



# WASHOE COUNTY

Integrity Communication Service

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## STAFF REPORT

BOARD MEETING DATE: August 22, 2023

**DATE:** August 1, 2023  
**TO:** Board of County Commissioners  
**FROM:** Dwayne Smith, P.E., Division Director, Engineering and Capital Projects  
Community Services Dept., 328-2043, [desmith@washoecounty.gov](mailto:desmith@washoecounty.gov)  
**THROUGH:** Dave Solaro, Arch., P.E., Assistant County Manager  
**SUBJECT:** Recommendation to: 1) approve a Cancellation Agreement to terminate a Water Sale Agreement between Washoe County and American Ready Mix; and 2) approve a Water Rights Deed to re-convey 30.00 acre-feet of water rights from Washoe County to American Ready Mix. The water rights were previously dedicated to support an approved aggregate operation project. Pursuant to Washoe County Development Code, Chapter 110, Article 422 amendment, water rights are no longer required to be dedicated to the project, and the subject Cancellation Agreement and Water Rights Deed allow for the reconveyance of the water rights back to American Ready Mix. (Commission District 4.)

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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 and American Ready Mix, Inc., and re-conveying 30.00 acre-feet of water rights from Washoe County to American Ready Mix, Inc.

Washoe County Strategic Objective supported by this item: Fiscal Sustainability:

### PREVIOUS ACTION

On June 26, 2007, a Water Rights Deed and a Water Sale Agreement were recorded with the Washoe County Recorder as document numbers 3551678 & 3551679 re-recorded as document number 3561749 (for 30.00 acre-feet of water rights).

### BACKGROUND

In accordance with Article 422 of Washoe County Development Code, American Ready Mix, Inc., caused the dedication of 30.00 acre-feet of ground water rights in support of an aggregate operation in Tracy Segment Basin # 083. By means of the Water Sale Agreement, Washoe County made the dedicated water rights available to American Ready Mix, Inc., to be used in support of water service associated with the project.

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

Washoe County amended its code to remove the mandate for the water rights dedication process and allow for re-conveyance of previously dedicated water rights. The documents attached herewith will accomplish the termination of the agreement between Washoe County and American Ready Mix, Inc., and transfers title of said water rights to American Ready Mix, Inc.

**FISCAL IMPACT**

There is no fiscal impact.

**RECOMMENDATION**

It is recommended the Board of County Commissioners: 1) approve a Cancellation Agreement to terminate a Water Sale Agreement between Washoe County and American Ready Mix; and 2) approve a Water Rights Deed to re-convey 30.00 acre-feet of water rights from Washoe County to American Ready Mix, pursuant to Washoe County Development Code, Chapter 110, Article 422.

**POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to: 1) approve a Cancellation Agreement to terminate a Water Sale Agreement between Washoe County and American Ready Mix; and 2) approve a Water Rights Deed to re-convey 30.00 acre-feet of water rights from Washoe County to American Ready Mix, pursuant to Washoe County Development Code, Chapter 110, Article 422."