sparks, NV 89431

**PATTY PAULSON, SR/WA**  
President

TEL: 775.332.6500 FAX: 775.332.6510  
CELL 775.225.0024

Acquisition, Relocation & Project Administration Consultants  
[patty@property-specialists.net](mailto:patty@property-specialists.net)

**Zephyr Advertising Rates:**

2" x 3.5" (business card size) \$25.00 per year

3.5" x 4.5" (quarter-page) \$75.00 per year

4.5" x 7" (half-page) \$150.00 per year

7" x 9" (full-page) \$300.00 per year