

□ **LIVING IN THE COUNTRY**
IN
ELKO COUNTY, NEVADA

A few things to consider when moving into rural areas of Elko County.

Endorsed by the Elko County Association of Realtors®

August 10, 2010 as written



Adapted from Lincoln and Lander Counties of Nevada and the State of Washington

Information acquired through various sources and while deemed accurate as we know it , the Elko County Association of Realtors makes no guarantees herein and all potential buyers are advised to confirm the information provided and to conduct their own studies and investigations to make sure they are knowledgeable about the property before they buy.

Introduction

It is important for you to know that life in the country is different from life in town. County governments are not able to provide the same level of service that city governments provide. To that end we are providing you with the following information to help you make an educated and informed decision when purchasing rural property.

Access

The fact that you can drive to your property does not necessarily guarantee that you have legal ingress/egress or that your guest or emergency service vehicles can achieve the same level of access at all times. Please consider the following:

1. If your road is unpaved, it is unlikely that Elko County will pave it in the foreseeable future, if at all. Check with the Elko County Roads Department, (775) 738-5036, if a Seller states that the county will pave the road.
2. There can be problems with legal access, especially if access is gained by crossing land belonging to others, including BLM and Forest Service. It is wise to obtain legal advice to understand easements that may be necessary. Before you sign a binding agreement a disclosure is required that indicates that there may be RS 2477 roads that are considered public easements for access purposes, across the parcel you are considering purchasing. This is the Nevada Rangeland Disclosure. It must be signed and recorded.
3. You can experience problems with the maintenance and cost of maintenance of your road. Elko County maintains approximately 1,100 miles of roads and many rural property owners are served by private roads, which are maintained privately. There are some county roads that are infrequently maintained by the county --- very little grading and no snow removal.
4. Extreme weather conditions can destroy roads. It is wise to determine whether the road was constructed with or has installed adequate drainage ditches and culverts.
5. Many large construction vehicles cannot navigate narrow roads. If you plan on building, it is prudent to validate construction access.
6. School buses travel on maintained gravel, paved, federal, state and county roads that have been designated as school bus routes by the school district, (775) 738-5196. You may need to drive your children to the nearest bus stop for transport to school.
7. In extreme weather, even county maintained roads can become impassable. You may need a four-wheel drive vehicle and perhaps chains, and even then you may not be able to get out. Situations like this can last for several days.
8. Natural disasters, especially flash flooding, can destroy roads. Elko County will repair and maintain adopted roads only. Others are the responsibility of the landowners that use them.
9. Unpaved roads generate dust. When traffic levels reach certain levels, it may be necessary to treat your road with dust control material at your own expense if you want to control dust. Dust is a fact of life for most rural residents.
10. Unpaved roads are not always smooth and are often slippery when wet. You will experience an increase in vehicle maintenance when you regularly travel on unpaved rural roads.

11. Mail and newspaper delivery may not be available in all areas of the county. Ask the local postmaster for availability.

Utility Services

Water, sewer, electric, telephone and other utility services may not be available or operate at urban standards. Repairs often take longer than in town.

1. Telephone communication can be a problem and cellular service may not be available at all.
2. A sewer system is most likely not available and you will need an approved septic system approved by the State of Nevada Division of Environmental Health, (775) 753-1138, or check through their web site at <http://health.nv.gov> The type of soil will determine whether the leach line will drain efficiently and will determine the cost. Your parcel must be at least one acre to accommodate a septic system and well.
3. A domestic water system is likely not available and you will need to hire a licensed, certified Nevada well driller to drill a well on your property. The state allows one domestic well per parcel, which allows for 1,800 gallons per day. A water right from the State of Nevada, (775) 684-2800, or check out their web site at <http://water.nv.gov> , is required for beneficial uses such as agricultural if amount of use is over and above the allowed 1,800 gallons per day.
4. A permitted domestic well is required before a septic permit is issued.
5. Electric service may not be available to every area of Elko County. It can be expensive to extend service to your property. Check with the local electricity provider for proximity of power and a cost analysis.
6. Power outages can occur in outlying areas and with more frequency than in more developed area. A loss of power can also interrupt your water supply.
7. Trash removal may be more expensive and your dumpster may be miles away. It is illegal to create your own dump, even on your own land. It is also illegal to burn your trash during certain times of the year. Contact the Nevada Division of Forestry to get a burn permit at (775)748-4000.

The Property

There are many issues that can affect your property. It is important to research these items before purchasing rural land.

1. Not all lots **may be** buildable. Check with the Elko County Building Department, (775) 738-6186, to verify that a building permit can be obtained for this property.
2. Flood plains have been designated by the Flood Emergency Management Agency (FEMA) in Elko County. Portions of the county have delineated flood ways that prohibit construction. Other areas have special building considerations if located in the 100 year or 500 year flood zone. It is advisable to consult the Elko County Building Department, (775) 738-6186, before buying or building.
3. There may be easements across your land that may not have been recorded.
4. Most property owners do not own the mineral rights under their property. As surface right owners you can expect to be compensated for damage to your surface rights but the holder of the mineral rights has the rights to extract them. Check for ownership of mineral rights.

5. You may be provided with a plat map, but unless the land has been surveyed and pins placed by a licensed surveyor, you cannot assume that the plat map is accurate.
6. A survey will determine if existing fences are accurately aligned with the property line.
7. Elko County has adopted zoning and building codes. Check with the Building and Planning Departments to verify allowed uses of the property you plan to purchase. Make sure you can live with those codes. Also, consider that a lack of zoning codes can cause problems between neighbors.
8. The surrounding properties probably will not remain as they are indefinitely and the view from your property may change.
9. Distance to your property may make response time for emergency services such as sheriff, fire suppression and ambulance hard to guarantee. Under extreme conditions you may find response time to be extremely slow and expensive. If you are buying a parcel created by Division of Land into Large Parcels you must sign a Disclosure before you complete the purchase that acknowledges you understand these conditions.
10. The water flowing in a creek, river or ditch belongs to someone. You cannot assume that because the water flows through your property, you can use it. Water rights are required for any use of surface water. You can check with the Nevada Division of Water Resources at (775)684-2800 or on their web site at <http://water.nv.gov> for water rights' ownership and with questions.
11. It is important to make sure that if you purchase land with water rights that the amount of water permitted will provide enough water for the uses you have intended to pursue.
12. Be advised that if you clear more land than you can manage, you will have a weed control problem and possible soil erosion. If you disrupt the soil surface you should seed with recommended ground cover.
13. When parcels are created, access and utility easements are usually reserved around the parcel's boundaries. You should be aware that even though a road does not now exist in the locations where reservations were made, another parcel owner may need to build a road in those reserved easements to access their property and they will have the right to do so. The same is true for utilities that they may require.

Mother Nature

Residents of Elko County usually experience some problems with the elements.

1. Fire season in Elko County normally runs from May until October, however, depending on lack of moisture may run longer. This means there is a high chance of fire due to dry desert conditions, especially dry cheat grass. Some causes of fire are dry lightning strikes, automobile catalytic converters coming in contact with dry grass, illegal lighting of fireworks, burning weeds and illegal burn barrels.
2. Persons causing fire by illegal activity or carelessness may be charged with the damages and costs to put out the fire.
3. Creating a 30 foot green or clear defensible space around any structures is a wise precaution.
4. You may be required by the County or your insurance company to store enough water to contain a fire on your property.
5. Flash flooding can occur in some parts of Elko County. It may be a good idea not to locate your home in the bottom of a draw or canyon without adequate ditching installed.

Mining, Ranching, Agriculture and Wildlife.

Mining, ranching, agriculture and wildlife are an integral part of Elko County and add to the quality of life here. Elko County was founded on the mining and ranching industries and they continue to play a strong role in the economy and quality of life today.

1. The Nevada Department of Wildlife, (NDOW) (775) 777-2300, or <http://www.ndow.org>, is a good source of information for what kind of wildlife you can expect to see on your property.
2. **Nevada is an "Open Range" state.** Therefore, if you do not want livestock on your property, it is your responsibility to fence your property to keep them out. A Nevada Rangeland Disclosure is required to be signed before you sign an offer to buy a property adjacent to "Open Range".
3. Antelope will typically go under fences and deer usually jump over them, therefore you may wish to contact NDOW for information on construction of a wildlife friendly fence that also keeps livestock out.
4. Ranchers and farmers must be granted access to their water on your property if they hold water rights. If there is an irrigation ditch that passes through your property, the holder of the water rights has the right to maintain the ditch so that it can continue to convey the water to its place of use.
5. Ranchers may have easements across your property to move livestock from one grazing area to another.
6. If you choose to live among these industries and wildlife, do not expect county government to intervene in the normal day-to-day operations of these industries and nature.
7. Before buying land you should know if it has noxious weeds that you may be required to control such weeds because it is located in a Weed Control District or the control is mandated by Nevada law. You may wish to contact the County Extension Office, (775)738-7291, or http://www.elkocountynv.net/departments/agricultural_extension/index.html for more information.

In Conclusion

This information is by no means exhaustive. There are other issues that you may encounter that we have overlooked and we encourage you to be vigilant in your duties to explore and examine those things that could cause your move to be less than you expect.

We have offered these comments in the sincere hope that it can help you enjoy your decision to reside in the country. It is not our intent to dissuade you, only to inform you. We welcome you to Elko County!