

# WESTERN REGIONAL WATER COMMISSION AGENDA

Wednesday, April 15, 2015  
9:00 a.m.

Sparks Council Chambers, Legislative Building  
745 Fourth St., Sparks, Nevada

## TRUSTEES

Vaughn Hartung, Chairman  
Naomi Duerr, Vice-Chairman  
Sandra Ainsworth, Secretary-  
Treasurer

Jeanne Herman  
Neoma Jardon  
Ed Lawson

Bob Lucey  
Geno Martini  
Ron Smith

NOTICE OF POSSIBLE QUORUM OF THE BOARD OF DIRECTORS OF THE TRUCKEE MEADOWS WATER  
AUTHORITY ("TMWA") AND THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY ("BCC")

(See 'Notes')

**Notes: Because several of the Western Regional Water Commission ("WRWC") Trustees are also members of the Board of Directors of TMWA and/or the BCC, it is possible that a quorum of the TMWA Board and a quorum of the BCC may be present. Such members will not deliberate or take action at this meeting as members of the TMWA Board or the BCC, but may take action exclusively in their capacity as WRWC Trustees.**

1. Items on this agenda on which action may be taken are followed by the term "For Possible Action". Non-action items are followed by an asterisk (\*).
2. Public comment is limited to three minutes per speaker and is allowed during the public comment periods, and before action is taken on any action item. Comments are to be directed to the Commission as a whole. Persons may not allocate unused time to other speakers. The public may sign-up to speak during the public comment period or on a specific agenda item by completing a "Request to Speak" card and submitting it to the clerk.
3. Items on this agenda may be taken out of order, combined with other agenda items for consideration, removed from the agenda, or delayed for discussion at any time. Arrive at the meeting at the posted time to hear item(s) of interest.
4. Supporting material provided to the Commission for items on the agenda is available to members of the public at the Western Regional Water Commission ("WRWC") offices, 4930 Energy Way, Reno, NV, from June Davis, Administrative Secretary, (775) 954-4665, and on the WRWC website at <http://www.wrwc.us>
5. The Sparks Council Chambers are accessible to the disabled. We are pleased to make reasonable accommodations for persons who are disabled and wish to attend meetings. If you require special arrangements for the meeting, please call (775) 954-4665 no later than 24 hours prior to the meeting.
6. In accordance with NRS 241.020, this agenda has been posted at the following locations: Reno City Hall (1 East First Street), Sparks City Hall (431 Prater Way), Sparks Justice Court (1675 East Prater Way), Sun Valley GID (5000 Sun Valley Blvd.), TMWA (1355 Capital Blvd.), Washoe County Administration Building (1001 E. 9th Street), Second Judicial District Court/Courthouse (75 Court Street), Washoe County Central Library (301 South Center St.), Washoe County Community Services Department (4930 Energy Way), Galena Market (19990 Thomas Creek Rd.), Galena High School (3600 Butch Cassidy Way), South Valleys Library (15650A Wedge Parkway), the WRWC website: <http://www.wrwc.us> and the State of Nevada website at <https://notice.nv.gov>

1. Roll Call and Determination of presence of a Quorum. \*
2. Pledge of Allegiance. \*
3. Public Comment – limited to no more than three minutes per speaker. \*
4. Approval of Agenda. **(For Possible Action)**
5. Approval of the minutes of the January 21, 2015, meeting. **(For Possible Action)**
6. Presentation of letters to the Chairman for signature, recognizing former WRWC Trustees Mike Carrigan and Steve Cohen for their exceptional service to the WRWC, and possible direction to staff regarding recognition of other Trustees – Jim Smitherman, WRWC Water Resources Program Manager. **(For Possible Action)**

7. Report by the Desert Research Institute (“DRI”) on its Cloud Seeding Operations for the Truckee River and Lake Tahoe Basins for the past water year, and status of its Cloud Seeding Coalition efforts, and possible direction to staff – Marc Pitchford, Frank McDonough, and Greg Bortolin, DRI. **(For Possible Action)**
8. Discussion and possible approval of an amendment to the Interlocal Agreement with the Truckee Meadows Water Authority (“TMWA”) for the acquisition of water quality water rights to partially satisfy the 6700 acre-foot requirement in the Truckee River Operating Agreement (“TROA”), to provide for transfer of title to the water rights acquired by TMWA to Reno, Sparks and Washoe County; possible direction to staff, and if approved, authorize the Chairman to execute the amendment, – Jim Smitherman. **(For Possible Action)**
9. Review and possible ratification of staff’s approval of invoices for reimbursement of certain expenses, in excess of \$25,000, incurred in evaluating and implementing recommendations regarding integration/consolidation of public water purveyors in accordance with the existing Interlocal Agreement – Jim Smitherman. **(For Possible Action)**
10. Review, discussion, possible approval of the draft WRWC tentative budget for fiscal year 2015 - 2016, and possible direction to staff regarding the time and place for the public hearing on the tentative budget – Jim Smitherman. **(For Possible Action)**
11. Report on public outreach and schedule to review and adopt the 2016 Comprehensive Regional Water Management Plan (“RWMP”) update, and possible direction to staff – Jim Smitherman. **(For Possible Action)**
12. Report on legislative activities, including Bill Draft Requests and Bills pending in the 2015 session of the Nevada Legislature that may affect or are of interest to the WRWC / NNWPC, and possible approval of recommendations made by the WRWC Legislative Subcommittee – John Rhodes, WRWC Legal Counsel. **(For Possible Action)**.
13. Possible direction to staff regarding agenda items for the May 21, 2015 meeting and other future meetings – Jim Smitherman. **(For Possible Action)**
14. Commission Comments \*
15. Staff Comments \*
16. Public comment – limited to no more than three minutes per speaker \*
17. Adjournment. **(For Possible Action)**

**WESTERN REGIONAL WATER COMMISSION  
BOARD OF TRUSTEES  
MINUTES**

**Wednesday, January 21, 2015**

The regular meeting of the Western Regional Water Commission (“WRWC”) Board of Trustees was held on Wednesday, January 21, 2015, at the Sparks Council Chambers, Legislative Building, 745 Fourth Street, Sparks, Nevada.

**1. Roll Call and Determination of Presence of a Quorum**

Vice-Chairman Hartung called the meeting to order at 11:25 am. There was a quorum present.

<u>Commissioners Present:</u>	<u>Appointed by:</u>
Vaughn Hartung	Washoe County
Sandra Ainsworth	Sun Valley General Improvement District
Naomi Duerr	City of Reno
Ed Lawson	City of Sparks
Geno Martini	Truckee Meadows Water Reclamation Facility (“TMWRF”)
Bob Lucey	Truckee Meadows Water Authority (“TMWA”), as successor to South Truckee Meadows General Improvement District
Ron Smith	TMWA, as its City of Sparks WRWC member
Jeanne Herman	TMWA, as its Washoe County WRWC member
Neoma Jardon	TMWA, as its City of Reno WRWC member

**2. Pledge of Allegiance**

Vaughn Hartung led the WRWC in the Pledge of Allegiance.

**3. Public Comment**

None

**4. Introduction of and oath of office for new WRWC Trustees appointed by TMWA .**

June Davis, Administrative Secretary, administered the oath of office for Jeanne Herman and Bob Lucey.

**5. Approval of Agenda (For Possible Action)**

COMMISSIONER MARTINI MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER JARDON. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

**6. Election of Chairman, Vice-Chairman, Secretary and Treasurer for the 2015 calendar year - Jim Smitherman, WRWC Water Resources Program Manager. (For Possible Action)**

Jim Smitherman reviewed past practices information included in the staff report.

COMMISSIONER DUERR MADE A MOTION TO NOMINATE COMMISSIONER HARTUNG AS CHAIRMAN, SECONDED BY COMMISSIONER HERMAN. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

COMMISSIONER DUERR OFFERED TO BE THE NOMINEE FOR VICE-CHAIRMAN, SECONDED BY COMMISSIONER LAWSON. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

COMMISSIONER LAWSON MADE A MOTION TO RE-ELECT COMMISSIONER AINSWORTH AS SECRETARY AND TREASURER, SECONDED BY COMMISSIONER BOB LUCEY. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

**7. Approval of the minutes of the December 17, 2014, meeting. (For Possible Action)**

COMMISSIONER SMITH MADE A MOTION TO APPROVE THE DECEMBER 17, 2014, MINUTES, SECONDED BY COMMISSIONER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

**8. Discussion and possible establishment of WRWC Legislative Subcommittee for the 2015 session of the Nevada Legislature, and possible direction to staff – Jim Smitherman. (For Possible Action)**

Mr. Smitherman reviewed past practice for the WRWC Legislative Subcommittee.

Chairman Hartung asked if meeting together with the TMWA Legislative Subcommittee would present any quorum issues. John Rhodes, Legal Counsel, stated that issue can be handled with legal notice/disclosure in the agenda.

COMMISSIONER JARDON MADE A MOTION TO APPOINT COMMISSIONERS HARTUNG, DUERR, AND AINSWORTH TO THE WRWC LEGISLATIVE SUBCOMMITTEE, SECONDED BY COMMISSIONER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

**9. Report on the National Pollutant Discharge Elimination System (“NPDES”) requirements for storm water; the audit of the Truckee Meadows Regional Storm Water Quality Management Program; and future considerations – Kerri Lanza, P.E., City of Reno.**

Kerri Lanza, City of Reno Public Works Engineering Manager, introduced Lynell Garfield-Qualls, City of Reno Public Works Hydrologist I.

Ms. Garfield-Qualls gave a presentation on the NPDES requirements and the Truckee Meadows Storm Water Management Program. The Cities of Reno, Sparks, and Washoe County are subject to an NPDES permit issued by the Nevada Division of Environmental Protection (“NDEP”). The Truckee Meadows Storm Water Permit Coordinating Committee was created by an interlocal agreement between the Cities of Reno, Sparks, and Washoe County. The Committee has the duty to implement the Storm Water Management Program (“SWMP”) to comply with the NPDES permit.

Commissioner Duerr asked how many sites are currently monitored and whether monitoring is done during storms. Ms. Garfield-Qualls stated there is an ambient monitoring program for baseline data collection. The baseline sampling consists of 12 tributary sites where ambient data

is collected two times a year. There is also storm event sampling that includes sampling from two storms at 12 tributary sites as well as 10 outfall sites.

Commissioner Duerr asked about whether Virginia Lake would be added to the list of locations monitored. Ms. Garfield-Qualls stated that the monitoring is dictated by the Sampling and Analysis Plan that is reviewed once a year and that location has not been added to the Plan. Commissioner Duerr requested that adding that location be considered the next time the Plan is updated.

Commissioner Duerr asked what it would mean to the Truckee Meadows if the Environmental Protection Agency (“EPA”) goes from a non-point to a point source. Ms. Garfield-Qualls stated that it is dependent on where they are with their Water Quality Standards and Total Maximum Daily Load review, and that she is not sure how it will play out.

Commissioner Duerr asked what is driving that. Ms. Garfield-Qualls stated it is a federal trend and is being driven by the EPA.

Commissioner Jardon asked for information on the drainage system shown in one of the presentation slides. Ms. Garfield-Qualls stated it is an example of low impact development and the use of landscaping features to treat storm water.

Chairman Hartung asked if any of the budget is used for public service announcements to inform people that it is not a best practice to dump any chemicals into storm drains. Ms. Garfield-Qualls responded yes, and stated that they utilized the Artown platform to inform the public about storm water and storm drains leading straight into the Truckee River last summer.

COMMISSIONER JARDON MADE A MOTION TO ACCEPT THE REPORT, SECONDED BY COMMISSIONER DUERR. THE MOTION CARRIED UNANIMOUSLY WITH NINE (9) MEMBERS PRESENT.

**10. Report on public outreach and schedule to update and adopt the 2016 Comprehensive Regional Water Management Plan (“RWMP”), and possible direction to staff - Jim Smitherman. (For Possible Action)**

Mr. Smitherman stated that a public notice was posted in the RGJ and the Sparks Tribune yesterday inviting the public to the Northern Nevada Water Planning Commission (“NNWPC”)’s regular meetings, during which the chapters will be discussed in detail that are feeding into the update of the RWMP. This notice was also posted to the NNWPC and WRWC home pages, and sent out to the interested parties email list. In addition to what the law requires, we propose to hold one after-hours public workshop to describe what is in the RWMP once it has been compiled. Mr. Smitherman suggested holding a joint workshop with TMWA on certain topics the public is responsive to.

Commissioner Duerr stated that teaming up with TMWA is a great idea, and asked that the Board be keep apprised during the process.

Chair Hartung requested that the Board is noticed as to the NNWPC meetings and times.

*(Commissioners Lawson left at 12:00 and Commissioner Smith left at 11:45.)*

COMMISSIONER LUCEY MADE A MOTION TO APPROVE THE PUBLIC OUTREACH ACTIVITIES FOR THE 2016 UPDATE OF THE RWMP, AS PRESENTED BY STAFF, SECONDED BY COMMISSIONER JARDON.

Commissioner Duerr requested that if it seems like there needs to be a public meeting sooner, that it be brought back to this Board.

THE MOTION CARRIED UNANIMOUSLY WITH SEVEN (7) MEMBERS PRESENT.

**11. Possible direction to staff regarding agenda items for a possible February 18, 2015, meeting and other future meetings – Jim Smitherman. (For Possible Action)**

Mr. Smitherman stated there are not any time sensitive issues to bring forward and recommended not meeting in February.

Mr. Smitherman reviewed potential agenda items for the next WRWC meeting in either March or April:

- a) Letters acknowledging Mike Carrigan and Steve Cohen as long-standing members;
- b) FY 2015-16 tentative budget in April; and an
- c) Amendment to an interlocal agreement with TMWA regarding water rights purchased relative to the Truckee River Operating Agreement

Mr. Smitherman asked if the Board would be interested in a presentation on the draft Truckee Basin Report from the Bureau of Reclamation since it will be shown to the TMWA Board.

Chairman Hartung asked staff to send the report to the three Board members that are not on the TMWA Board rather than adding that presentation to a future agenda at this time.

Commissioner Duerr asked about Mr. Smitherman's role during the legislative session. Mr. Smitherman stated that he and Mr. Rhodes register as lobbyists and are on-call for testimony if needed. Mr. Smitherman and Mr. Rhodes also participate in the WRWC Legislative Subcommittee meetings and Mr. Rhodes reports on that to this Board.

Commissioner Duerr asked if updates on the RWMP process will be brought to this Board. Mr. Smitherman stated that normally if there are items of interest, staff will bring that to this Board. Otherwise the NNWPC does their work on the update and staff brings this Board the draft RWMP at the end of the process.

**12. Commission Comments**

Future meetings of this Board will be held at 9:00 a.m.

**13. Staff Comments**

None

**14. Public Comment**

None

**15. Adjournment (For Possible Action)**

The meeting was adjourned at 12:12 p.m.

Respectfully submitted by,  
Christine Birmingham, Recording Secretary

Approved by Commission in session on \_\_\_\_\_ 2015.

\_\_\_\_\_  
Chairman

# Western Regional Water Commission

## STAFF REPORT

DATE: April 9, 2015

TO: Chairman and Members, Western Regional Water Commission ("WRWC")

FROM: Jim Smitherman, Water Resources Program Manager

SUBJECT: Presentation of letters to the Chairman for signature, recognizing former WRWC Trustees Mike Carrigan and Steve Cohen for their exceptional service to the WRWC, and possible direction to staff regarding recognition of other Trustees.

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### **SUMMARY**

Staff has not received prior direction from the WRWC Board regarding recognition of WRWC Trustees whose service on the Board has ended, nor has the WRWC established any policy or practice other than providing a verbal farewell at a Trustee's final meeting. Staff proposes that past Trustees Carrigan and Cohen deserve special recognition because they both served faithfully as officers for seven years, since the WRWC's inception in 2008. Staff has therefore prepared brief letters for the Chairman's signature recognizing Mr. Carrigan's and Mr. Cohen's exceptional service during their terms on the WRWC, which staff will mail if so directed.

Looking forward, Trustees will leave the WRWC from time to time, and as there are two other Trustees presently on the Board who have also served since the WRWC's inception, staff requests direction concerning policy on this topic.

### **PREVIOUS ACTION**

There has been no previous action.

### **FISCAL IMPACT**

There is no fiscal impact.

### **RECOMMENDATION**

Staff recommends that the WRWC approve the letters for signature and direct staff to mail them to Mr. Carrigan and Mr. Cohen, and provide direction to staff concerning future policy.

### **POSSIBLE MOTION**

If the WRWC agrees with the recommendation, a possible motion is: "Move to approve the letters for signature and direct staff to mail them to Mr. Carrigan and Mr. Cohen."

JS:jd



**Western Regional Water Commission**  
**4930 Energy Way**  
**Reno, NV 89502**

April 15, 2015

Mr. Mike Carrigan  
Address

Dear Mike:

On behalf of the Western Regional Water Commission, I would like to personally thank you for your extraordinary service and contribution of time and effort to the Commission. Your leadership as Chairman since the inception of the Commission, service on every Legislative Subcommittee, and appearances before the Legislative Oversight Committee, set a fine example for all of us to follow.

With deep appreciation and admiration of your outstanding vision, dedication, integrity and commitment to excellence as Chairman of the Western Regional Water Commission, resulting in better water resource planning and management in the Truckee Meadows, we offer our thanks and best wishes to you in all your future endeavors.

Sincerely,

Chairman  
Western Regional Water Commission

:jd

**Western Regional Water Commission**  
4930 Energy Way  
Reno, NV 89502

April 15, 2015

Mr. Steve Cohen  
Address

Dear Steve:

On behalf of the Western Regional Water Commission, I would like to personally thank you for your extraordinary service and contribution of time and effort to the Commission. Your leadership as Treasurer since the inception of the Commission, and service on every Legislative Subcommittee, set a fine example for all of us to follow.

With deep appreciation and admiration of your outstanding vision, dedication, integrity and commitment to excellence as Treasurer of the Western Regional Water Commission, resulting in better water resource planning and management in the Truckee Meadows, we offer our thanks and best wishes to you in all your future endeavors.

Sincerely,

Chairman  
Western Regional Water Commission

:jd

# Western Regional Water Commission

## STAFF REPORT

**DATE:** April 9, 2015  
**TO:** Chairman and Members, Western Regional Water Commission ("WRWC")  
**FROM:** Jim Smitherman, WRWC Water Resources Program Manager  
**SUBJECT:** Report by the Desert Research Institute ("DRI") on its Cloud Seeding Operations for the Truckee River and Lake Tahoe Basins for the past water year, and status of its Cloud Seeding Coalition efforts, and possible direction to staff.

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### **SUMMARY**

On December 11, 2014, staff provided a brief report on efforts to secure funding for cloud seeding from the State, and how a proposal from DRI for a statewide program might benefit this region should State funding be made available. After some discussion, Commissioners asked for a future agenda item on this topic. Since that time, Senate Bill 423 has been introduced which, if approved, would provide matching funds for cloud seeding operations. The Bill was heard by the Senate Finance Committee on April 2, 2015. DRI representatives were present at the hearing and answered questions asked by the Committee. Staff was also present and provided brief testimony in support of the Bill on behalf of the WRWC.

DRI representatives have agreed to provide a presentation to the WRWC about the water year 2014-2015 program, proposed operations for the coming year, efforts to identify entities willing to share the cost of future operations, and to answer questions about its cloud seeding program.

### **BACKGROUND**

Wintertime cloud seeding is focused on enhancing snowfall in mountainous regions to increase the snowpack, resulting in more spring runoff and water supplies in the surrounding areas. The DRI cloud seeding program has been in operation for more than 25 years. DRI estimates that, for the Truckee River Basin, cloud-seeding has boosted water in the snowpack by an average of 18,000 acre-feet a year over the last 10 years.

DRI funding cuts in 2008 threatened to eliminate its cloud seeding operations such that outside financing was necessary to continue the program. In response, DRI applied to the Truckee River Fund ("TRF") in 2009 to support the operation of five cloud-seeding generators in the Sierra Nevada. DRI received approval for partial funding from the TRF and the RWMF for the 2009-2010 water year. DRI has applied for and received funding from the TRF, and more recently TMWA, and the RWMF to cover operations in each successive water year.

DRI has convened a cloud seeding program advisory board for the purpose of developing long-term funding alternatives involving entities that benefit from the program.

**PREVIOUS ACTION**

On December 11, 2013, the WRWC unanimously approved an amount not to exceed \$100,000 from the RWMF to support cloud seeding operations for the 2013-2014 water year and authorized the Chairman to execute an Interlocal Agreement with DRI for that purpose.

On January 16, 2013, the WRWC unanimously approved an amount not to exceed \$100,000 from the RWMF to support cloud seeding operations for the 2012-2013 water year and authorized the Chairman to execute an Interlocal Agreement with DRI for that purpose.

On February 10, 2012, the WRWC unanimously approved an amount not to exceed \$100,000 from the RWMF to support cloud seeding operations for the 2011-2012 water year and authorized the Chairman to execute an Interlocal Agreement with DRI for that purpose.

On September 10, 2010, the WRWC unanimously approved an amount not to exceed \$100,000 from the RWMF to support cloud seeding operations for the 2010-2011 water year and authorized the Chairman to execute an Interlocal Agreement with DRI for that purpose.

On November 13, 2009, the WRWC unanimously approved funding up to a maximum of \$45,000 from the RWMF, which could be reduced by successful efforts of the cloud seeding coalition to raise funds.

**FISCAL IMPACT**

This report has no fiscal impact.

**RECOMMENDATION**

Staff recommends that the WRWC accept the report, and provide direction to staff as appropriate.

**POSSIBLE MOTION**

Should the Board agree with staff's recommendation, a possible motion would be: "Move to accept the report, and direct staff to..."

JS:jd

# Western Regional Water Commission

## STAFF REPORT

DATE: April 9, 2015

TO: Chairman and Members, Western Regional Water Commission ("WRWC")

FROM: Jim Smitherman, Water Resources Program Manager

SUBJECT: Discussion and possible approval of an amendment to the Interlocal Agreement with the Truckee Meadows Water Authority ("TMWA") for the acquisition of water quality water rights to partially satisfy the 6,700 acre-feet requirement in the Truckee River Operating Agreement ("TROA"), to provide for transfer of title of the water rights acquired by TMWA to Reno, Sparks and Washoe County; and if approved, authorize the Chairman to execute the Amendment.

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### **BACKGROUND**

The implementation of TROA is a goal shared by both TMWA and the Western Regional Water Commission ("WRWC"). The WRWC is authorized by Chapter 531, Statutes of Nevada 2007 (the "Act"), and the WRWC Joint Powers Agreement, to participate with other entities on issues concerning the supply of water and is also authorized to implement plans and cooperate with public purveyors such as TMWA to maximize the yield of regional water supplies and manage water supplies in furtherance of TROA. Further, Section 43(2) of the Act provides that the Comprehensive Regional Water Management Plan must be consistent with and carry out or support the carrying out of all aspects of TROA.

Section 1.E.4 of TROA provides that "Reno, Sparks and Washoe County agree to provide 6,700 acre-feet of water rights for water quality purposes no later than when [TROA] takes effect...". While the obligation to acquire water rights is held by Reno, Sparks and the County, the acquisition of water quality rights is a critical step necessary to the implementation of TROA and therefore is a matter in which TMWA and the WRWC have significant interests. TMWA is charged with the sole and exclusive power and authority to negotiate, execute and implement its obligations under TROA while pursuing and enhancing the interests of Reno, Sparks and Washoe County. TMWA is actively engaged in the regional water rights market in the ordinary course of its operation, and has the staff and expertise to facilitate the efficient acquisition and management of water rights in connection with the water quality obligations under Section 1.E.4 of TROA.

### **PREVIOUS ACTION**

On May 16, 2013, the WRWC and TMWA entered into an Interlocal Agreement For Acquisition of Water Quality Water Rights (the "Original Agreement"), whereby TMWA agreed to purchase Truckee River water rights to partially offset Reno, Sparks and Washoe County's 6700 acre-feet obligation (the "WQ Water Rights"), and whereby the WRWC agreed to reimburse TMWA from the Regional Water Management Fund ("RWMF"), in an amount not to exceed \$2.7 million, for TMWA's direct costs incurred in purchasing the WQ Water Rights, including but not limited to costs for professional services, legal fees,

researching and securing the title, change applications for the transfer and use of the rights, and escrow and other closing costs. The purpose of the Original Agreement is to facilitate unified and cooperative efforts to secure and develop additional water supplies and manage existing water resources, through the cooperative implementation of a mechanism to acquire and manage water rights for water quality purposes to support partial satisfaction of the obligations of Reno, Sparks and Washoe County required under Section 1.E.4 of TROA, and to facilitate the implementation of TROA.

**SUMMARY**

TMWA has acquired and is managing the WQ Water Rights pursuant to the Original Agreement, and continues to seek additional WQ Water Rights for acquisition and or exchange as permitted therein. To date, TMWA has spent \$2.43 million of the budgeted \$2.7 million, and acquired approximately 438 acre-feet of WQ Water Rights.

Reno, Sparks and Washoe County have requested that title to the WQ Water Rights held by TMWA be conveyed to them, as tenants in common with undivided 1/3 interests each. Both TMWA and WRWC desire to amend the Original Agreement to allow for the requested transfer of title.

**FISCAL IMPACT**

None.

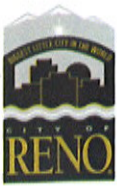
**RECOMMENDATION**

Staff recommends that the WRWC approve the Amendment to the Interlocal Agreement with TMWA, to provide for transfer of title to the WQ Water Rights held by TMWA to Reno, Sparks, and Washoe County; and if approved, authorize the Chairman to execute the Amendment for that purpose.

**POSSIBLE MOTION**

Should the Commission agree with the above recommendation, a possible motion is: “Move to approve the staff recommendation, and authorize the Chairman to execute the proposed Amendment.”

JS:jd



January 26, 2015

Mr. Jim Smitherman  
Water Resources Program Manager  
C/O Western Regional Water Commission  
4930 Energy Way  
Reno, NV 89502

Subject: Conveyance of Water Rights

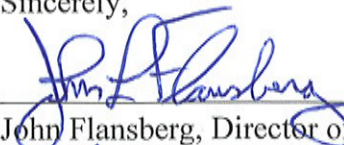
Dear Mr. Smitherman:

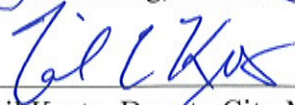
In May 2013 The Western Regional Water Commission entered into an agreement with the Truckee Meadows Water Authority (TMWA) for the acquisition of water rights on behalf of and for the benefit of Reno Sparks and Washoe County (local Governments). This agreement provides for \$2,700,000.00 of funding to TMWA to acquire water rights which are strictly to benefit and reduce the Local Governments obligation arising from TROA and associated I.E.4 agreement.

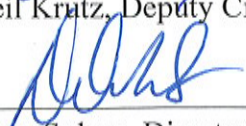
The local governments and TMWA desire that title for the water rights acquired by TMWA be transferred to Reno, Sparks and Washoe County as tenants in common with 1/3 undivided interest each.

Please accept this request and place appropriate item on your board's agenda to cause any necessary changes to the above referenced agreement and ultimately instructing TMWA to convey these water rights to the local governments.

Sincerely,

  
\_\_\_\_\_  
John Flansberg, Director of Public Works, City of Reno

  
\_\_\_\_\_  
Neil Krutz, Deputy City Manager for Community Services, City of Sparks

  
\_\_\_\_\_  
Dave Solaro, Director Community Services Department Washoe County