



WASHOE COUNTY

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Comptroller LH

STAFF REPORT

BOARD MEETING DATE: November 29, 2016

DATE: November 3, 2016
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., Director
Community Services Department, 328-3600, dsolaro@washoecounty.us
SUBJECT: Adopt a Resolution declaring Washoe County's intent to sell Truckee River Water Rights (362 acre-feet) Claim DTR-014 to the Pyramid Lake Paiute Tribe; and set a public hearing for December 13, 2016 at 10:00 a.m. pursuant to NRS 277.050 to hear any objections. (Commission District 4.)

SUMMARY

In order for the Washoe County Board of County Commissioners (Board) to sell real property directly to another public entity, or Indian Tribe, the Board needs to adopt in an open meeting a resolution declaring the intent. The attached resolution includes the intent to sell 362 acre-feet of Truckee River Water Rights Claim DTR-014 to the Pyramid Lake Paiute Tribe (PLPT) for in stream flows. The purchase price will be for no less than the appraised value per acre-foot.

If adopted the action will also set a date of December 13, 2016 at 10:00 a.m. for a public hearing at which time objections to the transaction will be heard.

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

PREVIOUS ACTION

September 13, 2016 – the Board declared certain real property as surplus to the needs of Washoe County including the Claim DTR-014 water rights, and directed staff to sell the water rights in one block.

April 14, 1992 - the Board approved the sale of a portion of these water rights with the proceeds to be allocated for Phase one water system improvements between Wadsworth and Stampmill Estates. However, neither the sale nor the water system project was ever completed.

BACKGROUND

These water rights were deeded to Washoe County by Lower Truckee Power & Manufacturing Company on November 30, 1926 (Doc # 40169, Book 70, Page 586, recorded on June 8, 1927). Washoe County has been the recognized owner of these water rights by both the Federal Water Master and the Nevada State Engineer. These

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water rights were decreed to Wadsworth Light and Power Company under the Orr Ditch Decree Claim DTR # 14. Between 1926 and 1992 Washoe County utilized these water rights and resources to deliver irrigation water to the residents of Wadsworth. In 1992 the delivery of Truckee River water ceased to continue due to multiple failures of the old infrastructure and pipeline. A ground water well drilled under permit # 53153 replaced the river water system and continues to operate to this day.

FISCAL IMPACT

Adoption of the resolution will initiate publication, not less than two times on successive days, of a notice regarding the adoption. It is anticipated that this noticing requirement will cost no more than \$1,000.00.

RECOMMENDATION

It is recommended that the Board of County Commissioners Adopt a Resolution declaring Washoe County's intent to sell Truckee River Water Rights (362 acre-feet) Claim DTR-014 to the Pyramid Lake Paiute Tribe; and set a public hearing for December 13, 2016 at 10:00 a.m. pursuant to NRS 277.050 to hear any objections.

POSSIBLE MOTION

Should the Board wish to implement the staff recommendation, a possible motion would be "Move to Adopt a Resolution declaring Washoe County's intent to sell Truckee River Water Rights (362 acre-feet) Claim DTR-014 to the Pyramid Lake Paiute Tribe; and set a public hearing for December 13, 2016 at 10:00 a.m. pursuant to NRS 277.050 to hear any objections."

Attachment: Resolution

RESOLUTION

A RESOLUTION DECLARING WASHOE COUNTY'S INTENT TO SELL TRUCKEE RIVER WATER RIGHTS COMMONLY KNOWN AS CLAIM DTR-014 FOR APPRIASED VALUE TO THE PYRAMID LAKE PAIUTE TRIBE; AND OTHER MATTERS PROPERLY RELATED THERETO

WHEREAS, NRS 277.050 provides that the Board of County Commissioners may sell or exchange to an Indian Tribe the County's real property, including water rights, if the Board determines that such a sale is in the County's best interest; and

WHEREAS, Washoe County owns 362 acre feet of Truckee River Water Rights under Claim DTR-014; and

WHEREAS, Washoe County declares its intent to sell 362 acre feet of Truckee River Water Rights to the Pyramid Lake Paiute Tribe for instream flow to enhance water quality in the lower Truckee River; and

WHEREAS, Washoe County through its Strategic Plan believes that this sale fosters improved water quality and enhanced quality of life in Washoe County and Northern Nevada; and

WHEREAS, the water rights to be sold have been appraised at \$8,000.00 per acre foot; and have been previously requested by the Board of County Commissioners to be sold in one block; now, therefore, be it

RESOLVED by the Board of County Commissioners of Washoe County:

1. Washoe County declares its intent to sell 362 acre feet of Truckee River Water Rights to the Pyramid Lake Paiute Tribe for instream flow to enhance water quality in the lower Truckee River pursuant to the process set forth in NRS 277.050.

2. Pursuant to NRS 277.050 (5), the Board declares the minimum purchase price to be \$8,000 per acre foot for all 362 acre feet transferring for instream flows.

3. A meeting of the Board will take place at the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada at 10:00 am on December 13, 2016, where objections to this resolution may be heard.

ADOPTED this ____ day of _____, 2016 by the following vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Kitty K. Jung, Chair
Washoe County Commission

ATTEST:

Washoe County Clerk