



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: April 14, 2020

DATE: February 10, 2020

TO: Board of County Commissioners

FROM: Vahid Behmaram, Water Management Planner Coordinator,
Community Services Dept., 954-4647, vbehmaram@washoecounty.us

THROUGH: Dave Solaro, Arch., P.E., Assistant County Manager
Community Services Department, 328-3600, dsolaro@washoecounty.us

SUBJECT: Recommendation to approve a Water Rights Deed to re-convey 6.08 acre-feet of underground water rights under permits 33371 & 52127 from Washoe County to: 1) Raymond P. Callahan, Trustee of the Callahan Residence Trust; 2) Billy M. Burko and Teri L. Burko, husband and wife; 3) Dennis C. Callahan, Trustee of the Callahan Trust; 4) PGSF, LLC; 5) Karen M. Mullen, Trustee of the Mullen Trust; 6) Kenneth C. Baldwin and Kasey Kemmet; and, 7) Raymond P. Callahan, Trustee of the Callahan Trust. (Commission District 2.)

SUMMARY

In accordance with Washoe County Ordinance 586, predecessor to Article 422 of Washoe County Development Code, The Jack Mathew and Ilda Irene Callahan Trust dedicated 6.08 acre-feet of ground water rights under permits 33371 & 52127 in support of a parcel map creating new residential parcels adjacent to the Mt. Rose Highway. The parcels were intended to, and still are, served by a small private water system owned and operated by the Callahans. Pursuant to amendments to the County code, the mandate for the water rights dedication process has been eliminated, and the new code allows for re-conveyance of previously dedicated water rights.

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

PREVIOUS ACTION

On November 2, 1989 a Water Rights Deed was approved by the Board of County Commissioners and recorded with the Washoe County Recorder as document number 1366070 (for 6.08 acre-feet).

BACKGROUND

The Jack Mathew and Ilda Irene Callahan Trust dedicated certain water rights to Washoe County as required by County Ordinance. This dedication was in support of a parcel map creating new residential parcels to be served by a small private water system owned and operated by the Callahan Family. Pursuant to amendments to the County code in 2017,

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the mandate for the water rights dedication process has been eliminated, and the new code allows for re-conveyance of previously dedicated water rights. It is the intent of Washoe County to re-convey the water rights to the owner / operators of the small private water system, so that they may continue to serve these residential parcels.

The parcel owners who are served by this water system have executed a “Cooperative Agreement and Covenant Running with the Land” which was recorded on November 19, 2019 as document # 4974452. This Cooperative agreement entitles the seven property owners to a one seventh (1/7) ownership interest, each in all the assets of the water system, including the real property consisting of the water rights. This document was executed in anticipation of the County’s desire to re-convey the water rights to the affected parcels which receive water service from the water system, which per the terms of the agreement own and operate the system.

FISCAL IMPACT

There is no fiscal impact.

RECOMMENDATION

It is recommended the Board of County Commissioners approve a Water Rights Deed to re-convey 6.08 acre-feet of underground water rights under permits 33371 & 52127 from Washoe County to: 1) Raymond P. Callahan, Trustee of the Callahan Residence Trust; 2) Billy M. Burko and Teri L. Burko, husband and wife; 3) Dennis C. Callahan, Trustee of the Callahan Trust; 4) PGSF, LLC; 5) Karen M. Mullen, Trustee of the Mullen Trust; 6) Kenneth C. Baldwin and Kasey Kemmet; and, 7) Raymond P. Callahan, Trustee of the Callahan Trust.

POSSIBLE MOTION

Should the Board agree with staff’s recommendation, a possible motion would be: “Move to approve a Water Rights Deed to re-convey 6.08 acre-feet of underground water rights under permits 33371 & 52127 from Washoe County: 1) Raymond P. Callahan, Trustee of the Callahan Residence Trust; 2) Billy M. Burko and Teri L. Burko, husband and wife; 3) Dennis C. Callahan, Trustee of the Callahan Trust; 4) PGSF, LLC; 5) Karen M. Mullen, Trustee of the Mullen Trust; 6) Kenneth C. Baldwin and Kasey Kemmet; and, 7) Raymond P. Callahan, Trustee of the Callahan Trust.”