

# WASHOE COUNTY

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# STAFF REPORT **BOARD MEETING DATE: May 10, 2016**

CM/ACM KS Finance DN DA Risk Mgt D4 HR N/A Comptroller C !

DATE:

April 11, 2016

TO:

**Board of County Commissioners** 

FROM:

Vahid Behmaram, Water Management Planner Coordinator, Community

Services Department, 954-4647, vbehmaram@washoecountv.us.

**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering & Capital Projects. Community Services Department, 328-2043, desmith@washoecounty.us

**SUBJECT:** 

Approve the Water Rights Deed transferring 2.02 acre-feet of water rights

from Washoe County to Kevin De Paoli and Maureen De Paoli.

(Commission District 5.)

### **SUMMARY**

Washoe County is conveying a portion of permit 58928, being 2.02 acre-feet of Verdi ground water rights to Kevin De Paoli and Maureen De Paoli. These water rights were originally dedicated to Washoe County in support of residential lots within the Riverdale Subdivision in Verdi. All 59 lots within this subdivision were created with an entitlement to an individual domestic well as their source of water supply. Reversion map # 4477 recorded in 2005, combined two of the Riverdale lots into a single residential lot with a single domestic well. The recordation of the reversion map created a surplus of 2.02 acre-feet of ground water rights for the benefit of the owner of said two parcels, Kevin De Paoli and Maureen De Paoli to which the water rights are being re-conveyed

Washoe County Strategic Objective supported by this item: Stewardship of Our Community.

## **PREVIOUS ACTION**

On February 9, 1988, the Board of County Commissioners approved water rights deed conveying 119.18 acre-feet of Verdi ground water rights to Washoe County at a rate of 2.02 acre-feet for each of the 59 lots within Riverdale subdivision. This deed is recorded as document number 1231559 within the office of the Washoe County recorder's office.

### **BACKGROUND**

Washoe County Community Services Department is currently holding 119.18 acre-feet of ground water rights associated with 59 lots within Riverdale Subdivision. The dedication of these water rights, at a rate of 2.02 acre-feet per parcel, occurred in 1988 by the Kronish Trust in support of the recordation of the subdivision Tract Maps # 2500, # 2663 and #2754, which collectively created the 59 lots in Riverdale with a potential domestic well.

County records indicate that the Kevin De Paoli and Maureen De Paoli acquired lots 4 and 5, Block "B" of Riverdale Subdivision Unit 1, and proceeded to combine these two lots into a single residential lot through the recordation of Reversion Tract Map # 4477. Map # 4477 was recorded in 2005. The recordation of this reversion map created a surplus of 2.02 acre-feet of ground water rights, leaving behind 2.02 acre-feet to support the use of the domestic well on the Kevin De Paoli and Maureen De Paoli single residential parcel identified as Washoe County Assessor's Parcel No. 038-692-07.

Upon reconveyance of these water rights, Washoe County will proceed with the Relinquishment of all the remaining portion of the 119.18 acre-feet of water rights to the State of Nevada as described below:

"under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350."

The relinquishment of the remaining water rights to the State of Nevada concludes Washoe County's goals and objectives identified within Article 422 of the development code.

# **FISCAL IMPACT**

There is no fiscal impact associated with execution of the Water Rights Deed.

# **RECOMMENDATION**

It is recommended that the Board of County Commissioners approve the Water Rights Deed transferring 2.02 acre-feet of water rights from Washoe County to Kevin De Paoli and Maureen De Paoli.

## **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve the Water Rights Deed transferring 2.02 acre-feet of water rights from Washoe County to Kevin De Paoli and Maureen De Paoli."

When recorded, return to: Kevin & Maureen De Paoli P.O. Box 1166 Verdi, NV 89439

### WATER RIGHTS DEED

WASHOE COUNTY, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys to Kevin De Paoli and Maureen De Paoli as GRANTEE, the real property consisting of water rights described as follows:

A portion of Permit Number 58928, on file with the Nevada State Engineer, Division of Water Resources, to appropriate 2.02 acre-feet and a proportionate share of the rate of diversion of said permit.

# GRANTOR: WASHOE COUNTY

A political subdivision of the State of Nevada

By:	Attest:
Kitty K. Jung, Chair Board of County Commissioners	Nancy Parent, Washoe County Clerk
Date:	Date:
STATE OF NEVADA ) ss. COUNTY OF WASHOE )	
personally appeared Kitty K. Jung, personal	, 2016, before me, a Notary Public, lly known to me to be the <b>Chair of the</b> s, who acknowledged to me that she executed the
	Notary Public
	My Commission expires:



# Washoe County COMMUNITY SERVICES DEPARTMENT

February 17, 2016

Kevin & Maureen De Paoli P.O. Box 1166 Verdi, NV 89439

Subject:

Water Right permit # 58928 associated with 405 Riverdale Circle

Dear Mr. & Mrs. De Paoli:

Washoe County Community Services Department is currently holding 119.18 acre-feet of ground water rights associated with 59 lots within Riverdale Subdivision. The dedication of these water rights, at a rate of 2.02 acrefeet per parcel, occurred in 1988 by the Kronish Trust in support of the recordation of the subdivision Tract Maps # 2500, # 2663 and #2754, which collectively created the 59 lots in Riverdale with a potential domestic well.

County records indicate that you acquired lots 4 & 5, Block "B" of Riverdale Subdivision Unit 1, and proceeded to combine these two (2) lots into a single residential lot through the recordation of Reversion Tract Map # 4477. Map # 4477 was recorded in 2005. The recordation of this reversion map created a surplus of 2.02 acre-feet of ground water rights, leaving behind 2.02 acre-feet to support the use of your domestic well on your single residential parcel identified as Washoe County Assessor's Parcel No. 038-692-07.

Washoe County would like to: a) re-convey by deed the surplus water rights to you and, b) to proceed with the Relinquishment of all the remaining water rights to the State of Nevada as described below:

"under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350."

The purpose of this letter is to inform you of these actions. The executed deed will then be mailed to your attention at the above address by certified mail. It is your responsibility to record the deed with the County recorder's office, which may require payment of transfer taxes. You should also file the deed with the State Engineer's office using a "Report of Conveyance" form. Please do not hesitate to contact me if you wish to discuss further or have any questions. I will attach a business card with all necessary information to communicate with me. I am also enclosing maps relevant to this letter.

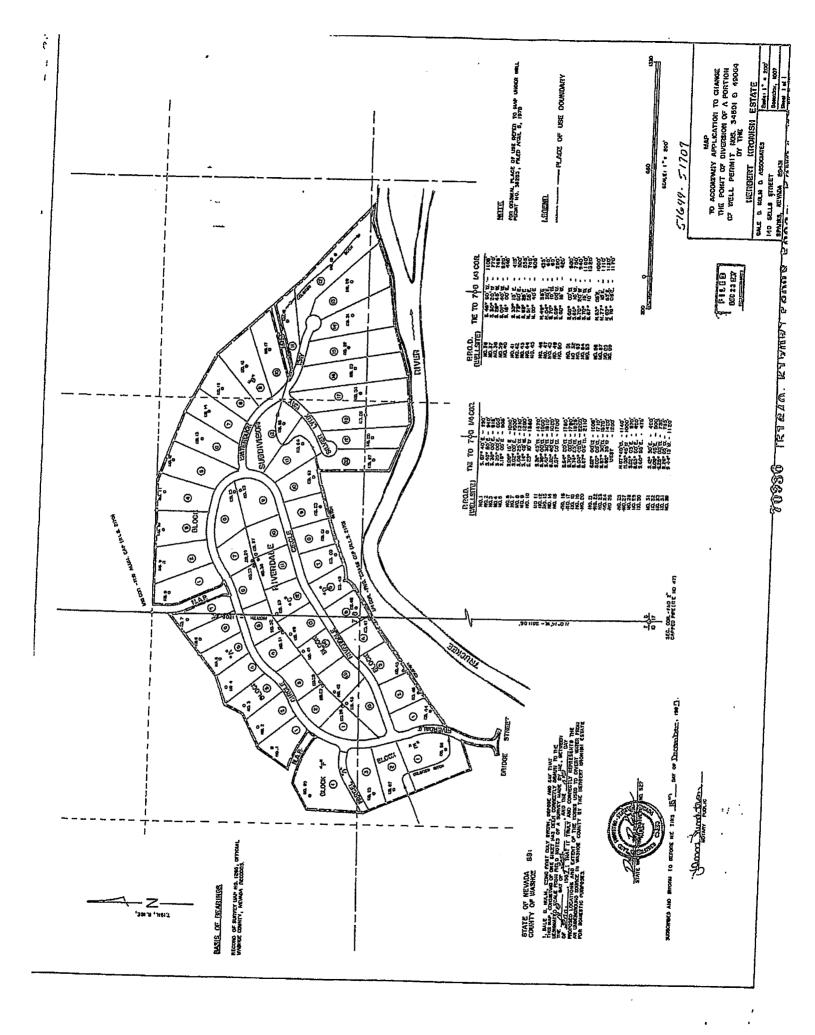
Sincerely

Vahid Behmaram

Water Management Planner Coordinator

cc. David M. Solaro, Arch, P.E., Director

Mark Sivazlian, P.E., State Engineer's office



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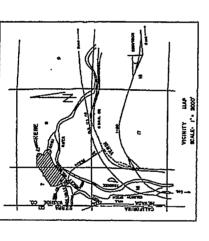
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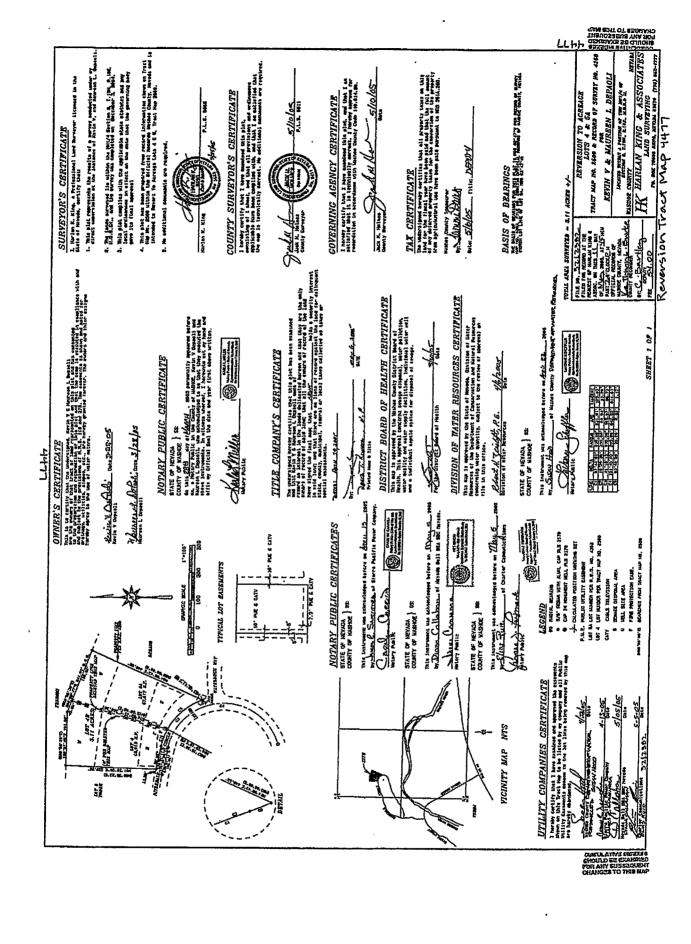
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# WATER RIGHTS DEED

WASHOE COUNTY, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys to, as GRANTEE, the real property consisting of water rights described as follows:  A portion of Permit Number #####, on file with the Nevada State Engineer, Division of Water Resources, to appropriate water with an annual consumptive use of #### acre-feet and a proportionate share of the rate of diversion of said permit		
Ву:	By:	
Kitty K. Jung, Chair Board of County Commissioners	Signator's name here Signator's title here (if needed_)	
Date:	Date:	
Attest:		
Ву:		
Nancy Parent, County Clerk		