

When Recorded, Return to:

Washoe County Community Services Department

1001 E. 9<sup>th</sup> St.

Reno, NV 89512

The undersigned hereby affirms that this document, including any exhibits, submitted for recording does not contain the social security number of any person or persons (per NRS 239B.030)(2)).

### **CANCELLATION AGREEMENT**

The parties to this agreement (“Agreement”) are **WASHOE COUNTY**, a political subdivision of the State of Nevada, hereinafter “County”, and **Penegor’s JJ Trust Dated April 24, 2017, Michael Johnson and John Hartigan, successors Co-Trustees, said trust being the successor in interest to Wade M. Pengor, deceased.**

WHEREAS, the parties to this Agreement entered into the following Water Sale Agreement:

- 1) Water Sale Agreement, recorded with Washoe County Recorder on October 22, 2001 as Document No. 2607880 (for 0.56 acre-feet of water rights).

WHEREAS, the parties entered into the above Water Sale Agreement in conformance with Washoe County Development Code, Article 422, in support of the operation of a commercial equestrian stables located at 2905 Lakeshore Drive, in Washoe Valley.

WHEREAS, the Water Sale Agreement referenced above made the subject water rights available to support the project referenced above for a period of 99 years, at no cost to the applicant.

WHEREAS, pursuant to recent amendments to the Washoe County Code, Article 422, the water rights will be re-conveyed from the County to Penegor’s JJ Trust Dated April 24, 2017 and the parties wish to terminate the above referenced Water Sale Agreement.

NOW THEREFORE, the parties agree as follows:

The Water Sale Agreement entered into by **Washoe County** and **Wade M. Penegor** recorded as Documents No. 2607880 is hereby terminated and is released as a lien and charge against the water rights subject thereto, and each party, or their successor in interest will be returned to its position concerning said water rights as if said Water Sale Agreement had not been entered into. Washoe County re-conveys the subject water rights to Penegor’s JJ Trust Dated April 24, 2017, Michael Johnson and John Hartigan, successors Trustees, by executing a water rights deed concurrent with this cancellation agreement.

Nothing herein shall affect any requirements that the water rights subject to this agreement continue to be used for the water service to and the operation of the project identified above. Furthermore, upon execution of this Agreement, Penegor's JJ Trust or successors in interest and the County will cause to be filed with the State Engineer's Office a request that the County be notified of any changes to the status of these water rights, including but not limited to any changes of point of diversion, place of use, manner of use, sale, transfer, or termination.

IN WITNESS WHEREOF, the parties hereunto have executed this Agreement as of the day and year written below.

**WASHOE COUNTY**

By: \_\_\_\_\_  
Chair,  
Board of the County Commissioners

Date: \_\_\_\_\_

**Penegor's JJ Trust Dated April 24, 2017,**

By: \_\_\_\_\_  
Michael Johnson, Successor Co-Trustee

Date: \_\_\_\_\_

By: \_\_\_\_\_  
John Hartigan, Successor Co-Trustee

Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_  
\_\_\_\_\_, County Clerk

Date: \_\_\_\_\_

STATE OF NEVADA     )  
  ) ss.  
COUNTY OF WASHOE    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, a Notary Public, personally appeared \_\_\_\_\_, personally known to me to be the Chair of the Washoe County Board of Commissioners, who acknowledged to me that he executed the foregoing document.

\_\_\_\_\_  
Notary Public

My Commission expires:\_\_\_\_\_

STATE OF NEVADA     )  
  ) ss.  
COUNTY OF WASHOE    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, a Notary Public, personally appeared John Hartigan, who acknowledged to me that she executed the foregoing document.

\_\_\_\_\_  
Notary Public

My Commission expires:\_\_\_\_\_

STATE OF NEVADA     )  
  ) ss.  
COUNTY OF WASHOE    )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2021, before me, a Notary Public, personally appeared Michael Johnson, who acknowledged to me that she executed the foregoing document.

\_\_\_\_\_  
Notary Public

My Commission expires:\_\_\_\_\_