



WASHOE COUNTY

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CM/ACM KS
Finance DN
DA ✓
Risk Mgt DE
HR N/A
Comptroller CH

STAFF REPORT

BOARD MEETING DATE: May 10, 2016

DATE: April 11, 2016
TO: Board of County Commissioners
FROM: Vahid Behmaram, Water Management Planner Coordinator, Community Services Department, 954-4647, vbehmaram@washoecounty.us,
THROUGH: Dwayne Smith, P.E., Division Director, Engineering & Capital Projects, Community Services Department, 328-2043, desmith@washoecounty.us
SUBJECT: Approve the Water Rights Deed transferring 4.04 acre-feet of water rights from Washoe County to Raymond J. Poncia, Jr. (Commission District 5.)

SUMMARY

Washoe County is conveying a portion of permit 58928, being 4.04 acre-feet of Verdi ground water rights to Raymond J. Poncia, Jr. These water rights were originally dedicated to Washoe County in support of residential lots within the Riverdale Subdivision in Verdi. All 59 lots within this subdivision were created with an entitlement to an individual domestic well as their source of water supply. Reversion map # 2929 recorded in 1993, combined three of the Riverdale lots into a single residential lot with a single domestic well. The recordation of the reversion map created a surplus of 4.04 acre-feet of ground water rights for the benefit of the owner of said three parcels, Mr. Raymond J. Poncia, Jr. to which the water rights are being re-conveyed.

Washoe County Strategic Objective supported by this item: Stewardship of Our Community.

PREVIOUS ACTION

On February 9, 1988, the Board of County Commissioners approved a water rights deed conveying 119.18 acre-feet of Verdi ground water rights to Washoe County at a rate of 2.02 acre-feet for each of the 59 lots within Riverdale subdivision. This deed is recorded as document number 1231559 within the office of the Washoe County Recorder.

BACKGROUND

Washoe County Community Services Department is currently holding 119.18 acre-feet of ground water rights associated with 59 lots within Riverdale Subdivision. The dedication of these water rights, at a rate of 2.02 acre-feet per parcel, occurred in 1988 by the Kronish Trust in support of the recordation of the subdivision Tract Maps # 2500, # 2663 and #2754, which collectively created the 59 lots in Riverdale with a potential domestic well.

AGENDA ITEM # 5D3

County records indicate that Mr. Poncia acquired lots 6, 7 and 8, Block "D" of Riverdale Subdivision Unit 1, and proceeded to combine these three lots into a single residential lot through the recordation of Reversion Tract Map # 2929. Map # 2929 was recorded in 1993. The recordation of this reversion map created a surplus of 4.04 acre-feet of ground water rights, leaving behind 2.02 acre-feet to support the use of the domestic well on Mr. Poncia's single residential parcel identified as Washoe County Assessor's Parcel No. 038-691-12.

Upon reconveyance of these water rights, Washoe County will proceed with the Relinquishment of all the remaining portion of the 119.18 acre-feet of water rights to the State of Nevada as described below:

“ under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350.”

The relinquishment of the remaining water rights to the State of Nevada concludes Washoe County's goals and objectives identified within Article 422 of the development code.

FISCAL IMPACT

There is no fiscal impact associated with execution of the Water Rights Deed.

RECOMMENDATION

It is recommended that the Board of County Commissioners approve the Water Rights Deed transferring 4.04 acre-feet of water rights from Washoe County to Raymond J. Poncia, Jr.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:
“Move to approve the Water Rights Deed transferring 4.04 acre-feet of water rights from Washoe County to Raymond J. Poncia, Jr.”

No APN

When recorded, return to:
Raymond J. Poncia Jr.
P.O. Box 429
Verdi, NV 89439

WATER RIGHTS DEED

WASHOE COUNTY, a political subdivision of the State of Nevada, as **GRANTOR**, hereby conveys to Raymond J. Poncia Jr. as **GRANTEE**, the real property consisting of water rights described as follows:

A portion of Permit Number 58928, on file with the Nevada State Engineer, Division of Water Resources, to appropriate 4.04 acre-feet and a proportionate share of the rate of diversion of said permit.

GRANTOR:
WASHOE COUNTY
A political subdivision of the
State of Nevada

By: _____
Kitty K. Jung, Chair
Board of County Commissioners

Attest: _____
Nancy Parent,
Washoe County Clerk

Date: _____

Date: _____

STATE OF NEVADA)
) ss.
COUNTY OF WASHOE)

On this _____ day of _____, 2016, before me, a Notary Public, personally appeared **Kitty K. Jung**, 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: _____



Washoe County COMMUNITY SERVICES DEPARTMENT

February 17, 2016

Raymond J. Poncia Jr.
P.O. Box 429
Verdi, NV 89439

Subject: Water Right permit # 58928 associated with 555 Riverdale Circle

Dear Mr. Poncia:

Washoe County Community Services Department is currently holding 119.18 acre-feet of ground water rights associated with 59 lots within Riverdale Subdivision. The dedication of these water rights, at a rate of 2.02 acre-feet per parcel, occurred in 1988 by the Kronish Trust in support of the recordation of the subdivision Tract Maps # 2500, # 2663 and #2754, which collectively created the 59 lots in Riverdale with a potential domestic well.

County records indicate that you acquired lots 6,7 & 8, Block "D" of Riverdale Subdivision Unit 1, and proceeded to combine these three (3) lots into a single residential lot through the recordation of Reversion Tract Map # 2929. Map # 2929 was recorded in 1993. The recordation of this reversion map created a surplus of 4.04 acre-feet of ground water rights, leaving behind 2.02 acre-feet to support the use of your domestic well on your single residential parcel identified as Washoe County Assessor's Parcel No. 038-691-12.

Washoe County would like to: a) re-convey by deed the surplus water rights to you and, b) to proceed with the Relinquishment of all the remaining water rights to the State of Nevada as described below:

" under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350."

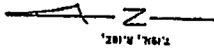
The purpose of this letter is to inform you of these actions. The executed deed will then be mailed to your attention at the above address by certified mail. It is your responsibility to record the deed with the County recorder's office, which may require payment of transfer taxes. You should also file the deed with the State Engineer's office using a "Report of Conveyance" form. Please do not hesitate to contact me if you wish to discuss further or have any questions. I will attach a business card with all necessary information to communicate with me. I am also enclosing maps relevant to this letter.

Sincerely

A handwritten signature in black ink, appearing to read "Vahid", written over a horizontal line.

Vahid Behmaram
Water Management Planner Coordinator

cc. David M. Solaro, Arch., P.E., Director
Mark Sivazlian, P.E., State Engineer's office



BASIS OF BEARINGS

RECORD OF SURVEY MAP NO. 1203, OFFICIAL
BLINDING COUNTY, NEVADA RECORDS

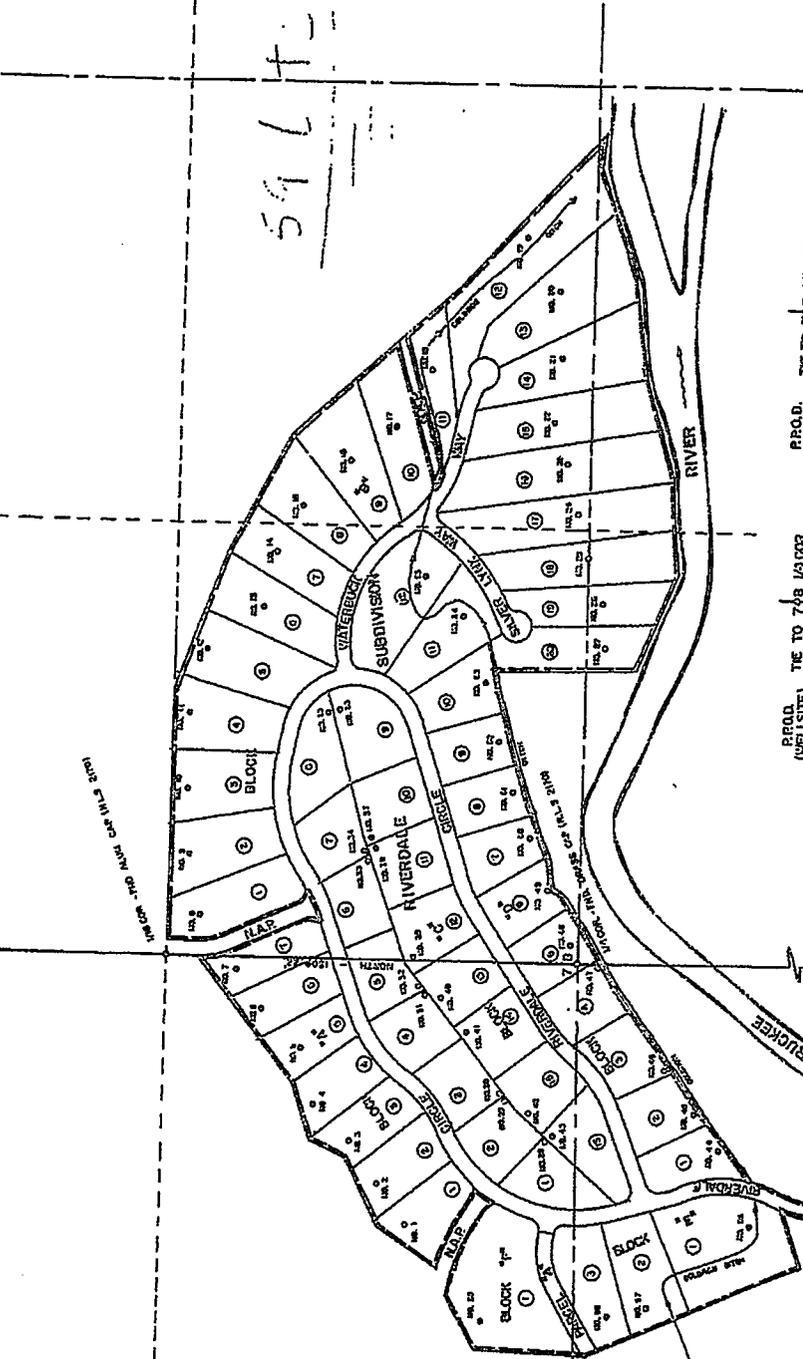
STATE OF NEVADA
COUNTY OF WASHOE

I, DALE O. HORN, SURVEYOR, DO HEREBY CERTIFY AND SAY THAT
THIS MAP, CONCERNING THE POINT OF DIVISION OF A PORTION
OF A TRACT OF LAND, WAS PREPARED BY ME OR UNDER MY
SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF
IT ACCURATELY REPRESENTS THE TRUE AND CORRECT
POSITIONS AND EXTENTS OF THE BOUNDARIES OF THE
SEVERAL LOTS AND BLOCKS SHOWN THEREON AND THE
PLACES OF USE BOUNDARY.



RECORDED AND SHOWN TO BE TRUE IN THE
OFFICE OF THE CLERK OF THE COUNTY OF WASHOE, NEVADA, THIS 15th DAY OF DECEMBER, 1987.

Dale O. Horn
Surveyor



PROD. (WELL SITE)	THE TO 708 LA COR.	THE TO 708 LA COR.
NO. 1	2,487 50 W - 1100	2,487 50 W - 1100
NO. 2	2,487 50 W - 1100	2,487 50 W - 1100
NO. 3	2,487 50 W - 1100	2,487 50 W - 1100
NO. 4	2,487 50 W - 1100	2,487 50 W - 1100
NO. 5	2,487 50 W - 1100	2,487 50 W - 1100
NO. 6	2,487 50 W - 1100	2,487 50 W - 1100
NO. 7	2,487 50 W - 1100	2,487 50 W - 1100
NO. 8	2,487 50 W - 1100	2,487 50 W - 1100
NO. 9	2,487 50 W - 1100	2,487 50 W - 1100
NO. 10	2,487 50 W - 1100	2,487 50 W - 1100
NO. 11	2,487 50 W - 1100	2,487 50 W - 1100
NO. 12	2,487 50 W - 1100	2,487 50 W - 1100
NO. 13	2,487 50 W - 1100	2,487 50 W - 1100
NO. 14	2,487 50 W - 1100	2,487 50 W - 1100
NO. 15	2,487 50 W - 1100	2,487 50 W - 1100
NO. 16	2,487 50 W - 1100	2,487 50 W - 1100
NO. 17	2,487 50 W - 1100	2,487 50 W - 1100
NO. 18	2,487 50 W - 1100	2,487 50 W - 1100
NO. 19	2,487 50 W - 1100	2,487 50 W - 1100
NO. 20	2,487 50 W - 1100	2,487 50 W - 1100
NO. 21	2,487 50 W - 1100	2,487 50 W - 1100
NO. 22	2,487 50 W - 1100	2,487 50 W - 1100
NO. 23	2,487 50 W - 1100	2,487 50 W - 1100
NO. 24	2,487 50 W - 1100	2,487 50 W - 1100
NO. 25	2,487 50 W - 1100	2,487 50 W - 1100
NO. 26	2,487 50 W - 1100	2,487 50 W - 1100
NO. 27	2,487 50 W - 1100	2,487 50 W - 1100
NO. 28	2,487 50 W - 1100	2,487 50 W - 1100
NO. 29	2,487 50 W - 1100	2,487 50 W - 1100
NO. 30	2,487 50 W - 1100	2,487 50 W - 1100
NO. 31	2,487 50 W - 1100	2,487 50 W - 1100
NO. 32	2,487 50 W - 1100	2,487 50 W - 1100
NO. 33	2,487 50 W - 1100	2,487 50 W - 1100
NO. 34	2,487 50 W - 1100	2,487 50 W - 1100
NO. 35	2,487 50 W - 1100	2,487 50 W - 1100
NO. 36	2,487 50 W - 1100	2,487 50 W - 1100

NOTE
FOR ORIGINAL PLACE OF USE REFER TO MAP UNDER WELL PERMIT NO. 34283, FILED FEBRUARY 4, 1978

LEGEND
PLACE OF USE BOUNDARY

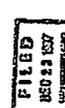


51644-51707

MAP
TO ACCOMPANY APPLICATION TO CHANGE
THE POINT OF DIVISION OF A PORTION
OF WELL PERMIT NOS. 34881 & 40064
BY THE
HERBERT KRONISH ESTATE

DALE O. HORN & ASSOCIATES
140 SELLS STREET
SPARKS, NEVADA 89431

DATE: 11-1-87
DRAWN: 11-1-87



70980 51644-51707 58928 82007 88707 88707

6729

6006

1834060

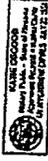
OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED HAS BEEN ADVISED BY THE OWNER OF THE TRACT OF LAND REFERENCED IN THIS CERTIFICATE THAT THE SAME IS NOT SUBJECT TO ANY LIENS OR ENCUMBRANCES OF ANY KIND AND THAT THE SAME IS NOT SUBJECT TO THE PROVISIONS OF FULL CREDIT TITLE.

[Signature]
NOTARY PUBLIC

NOTARY PUBLIC CERTIFICATE

ON THIS 21st day of 1981, I, the undersigned Notary Public, being duly sworn, have certified the above and true copy of the same to the undersigned, a Notary Public, and the same is true and correct as the same appears by the records of the County of Nevada, and the same is true and correct as the same appears by the records of the County of Nevada, and the same is true and correct as the same appears by the records of the County of Nevada.



TITLE COMPANY CERTIFICATE

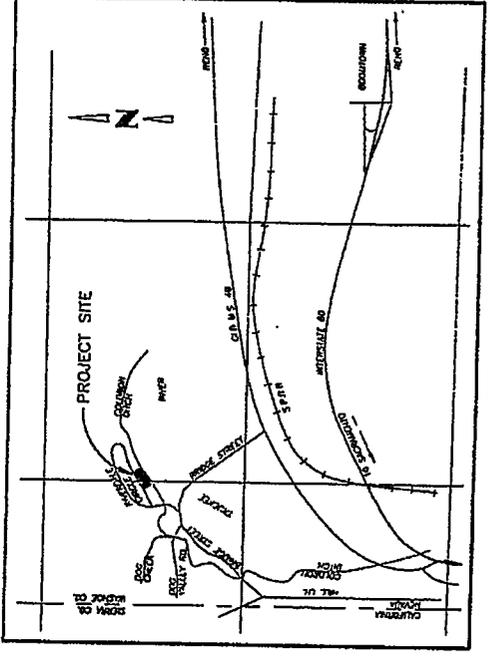
THE UNDERSIGNED HEREBY CERTIFIES THAT THIS TRACT HAS BEEN EXAMINED AND THE UNDERSIGNED HAS BEEN ADVISED BY THE OWNER OF THE TRACT OF LAND REFERENCED IN THIS CERTIFICATE THAT THE SAME IS NOT SUBJECT TO ANY LIENS OR ENCUMBRANCES OF ANY KIND AND THAT THE SAME IS NOT SUBJECT TO THE PROVISIONS OF FULL CREDIT TITLE.

FILE NO. _____ FILE COUNTY _____
FILE NO. _____ FILE COUNTY _____

TAX CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT ALL PROPERTY TAXES ON THE LAND FOR THE YEAR 1980 HAVE BEEN PAID.

FILE NO. _____ FILE COUNTY _____



VICINITY MAP
NOT TO SCALE

SURVEYOR'S CERTIFICATE:

1. I, *[Name]*, a Professional Land Surveyor in the State of Nevada, certify that I have surveyed the above described portion of the lands surveyed under my supervision.
2. THE LINES SHOWN ON THE ABOVE DESCRIBED PORTION OF THE LANDS SURVEYED UNDER MY SUPERVISION ARE CORRECT AS SHOWN BY THE RECORDS OF THE COUNTY OF NEVADA.
3. THIS MAP COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES.
4. THE LOCATIONS ARE OF THE CORNER STAKES AND OCCUPY THE POSITIONS INDICATED.
5. THIS SURVEY WAS MADE FOR THE PURPOSES OF THE ABOVE DESCRIBED SUBDIVISION.



COUNTY SURVEYOR'S CERTIFICATE

I, the undersigned, County Surveyor of the County of Nevada, do hereby certify that the above and true copy of the same is true and correct as the same appears by the records of the County of Nevada.

COUNTY COMMISSIONER'S CERTIFICATE

APPROVED AND FORWARDED THE SEALS OF THE COUNTY COMMISSIONERS, COUNTY OF NEVADA, ON THIS 21st day of 1981.

[Signature]
COUNTY CLERK

DIVISION OF WATER RESOURCES CERTIFICATE

THIS MAP IS APPROVED BY THE DIVISION OF WATER RESOURCES OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES OF THE STATE OF NEVADA, AND THE SAME IS TRUE AND CORRECT AS THE SAME APPEARS BY THE RECORDS OF THE DIVISION OF WATER RESOURCES.

[Signature]
DIVISION OF WATER RESOURCES

DISTRICT HEALTH DEPARTMENT CERTIFICATE

THIS MAP IS APPROVED BY THE DISTRICT HEALTH DEPARTMENT OF THE COUNTY OF NEVADA, AND THE SAME IS TRUE AND CORRECT AS THE SAME APPEARS BY THE RECORDS OF THE DISTRICT HEALTH DEPARTMENT.

[Signature]
DISTRICT HEALTH DEPARTMENT

UTILITY COMPANIES' CERTIFICATE

THE UTILITY COMPANIES SHOWN ON THIS MAP HAVE BEEN CHECKED, ACCEPTED, AND APPROVED BY THE UNDERSIGNED PUBLIC UTILITY COMPANIES.

[Signature]
PUBLIC UTILITY COMPANIES



OSGOOD
SURVEYING THE NEVADANS SINCE 1858
CITY ENGINEERS • TRAILERS • SURVEYORS
ALL QUALITY • PLANNING
130 WEST 11th STREET, SUITE 1000, LAS VEGAS, NEVADA 89101

MAP OF REVERSION TO ACREAGE
A PORTION OF
RIVERDALE SUBDIVISION UNIT NO. 1
SPRINKLE IN E 1/2 OF SEC. 7 AND W 1/2 OF SEC. 8, T18N, R18E, W4E, NEVADA
LOCALITY AS SHOWN BY AERIAL PHOTOGRAPHY, UNIT NO. 1
OSGOOD ENGINEERING, INC. REVERDALE, NEVADA
SHEET 1 OF 2

NEVADA TRACT 2929

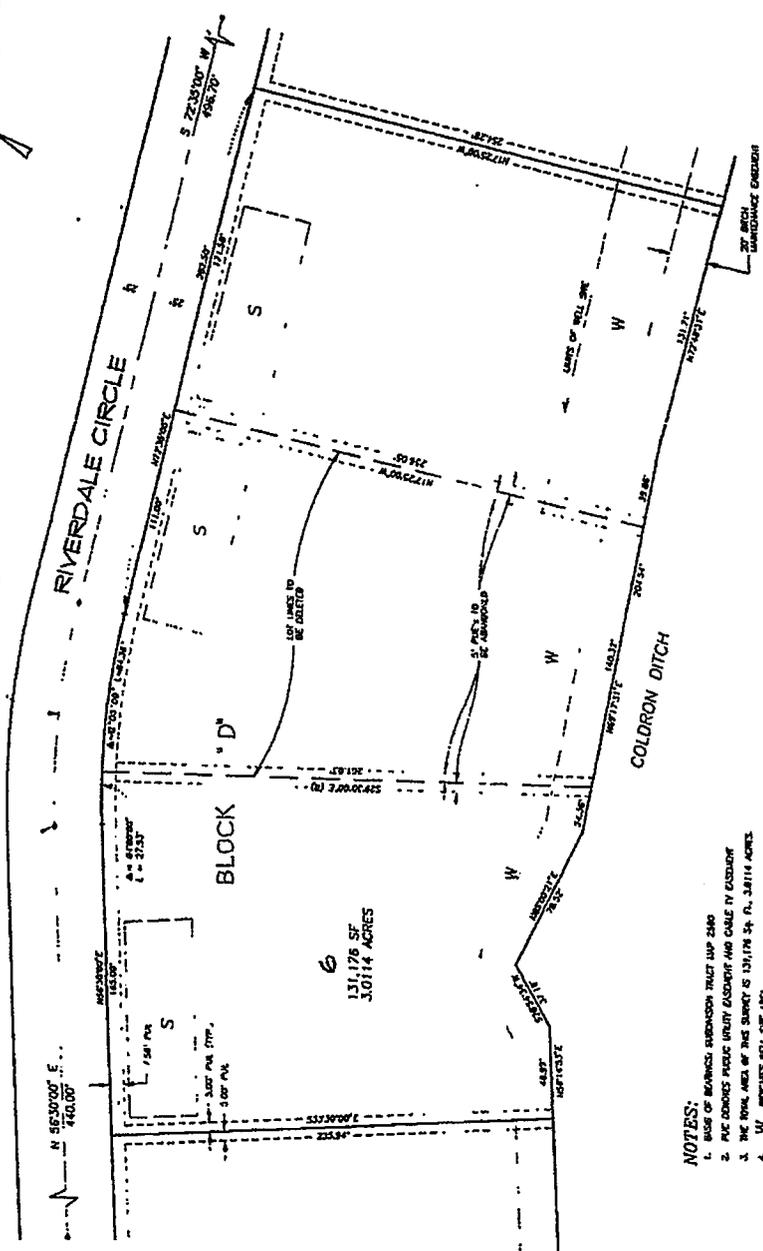
2929A

00000



Δ = 16'05.00"
R = 425.00'
C = 173.30'

PL SURVEY BOUNDARY BY STREET KEEL
SIGNED 2/10 (1974)



- NOTES:
1. BASE OF MARION EMBERTON TRACT MAP 2480
 2. P&G CORNER PEGS (EMPTY EXCEPT AND GABLE IN EAST) CORNER
 3. THE TOTAL AREA OF THE SURVEY IS 131,176 SQ. FT., 3.0114 ACRES.
 4. W INDICATES WELL SITE AREA.
 5. S INDICATES STORAGE EQUIPMENT AREA.
 6. --- INDICATES TYPICAL MONUMENT AS NOTED.
 7. --- INDICATES LOT LINES TO BE DELETED.
 8. THE PURPOSE OF THIS MAP IS TO REVERT TO ACRES LOT 7 AND LOT 8.

1625080
MAP OF REVERSION TO ACREAGE
 A PORTION OF
RIVERDALE SUBDIVISION UNIT NO. 1
 SHOWN IN S 1/2 OF SEC. 7 AND W 1/2 OF SEC. 8, T18N, R18E, MEAL
 COUNTY & S. BLACK & RIVERDALE SUBDIVISION UNIT NO. 1
 COUNCIL BROTHERS, INC. PEARO, IOWA
 SHEET 2 OF 2

OSGOOD
ENGINEERS
 SURVEYING FOR IOWA SINCE 1898
 CIVIL ENGINEERS • SURVEYORS • PLANNERS
 120 WEST 17TH STREET, DES MOINES, IOWA 50319-3811

Reversion Tract 2929A

No APN

When recorded, return to:
Grantee Name
And Address Here

WATER RIGHTS DEED

WASHOE COUNTY, a political subdivision of the State of Nevada, as GRANTOR, hereby conveys to _____**NAME**_____, as GRANTEE, the real property consisting of water rights described as follows:

A portion of Permit Number #####, on file with the Nevada State Engineer, Division of Water Resources, to appropriate water with an annual consumptive use of ##### acre-feet and a proportionate share of the rate of diversion of said permit..

GRANTOR:
WASHOE COUNTY
A political subdivision of the
State of Nevada

GRANTEE:
BUSINESS OR TRUST NAME HERE

By: _____
Kitty K. Jung, Chair
Board of County Commissioners

By: _____
Signator's name here
Signator's title here (if needed_)

Date: _____

Date: _____

Attest:

By: _____
Nancy Parent, County Clerk