



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: July 23, 2019

**DATE:** June 12, 2019

**TO:** Board of County Commissioners

**FROM:** Vahid Behmaram, Water Management Planner Coordinator,  
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**THROUGH:** Dave Solaro, Arch., P.E., Assistant County Manager  
Community Services Department, 328-3600, [dsolaro@washoecounty.us](mailto:dsolaro@washoecounty.us)

**SUBJECT:** Recommendation to approve a Cancellation Agreement and associated  
Water Rights Deed to terminate a Water Sale Agreement between  
Washoe County and Sally J. Armstrong, and re-convey 0.55 acre-feet of  
water rights from Washoe County to Sally J. Armstrong. (Commission  
District 5.)

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### **SUMMARY**

Pursuant to amendments to Washoe County Development Code, Chapter 110, Article 422, adopted on December 12, 2017, Washoe County is terminating a Water Sale Agreement between Washoe County Sally J. Armstrong, and re-conveying 0.55 acre-feet of water rights from Washoe County to Sally J. Armstrong.

Washoe County Strategic Objective supported by this item: Stewardship of our community.

### **PREVIOUS ACTION**

On October 7, 2010, a Water Rights deed and a Water Sale Agreement were recorded with the Washoe County Recorder as document numbers 3930928 and 3930929 (for 2.00 acre-feet).

### **BACKGROUND**

In accordance with Article 422 of Washoe County Development Code, Sally J. Armstrong and John C. Barnhardt dedicated 2.00 acre-feet of ground water rights in support of a dog kennel in the Warm Springs Valley. By means of the Water Sale Agreement, Washoe County made the dedicated water rights available to Sally J. Armstrong and John C. Barnhardt to be used in support of water service associated with the project. Mr. John C. Barnhardt, a party to the original Deed and the Water Sale Agreement relinquished all his interest in the subject water rights to Sally J. Armstrong as evident by a water rights deed, Document #4608277, dated July 8, 2016, and the amount of water rights being re-conveyed has been reduced to 0.55 acre-feet by filing a Proof of Beneficial Use (PBU) with the State of Nevada, which PBU was filed based on authorization from Sally J. Armstrong.

Washoe County amended its code to remove the mandate for the water rights dedication process and to allow for re-conveyance of previously dedicated water rights. The documents attached herewith accomplish the termination of the agreement between Washoe County and Sally J. Armstrong and transfers title to said water rights to Sally J. Armstrong.

### **FISCAL IMPACT**

There is no fiscal impact.

### **RECOMMENDATION**

It is recommended the Board of County Commissioners approve a Cancellation Agreement and associated Water Rights Deed to terminate a Water Sale Agreement between Washoe County and Sally J. Armstrong, and re-convey 0.55 acre-feet of water rights from Washoe County to Sally J. Armstrong.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve a Cancellation Agreement and associated Water Rights Deed to terminate a Water Sale Agreement between Washoe County and Sally J. Armstrong, and re-convey 0.55 acre-feet of water rights from Washoe County to Sally J. Armstrong."