



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: November 27, 2018

**DATE:** October 30, 2018

**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:** Approve: 1) Water Rights Deed to convey 70.30 acre feet of water rights from the Truckee Meadows Water Authority (TMWA) to Washoe County; and, 2) approve a Water Rights Deed to convey 979.28 acre feet of water rights from Washoe County to TMWA to complete and correct water rights transfers associated with the merger of the Washoe County Department of Water Resources and the TMWA water utility operations. (All Commission Districts.)

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### **SUMMARY**

Staff requests the Board of County Commissioners (Board) approve and execute two water rights deeds between Washoe County and Truckee Meadows Water Authority (TMWA) conveying certain water rights from Washoe County to TMWA and from TMWA to Washoe County to complete and correct water rights transfers associated with the merger of Washoe County Water Resources and TMWA water utility operations.

Washoe County Strategic Objective supported by this item: Safe, secure and healthy communities.

### **PREVIOUS ACTION**

The Board has not taken previous action in regard to the specific water right permits conveyed by these deeds; however, the Board has acted to effectuate the merger of Washoe County and TMWA water utility operations as follows:

On December 9, 2009, the Board entered into an Interlocal agreement with the TMWA Board of Directors governing a proposed merger of the Washoe County Water Utility.

On January 29, 2010, Washoe County and TMWA executed the Interlocal Agreement Governing the Merger of the Washoe County Department of Water Resources Water Utility into TMWA.

AGENDA ITEM # \_\_\_\_\_

On October 28, 2014, the Board adopted a Resolution authorizing necessary actions to effectuate the implementation and consummation of the Merger Agreements effective approximately December 31, 2014.

On October 28, 2014, the Board approved an Addendum to the Interlocal Agreement Governing the Consolidation of the Washoe County Department of Water Resources Water Utility into the Truckee Meadows Water Authority dated January 29, 2010.

On December 31, 2014, the Washoe County Water Utility was merged with the TMWA water utility operations.

### **BACKGROUND**

Water rights deeds executed on December 31, 2014 conveyed in excess of 1000 water rights permits from Washoe County to TMWA. These deeds were a component of the merger of Washoe County Department of Water Resources water utility operation with the TMWA water utility operation. At the time of execution of these deeds, staff anticipated that certain correction would have to be made to complete the water rights transfer. The corrections include certain water rights held by Washoe County resulting from water rights dedications and water sale agreements between the County and Sierra Pacific Power Company (SPPCo) predecessor to TMWA. These permits date back to the 1980s and were not accurately identified in either TMWA or Washoe County databases, and as such were omitted in the original deed from December 31, 2014. The corrections also include re-conveyance of certain surplus water rights from TMWA to Washoe County which were inadvertently included in the 2014 deed. Staff from both entities completed a thorough review to insure the accuracy of the current transfer.

### **FISCAL IMPACT**

There is no fiscal impact associated with this staff report.

### **RECOMMENDATION**

It is recommended the Board of County Commissioners approve: 1) Water Rights Deed to convey 70.30 acre feet of water rights from the Truckee Meadows Water Authority (TMWA) to Washoe County; and, 2) approve a Water Rights Deed to convey 979.28 acre feet of water rights from Washoe County to TMWA to complete and correct water rights transfers associated with the merger of the Washoe County Department of Water Resources and the TMWA water utility operations.

### **POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve: 1) Water Rights Deed to convey 70.30 acre feet of water rights from the Truckee Meadows Water Authority (TMWA) to Washoe County; and, 2) approve a Water Rights Deed to convey 979.28 acre feet of water rights from Washoe County to TMWA to complete and correct water rights transfers associated with the merger of the Washoe County Department of Water Resources and the TMWA water utility operations."