

APN: N/A (Water Rights)

When recorded, mail to Authority,
Mail tax statement to Authority:

Truckee Meadows Water Authority
Attn: Water Resources Dept.
P.O. Box 30013
Reno, NV 89520-3013

The undersigned hereby affirms that this document submitted for recording does not contain the personal information of any person or persons per N.R.S. 239B.030.

WATER RIGHTS DEED

THIS INDENTURE, made and entered into this 19th day of August, 2015, between THE CITY OF SPARKS, a municipal corporation ("City") and the TRUCKEE MEADOWS WATER AUTHORITY, a Joint Powers Authority entity created pursuant to a cooperative agreement among the cities of Reno, Nevada and Sparks, Nevada and Washoe County, Nevada, pursuant to N.R.S. Chapter 277 ("Authority").

RECITALS

WHEREAS, City holds title to certain water and water rights totaling 213.99 acre feet as more particularly described in Exhibit "A" attached hereto and incorporated herein by reference (the "City Water Rights"), which consist of water rights from the Truckee River or its tributaries originally adjudicated for irrigation and other uses in the Final Decree entered into September 8, 1944 in that certain action entitled The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, the same in Equity Docket No. A-3 in the District Court of the United States in and for the District of Nevada.

WHEREAS, Authority is a joint powers authority of which City is a member, and is a public purveyor of domestic and municipal water service within the municipal limits of the City of Sparks.

WHEREAS, Authority holds title to certain water and water rights totaling 213.99 acre feet as more particularly described in Exhibit "B" attached hereto and incorporated herein by reference (the "Authority Water Rights"), which consist of water rights from the Truckee River or its tributaries originally adjudicated for irrigation and other uses in the Final Decree entered into September 8, 1944 in that certain action entitled The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, the same in Equity Docket No. A-3 in the District Court of the United States in and for the District of Nevada.

WHEREAS, City and The Authority desire to exchange the foregoing water rights such that City shall convey to Authority all of its right, title and interest in the City Water Rights and Authority shall convey to City all of its right, title and interest in the Authority Water Rights, on the terms and conditions herein.

WITNESSETH

NOW THEREFORE, for good and valuable consideration, the parties agree as follows:

1. Quitclaim of City Water Rights. City, for good and valuable consideration, the receipt whereof is hereby acknowledged, by these presents do remise, release and quitclaim unto Authority and its successors and assigns forever, all of its right, title and interest in and to all that certain water and water rights and ditch and ditch rights of the City to divert from the Truckee River and its tributaries the water appurtenant to the land situate in the County of Washoe, State of Nevada and described with more particularity in Exhibit "A" attached hereto and incorporated herein by reference.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging and in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.


2. Quitclaim of Authority Water Rights. Authority, for good and valuable consideration, the receipt whereof is hereby acknowledged, by these presents do remise, release and quitclaim unto City and its successors and assigns forever, all of its right, title and interest in and to all that certain water and water rights and ditch and ditch rights of the Authority to divert from the Truckee River and its tributaries the water described with more particularity in Exhibit "B" attached hereto and incorporated herein by reference.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging and in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, ALL AND SINGULAR, the said premises together with the appurtenances, unto the said City and Authority, respectively, and to their successors and assigns forever.

Each of City and Authority does hereby agree to assume the payment of all water master fees and charges that may hereafter become due an payable in respect to said rights being conveyed to each herein by reason of the Decree in the *United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants*, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada.

IN WITNESS WHEREOF, City and Authority have caused this Water Rights Deed to be executed the day and year first above written.

TRUCKEE MEADOWS WATER AUTHORITY: By:  John A. Erwin, Director Natural Resources	CITY OF SPARKS: By: _____ Geno Martini, Mayor Attest: _____ City Clerk
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STATE OF NEVADA)
) ss
COUNTY OF WASHOE)

APPROVED AS TO FORM


City Attorney

On this 14th day of August, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared John A. Erwin as Director Natural Resources for the Truckee Meadows Water Authority, who executed the within instrument for the purposes herein stated on behalf of such entity.

WITNESS my hand and official seal.


Notary Public



EXHIBIT "A"

City Water Rights

WATER RIGHT NO. 1: DTR CLAIM 568/568a, PERMIT 18675, CERTIFICATE 5197

A portion of DTR Claim 568/568a as changed by Permit 18675, Certificate 5197 consisting of 35.52 acre-feet, along with a pro-rata portion of the diversion rate and more particularly described as appurtenant to the following tracts of land:

0.07 acres lying within the right-of-way of portions of M Street and a portion of Pyramid Way as shown on Tract Map No. 482 for Addition No. 5 to Greenbrae Terrace Subdivision recorded as Doc. No. 218110, Official Records, Washoe County, Nevada on July 17, 1953. Said portion having a duty of 0.28 acre-feet.

0.94 acres lying within the right-of-way of portions of L Street, M Street and First Street as shown on Tract Map 484 for Addition No. 6 to Greenbrae Terrace Subdivision recorded as Doc. No. 221569, Official Record, Washoe County, Nevada on December 27, 1953. Said portion having a duty of 3.76 acre-feet.

4.10 acres lying within the right-of-way of portions of Greenbrae Drive, Fourth Street., O Street and P Street as shown on Tract Map No. 505 for Addition No. 7 to Greenbrae Terrace Subdivision recorded as Doc. No. 241315, Official Records, Washoe County, Nevada on March 30, 1955. Said portion having a duty of 16.40 acre-feet.

3.61 acres lying within the right-of-way of portions of First Street, Stanford Way, Greenbrae Drive, O Street and P Street as shown on Tract Map No. 506 for Addition No. 8 to Greenbrae Terrace Subdivision recorded as Doc. No. 241316, Official Records, Washoe County, Nevada on March 30, 1955. Said portion having a duty of 14.44 acre-feet.

0.16 acres lying within the right-of-way of a portion of L Street as shown on Tract Map No. 532 for Addition No. 10 to Greenbrae Terrace Subdivision recorded as Doc. No. 260055, Official Records, Washoe County, Nevada on May 16, 1956. Said portion having a duty of 0.64 acre-feet.

Said water and water rights being a portion of the North Truckee Ditch heretofore allocated to George H. Callaghan successor to W. C. Neasham, in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under Claim or Right 568/568a.

WATER RIGHT NO. 2: DTR CLAIM 569, PERMIT 20252, CERTIFICATE 5602

A portion of DTR Claim 569 as changed by Permit 20252, Certificate 5602 consisting of 6.72 acre-feet, along with a pro-rata portion of the diversion rate and more particularly described as appurtenant to the following tracts of land:

0.95 acres lying within the right-of-way of portions of East Greenbrae Drive and Breaker Way as shown on Tract Map No. 660 for Breaker Subdivision recorded as Doc. No. 324889, Official Records, Washoe County, Nevada on August 31, 1960. Said portion having a duty of 3.80 acre-feet.

0.35 acres lying within the right-of-way of portions of Rodger Circle and East Greenbrae Drive as shown on Tract Map No. 710 for Brook's Subdivision No. 1 recorded as Doc. No. 338929, Official Records, Washoe County, Nevada on June 16, 1961. Said portion having a duty of 1.40 acre-feet.

0.14 acres lying within the right-of-way of a portion of Brooks Circle as shown on Tract Map No. 728 for Brook's Subdivision No. 2 recorded as Doc. No. 342327, Official Records, Washoe County, Nevada on August 16, 1961. Said portion having a duty of 0.56 acre-feet.

0.24 acres lying within the right-of-way of a portion of East Greenbrae Drive as shown on Tract Map No. 736 for Tanglewood Estates No. 1 recorded as Doc. No. 344434 Official Records, Washoe County, Nevada on September 19, 1961. Said portion having a duty of 0.96 acre-feet.

Said water and water rights being a portion of the North Truckee Ditch heretofore allocated to Nels Block Christiansen, successor to Wills and Tregallis, in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under Claim or Right 569.

WATER RIGHT NO. 3: DTR CLAIM 569, PERMIT 23074, CERTIFICATE 6349

A portion of DTR Claim 569 as changed by Permit 23074, Certificate 6349 consisting of 7.76 acre-feet, along with a pro-rata portion of the diversion rate and more particularly described as appurtenant to the following tracts of land:

0.51 acres lying within the right-of-way of portions of Boise Drive and Rodgers Circle as shown on Tract Map No. 710 for Brook's Subdivision No. 1 recorded as Doc. No. 338929, Official Records, Washoe County, Nevada on June 16, 1961. Said portion having a duty of 2.04 acre-feet.

0.39 acres lying within the right-of-way of portions of Boise Drive and Brooks Circle as shown on Tract Map No. 728 for Brook's Subdivision No. 2 recorded as Doc. No. 342327, Official Records, Washoe County, Nevada on August 16, 1961. Said portion having a duty of 1.56 acre-feet.

1.04 acres lying within the right-of-way of portions of East Greenbrae Drive, Dogwood Drive and Teakwood Drive as shown on Tract Map No. 736 for Tanglewood Estates No. 1 recorded as Doc. No. 344434 Official Records, Washoe County, Nevada on September 19, 1961. Said portion having a duty of 4.16 acre-feet.

Said water and water rights being a portion of the North Truckee Ditch heretofore allocated to Nels Block Christiansen, successor to Wills and Tregallis, in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under Claim or Right 569.

WATER RIGHT NO. 4: DTR CLAIM 325, PERMIT 23075, CERTIFICATE 6465

A portion of DTR Claim 325 as changed by Permit 23075, Certificate 6465 consisting of 44.88 acre-feet, along with a pro-rata portion of the diversion rate and more particularly described as appurtenant to the following tracts of land:

10.77 acres lying within the right-of-way of all or portions of East Emerson Way, Elaine Way, East Penny Way, Vicki Lane, Probasco Way, Eric Avenue, Janelle Drive, Gwenn Way and Lucerne Way as shown on Tract Map No. 807 for Sierra Estates No. 2 recorded as Doc. No. 377987, Official Records, Washoe County, Nevada on February 18, 1963. Said portion having a duty of 43.08 acre-feet.

0.45 acres lying within the right-of-way of a portion of Elaine Way as shown on Tract Map No. 907 for Sierra Estates No. 3 recorded as Doc. No. 1013, Official Records, Washoe County, Nevada on June 29, 1964. Said portion having a duty of 1.80 acre-feet.

Said water and water rights being a portion of the Orr Extension Ditch heretofore allocated to G. Lavagnino and C. Lavagnino in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under Claim or Right 325.

WATER RIGHT NO. 5: DTR CLAIM 586, PERMIT 24135, CERTIFICATE 6753

A portion of DTR Claim 586 as changed by Permit 24135, Certificate 6753 consisting of 2.43 acre-feet, along with a pro-rata portion of the diversion rate and more particularly described as appurtenant to the following tracts of land:

0.54 acres lying within the right-of-way of a portion of Industrial Way as shown on Tract Map No. 658 for Industrial Park Subdivision recorded as Doc. No. 323841, Official Records, Washoe County, Nevada on August 10, 1960. Said portion having a duty of 2.43 acre-feet.

Said water and water rights being a portion of the Sessions Ditch heretofore allocated to Domenico Depaoli in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under Claim or Right 586.

WATER RIGHT NO. 6: DTR CLAIM 570, PERMIT 27757, CERTIFICATE 9852

A portion of DTR Claim 570 as changed by Permit 27757, Certificate 9852 consisting of 52.48 acre-feet, along with a pro-rata portion of the diversion rate and more particularly described as appurtenant to the following tracts of land:

5.98 acres lying within the right-of-way of portions of North McCarran Blvd, Matteoni Drive, Denevi Drive, Glen Vista Drive, East York Way, Glen Molly Drive and William Morby Drive as shown on Tract Map No. 1240 for Century Glen Subdivision Unit No. 1 recorded as Doc. No. 213602, Official Records, Washoe County, Nevada on July 28, 1971. Said portion having a duty of 23.92 acre-feet.

5.45 acres lying within the right-of-way of portions of Glen Martin Drive, Howard, Drive, La Hacienda Way, Joseph Drive, Bonita Vista Drive, Rizzo Drive, Rosemary Drive and a portion of William Morby Drive as shown on Tract Map No. 1275 for Century Glen Subdivision Unit No. 3 recorded as Doc. No. 231991, Official Records, Washoe County, Nevada on January 17, 1972. Said portion having a duty of 21.80 acre-feet.

1.69 acres lying within the right-of-way of portions of Mesa Vista Drive, Rio Tinto Drive, Rizzo Drive and Rizzo Court as shown on Tract Map No. 1286 for Sierra Meadows Subdivision Unit No. 5-B recorded as Doc. No. 236472, Official Records, Washoe County, Nevada on March 2, 1972. Said portion having a duty of 6.76 acre-feet.

Said water and water rights being a portion of the North Truckee Ditch heretofore allocated to Joseph Bianchini in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, the same in Equity Docket A-3 in the

District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under Claim or Right 570.

WATER RIGHT NO. 7: DTR CLAIM 578, PERMIT 27758, CERTIFICATE 9853

A portion of DTR Claim 578 as changed by Permit 27758, Certificate 9853 consisting of 64.20 acre-feet, along with a pro-rata portion of the diversion rate and more particularly described as appurtenant to the following tracts of land:

8.98 acres lying within the right-of-way of all or portions of North McCarran Blvd, Matteoni Drive, Van Meter Drive, East Greenbrae Drive, Howard Court, Howard Drive, La Linda Vista Drive, La Hacienda Way, Mesa Vista Drive, La Sierra Court, La Sierra Drive, Desert View Drive, Sage View Drive, Sage View Court and O'Callaghan Drive as shown on Tract Map No. 1227 for Sierra Meadows Subdivision Unit No. 4 recorded as Doc. No. 206137, Official Records, Washoe County, Nevada on May 10, 1971. Said portion having a duty of 35.92 acre-feet.

4.29 acres lying within the right-of-way of portions of Desert View Drive, East Greenbrae Drive, La Sierra Drive, Rio Vista Drive, Bonita Vista Drive and O'Callaghan Drive as shown on Tract Map No. 1259 for Sierra Meadows Subdivision Unit No. 5-A recorded as Doc. No. 223830, Official Records, Washoe County, Nevada on October 27, 1971. Said portion having a duty of 17.16 acre-feet.

2.78 acres lying within the right-of-way of portions of Rio Tinto Drive, Rizzo Drive, Rizzo Court, Rio Vista Drive, Bonita Vista Drive, Norris Drive and O'Callaghan Drive as shown on Tract Map No. 1286 for Sierra Meadows Subdivision Unit No. 5-B recorded as Doc. No. 236472, Official Records, Washoe County, Nevada on March 2, 1972. Said portion having a duty of 11.12 acre-feet.

Said water and water rights being a portion of the North Truckee Ditch heretofore allocated to Theodore W. Clark in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under Claim or Right 578.

EXHIBIT B
Authority Water Rights

1. A portion of Water Right Permit No. 66666 from the office of the Nevada Division of Water Resources, being a **total of 4.25 acre feet annually, more or less**, together with a portion of the pro-rata share of the diversion rate, said water being a portion of the COCHRAN DITCH in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under CLAIM OR RIGHT NO. 431, said water and water rights with all ditch and ditch rights described and recorded in Document No. 355176, Official Records, Washoe County, Nevada on March 13, 1962.

2. A portion of Water Right Permit No. 42737 from the office of the Nevada Division of Water Resources,, being a **total of 13.96 acre feet annually, more or less**, together with a portion of the pro-rata share of the diversion rate, said water being a portion of the NORTH TRUCKEE DITCH in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under CLAIM OR RIGHT NO. 582, said water and water rights with all ditch and ditch rights described and recorded in Document No. 358746, Official Records, Washoe County, Nevada on March 21, 1975.

3. All of Water Right Permit No. 48397, from the office of the Nevada Division of Water Resources, being a **total of 40.00 acre feet annually, more or less**, together with a portion of the pro-rata share of the diversion rate, said water being a portion of the COCHRAN DITCH in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under CLAIM OR RIGHT NO. 461, said water and water rights with all ditch and ditch rights described and recorded in Document No. 290021, Official Records, Washoe County, Nevada on June 14, 1973.

4. All of Water Right Permit No. 66582, from the office of the Nevada Division of Water Resources, **being a total of 155.78 acre feet annually, more or less**, together with a portion of the pro-rata share of the diversion rate, said water being a portion of the SCOTT RANCH DITCH in that certain action entitled United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants, the same in Equity Docket A-3 in the District Court of the United States in and for the District of Nevada, said water being distributed and allocated in said Decree under CLAIM OR RIGHT NO. 498, said water and water rights

with all ditch and ditch rights described and recorded in Document No. 35946, Official Records, Washoe County, Nevada on August 11, 1965 for **135.00 acre feet**, more or less; Document No. 117819, Official Records, Washoe County, Nevada on June 19, 1968 for **2.95 acre feet**, more or less; Document No. 127395, Official Records, Washoe County, Nevada on October 16, 1968 for **1.26 acre feet**, more or less; Document No. 127396, Official Records, Washoe County, Nevada on October 16, 1968 for **4.50 acre feet**, more or less; Document No. 127397, Official Records, Washoe County, Nevada on October 16, 1968 for **5.36 acre feet**, more or less; and Document No. 127398, Official Records, Washoe County, Nevada on October 16, 1968 for **6.71 acre feet**, more or less.