

IRRIGATION WATER SYSTEM CONVEYANCE AGREEMENT

This Irrigation Water System Transfer Agreement is between Washoe County, a Nevada political subdivision (“County”), and Pyramid Lake Paiute Tribe, a federally recognized Indian Tribe (“PLPT”).

County owns and operates a non-potable irrigation water system in Wadsworth, Nevada. This irrigation water system was not transferred following the Washoe County Department of Water Resources Water Utility merger with the Truckee Meadows Water Authority.

PLPT owns and operates a municipal water system in the Wadsworth area that delivers potable-quality water in the town of Wadsworth. This system serves a large customer base of both tribal and non-tribal parcels of land surrounding the County system.

The County wants to transfer its Wadsworth irrigation water system (System), including the associated real property, infrastructure and equipment, and water rights (together the “Transferred Assets”) to the PLPT who intend to consolidate the System with the PLPT’s larger, potable water system. The System’s infrastructure and equipment are further described in exhibit A. The real property associated with the System is further described in exhibit B. The water rights associated with the System are further described in exhibit C.

Upon acceptance of the System by the PLPT, irrigation water service will cease and the current irrigation water customers will be able to convert from irrigation water service to PLPT potable water service under the PLPT’s terms and conditions for municipal water service, if the irrigation water customers choose to do so.

Under NRS 277.053, the County may convey real property to an Indian Tribe “without charge if the property is to be used for a public purpose.” And, NRS 244.1505(2)(a) allows the County to donate equipment to another governmental entity to be used for “any purpose [that] will provide a substantial benefit to the inhabitants of the [C]ounty.”

PLPT’s combining the System with the PLPT’s larger, potable-quality water system will eliminate the need for PLPT to construct duplicate water conveyance infrastructure in the Wadsworth area and provide current irrigation customers the option to convert to potable water service following the PLPT’s rules and requirements for municipal water service.

Therefore, the parties agree as follows:

1. Incorporated Documents. The parties agree that the following documents are incorporated into this agreement:

- Exhibit A – Wadsworth Irrigation Water System Infrastructure and Equipment
- Exhibit B – Wadsworth Irrigation Water System Real Property
- Exhibit C – Wadsworth Irrigation Water System Water Rights

2. Performance.

2.1. The County shall convey, and the PLPT shall incorporate into its water system, the County's Wadsworth irrigation water system, including the system's associated real property; infrastructure and equipment; and water rights, as described in exhibits A, B, and C, respectively.

2.2. County shall convey to the PLPT good and marketable title to all of the Transferred Assets, subject to no liens, mortgages, pledges, security interests, rights of third parties, encumbrances, or other charges of any kind.

2.3. After County conveys the Transferred Assets to PLPT, the PLPT shall offer potable water service to the customers currently using the System, subject to PLPT's rules and requirements for municipal water service. If said Irrigation customers choose not to become PLPT potable customers, they shall rely solely on their individual domestic wells as the source of water supply for all indoor and outdoor needs.

2.4. The parties shall execute a quitclaim deed conveying the real property described in exhibit B from the County to PLPT.

2.5. The parties shall execute a water-rights deed conveying the water described in exhibit C from County to PLPT.

3. Representations. County makes the following representations:

3.1. Real Property. County represents that it has no knowledge that title to the real property is defective and represents that, to the best of its knowledge, the real property is free and clear of all liens, mortgages, pledges, security interests, rights of third parties, encumbrances, or other charges of any kind that may materially interfere with or otherwise impair PLPT's ability to operate and maintain the System.

3.2. Water Rights. County represents that the water rights described in exhibit C represent the water rights owned by County that are necessary to operate the existing System. The water rights conveyed under this agreement are in an "AS IS, WHERE IS" condition.

3.3. Condition and Location of Infrastructure and Equipment. County represents that all of the System infrastructure and equipment are conveyed in an "AS IS, WHERE IS" condition, and County makes no warranties of merchantability, fitness, or fitness for a particular purpose with regard thereto.

4. Entire agreement. This agreement and its attachments constitute the entire understanding between the parties with respect to the subject matter of this contract and supersedes all other contracts, whether written or oral between the parties.

5. Effective date. This agreement becomes effective when all the parties have signed it. The date this agreement is signed by the last party to sign it (as indicated by the date stated beneath that party's signature) will be deemed the date of this agreement.

COUNTY OF WASHOE By: _____ Chair, Washoe County Commission Dated: _____, 2019 Attest: _____ County Clerk	PYRAMID LAKE PAIUTE TRIBE By: _____ Chairman Dated: _____, 2019
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Exhibit A
Wadsworth Irrigation Water System Infrastructure and Equipment

Item	Units	Qty	Comments
Air Vac	EA	2	
Auxiliary Line	FT	201	GIS length
Air Vac Line	FT	46	
Hyd Line	FT	86	
Flush Val Line	FT	69	
Fire Hydrant	EA	5	
Flush Valve	EA	4	
Hydrant Valve	EA	5	
Water Main	FT	17344	Asset length
4" PVC	FT	1015	
6" PVC	FT	2153	
8" PVC	FT	4550	
10" PVC	FT	702	
12" PVC	FT	8524	
Unknown Main	FT	400	
Meter/Box	EA	36	
Single	EA	22	
Double	EA	13	
Irrigation	EA	1	
PRV	EA	2	
Service Line	FT	1685	GIS length
Service Point	EA	48	
Valve	EA	34	
4" Gate	EA	5	
6" Gate	EA	5	
6" Unknown	EA	1	
8" Gate	EA	15	
8" Unknown	EA	1	
12" Butterfly	EA	6	
12" Gate	EA	1	
Well+pump+ accessories	EA	1	

Exhibit B
Wadsworth Irrigation Water System Real Property

All that parcel of land located in Section 4, T.20N., R.24E., M.D.B.&M., described as:

Lots 5&6, Block 28 of the Amended Map of the Wadsworth Townsite filed July 6, 1925 in the Office of Washoe County Recorder, Reno Nevada as Tract Map # 194.

Also known as Assessor's Parcel Number 084-160-85.
(parcel description referenced from prior deeds recorded as document numbers 4422982 & 4872962).

Exhibit C

Wadsworth Irrigation Water System Water Rights

A portion of Permit 53153, being 20.00 acre-feet, together with a proportionate share of the rate of diversion of said permit. Said permit on file with the Nevada State Engineer, Division of Water Resources to appropriate ground water rights.