

**RESOLUTION OF INTENT TO ENTER INTO AN INTERLOCAL
AGREEMENT BETWEEN CLARK COUNTY AND THE STATE OF NEVADA
TO CONVEY WATER RIGHTS TO THE STATE OF NEVADA**

WHEREAS, Clark County, a political subdivision of the State of Nevada, by and through its Desert Conservation Program (“DCP”), a division within the Department of Environment and Sustainability in the County of Clark, holds title to surface and groundwater rights which have been acquired over the years to comply with the Clark County Multiple Species Habitat Conservation Plan (“Plan”) and associated Section 10(a)(1)(B) Incidental Take Permit (“Permit”) issued pursuant to the federal Endangered Species Act; and

WHEREAS, the DCP has examined its inventory of water rights and determined that fifty-eight (58) surface water rights equal to 98.157 acre-feet and twelve (12) groundwater rights equal to 55.71 acre-feet totaling ±153.867 acre-feet (“Water Rights”) are no longer necessary for Plan and Permit compliance; and

WHEREAS, the State of Nevada, acting through the Division of State Lands, and the State Land Registrar for and on behalf of the Department of Wildlife (hereinafter referred to as State of Nevada), has expressed interest in acquiring the Water Rights for the public purpose of restoring, managing, and maintaining water resources for fish and wildlife in southern Nevada; and

WHEREAS, pursuant to NRS 277.050, a governing body of a public agency may convey real property, including water rights, to another public agency without advertising for public bids on such terms as authorized by the governing body after holding a public hearing at which objections by the public may be heard, and pursuant to NRS 277.053, a governing body of a political subdivision may convey real property to the State of Nevada without charge if the property is to be used for a public purpose; and

WHEREAS, Clark County and the State of Nevada have set forth the terms upon which the Water Rights may be conveyed in the interlocal agreement titled Conveyance Agreement Clark County Water Rights (“Interlocal Agreement”); and:

WHEREAS, the Water Rights identified are listed and depicted in Exhibit A & B of the Interlocal Agreement attached hereto;

WHEREAS, upon approval of the Interlocal Agreement, the Clark County shall execute that certain Quit Claim Deed as shown on Exhibit C of the Interlocal Agreement; and

NOW, THEREFORE, be it resolved by the Clark County Board of Commissioners as follows:

1. The Board has determined that it would be in the best interest of the County to enter into the proposed Interlocal Agreement, for the purpose of conveying

water rights no longer needed by DCP for compliance with the Plan and Permit to the State of Nevada for the purpose of restoring, managing, and maintaining water resources for fish and wildlife in southern Nevada.

2. The Board does hereby set a public hearing for Tuesday, November 16, 2021 at 10:00 a.m. in the Commission Chambers at the Clark County Government Center, 500 S. Grand Central Parkway, Las Vegas, Nevada, during the regular Commission Meeting to hear any objections to the proposed conveyance of water rights to the State of Nevada pursuant to this Resolution and the proposed Interlocal Agreement.

3. Upon conclusion of the public hearing, the Board may authorize and direct the Chair to execute the Interlocal Agreement to authorize conveyance of the water rights, by quitclaim deed, to the State of Nevada upon the performance and compliance by the parties of all the terms and conditions of the Interlocal Agreement.

Adopted and approved on this ____ day of _____, 2021.

COUNTY OF CLARK, STATE OF NEVADA
BOARD OF COUNTY COMMISSIONERS

ATTEST:

By _____
Marilyn Kirkpatrick, Chair

Lynn Marie Goya, Clerk

APPROVED AS TO FORM:
DISTRICT ATTORNEY
CATHERINE JORGENSON

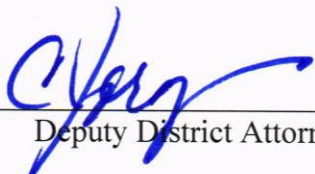
By  _____
Deputy District Attorney

EXHIBIT 1



WL-136, TA
Interest: 15741
Project: 5926

GRANTOR:
CLARK COUNTY
Desert Conservation Program
4701 W. Russell Road
Las Vegas, Nevada 89118

GRANTEE:
STATE OF NEVADA
Division of State Lands
901 South Stewart Street, Suite 5003
Carson City, Nevada 89701

CONVEYANCE AGREEMENT CLARK COUNTY WATER RIGHTS

THIS CONVEYANCE AGREEMENT ("CONVEYANCE AGREEMENT"), is made and entered into this _____ day of _____, 2021, by and between CLARK COUNTY, a political subdivision of the state of Nevada, acting through its DESERT CONSERVATION PROGRAM ("GRANTOR"), whose address is 4701 W. Russell Road, Suite 200, Las Vegas, Nevada 89118, and the STATE OF NEVADA, acting through the DIVISION OF STATE LANDS and its State Lands Registrar, whose address is 901 S. Stewart Street, Suite 5003, Carson City, Nevada 89701, for and on the behalf of the DEPARTMENT OF WILDLIFE ("GRANTEE"), to hereby accept from GRANTOR, upon approval by the Interim Finance Committee, certain water rights ("WATER RIGHTS") located in Clark County as described in Exhibits A and B, attached hereto and incorporated herein by this reference. GRANTEE and

Conveyance Agreement
WL-136 Clark County Water Rights