

Churchill County
Agenda Report

Agenda Item: 8:25-C

Date Submitted: 11/21/2007

Agenda Date Requested: 12/06/07
Time Requested: Appointment

To: Honorable County Commissioners

From: Planning Department

Subject Title: Reconveyance of 3.6 acre feet of water rights to David Edgmon

Type of Action Requested: (check one)

Resolution

Ordinance

Formal Action/Motion

Other (Specify)

Does this action require a Business Impact Statement? () Yes (X) No

Recommended Board Action: Motion to approve the reconveyance of 3.6 acre feet of water rights to David Edgmon and approval for Chairwoman Washburn to sign the water rights deed.

Discussion: In October, David Edgmon bought property previously owned by Loren Goddard on Valley Drive. The property was water righted until April 2001 when Mr. Goddard dedicated the water to the County for no apparent reason other than he didn't want to pay O&M anymore or irrigate any more. Mr. Goddard gave away most of his belongings and assets prior to his death. The County has never transferred the water and it is not challenged water. Mr. Edgmon would like the water returned to the lot it was removed from so that he can irrigate it again. Due to the fact that the water was not dedicated to satisfy the requirements of the water right dedication ordinance with regard to a parcel map or building permit, it would be in the best interest of the landowner for the County to return the water to him.

Fiscal Impact: none

Explanation of Impact:

Funding Source:

Alternatives: Retain the water and force Mr. Edgmon to buy or lease water to transfer to his parcel.

Prepared By: Terri Pereira _____

Date: November 21, 2007

Reviewed By: *Kleanor Washburn*
(Department Head)

Date: 11/21/07

David Edgmon
(County Comptroller)

Date: 11/21/07

[Signature]
(County Manager)

Date: 21 Nov 07

[Signature]
(District Attorney, as to legality and form only)

Date: 26 Nov 07

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)

APN 010-133-01

**WATER RIGHTS
QUIT CLAIM DEED**

TO ALL CONCERNED, and more specifically to the County of Churchill:

On this ____ day of _____, 2007, for TEN DOLLARS (\$10.00) and other valuable consideration, Churchill County, Nevada, does hereby convey to David Edgmon, an unmarried man of the County of Churchill, State of Nevada, all of the rights of the Grantor to divert the water appurtenant to land situate in the County of Churchill, State of Nevada, bearing Truckee-Carson Irrigation District Serial Number 714-9, more particularly described as follows:

The subject water and water rights appurtenant to land situated within Lot 7, Valley View Estates Subdivision, Section 31, T 19 N, R 29 E M.D.B. & M., Churchill County, Nevada. Said water and water rights, being conveyed herein total an amount not to exceed 3.605 acre feet per irrigation season, based upon the decreed duty of 3.5 acre feet per acre.

Grantee hereby agrees to assume the payment of all administration, operating and maintenance charges that may hereafter become due and payable to the Truckee-Carson Irrigation District.

Grantor does hereby represent said water rights to be free and clear of all liens and encumbrances. The terms of this deed shall be binding upon the heirs, successors and assigns of the signatory parties hereto.

Gwen Washburn
Chair, Churchill County Board of Commissioners
Grantor

State of Nevada

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County of Churchill

On this _____ day of _____, 2007, personally appeared before me, a Notary Public, in and for the county and state aforesaid, Gwen Washburn, known to me or who proved to me to be the person described in and who executed the above and foregoing instrument; who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above-written.

Notary Public