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To: Chairman Ken Staton & MVWD Board of Directors
From: Joseph Davis, General Manager
Date: March 19, 2014
Subject: **Water Applications 66976 through 66990 and 66992 through 66999**

Background

If the Board recalls, the District filed for change applications in 2000. The State Engineer signed a Settlement Agreement in October 29, 2007 granting approximately 4888 acre-feet annually to the District and the Rox water owners.

The change applications are in MVWD's name while the base rights are owned by the Rox water owners. The agreement requires that both the applications and base rights need to be in the same name. Staff has reached an agreement with the Rox water owners to bring this matter to a close.

Staff has included the QUITCLAIM DEED's for your review with the required deed restrictions language highlighted.

Suggested Motion

Move to approve the General Manager to sign the QUITCLAIM DEED's for Applications 66976 through 66990 and 66992 through 66999

Attachment A

Moapa Valley Water District to Moapa Mission, LLC

The following pending change applications:

Application No. 66976 for 0.40 cfs – 192.50 acre-feet annually;

A portion of Application No. 66984 for 0.0724 cfs – 10.5 acre-feet annually;

A portion of Application No. 66979 for 0.0939 cfs – 68.0 acre-feet annually;

Application No. 66986 for 0.20 cfs – 25.0 acre-feet annually;

A portion of Application No. 66992 for 0.0002 cfs – 0.055 acre-feet annually; and

A portion of Application No. 66999 for 0.0002 cfs – 0.055 acre-feet annually.

APN: Water Right Applications

MAIL DEED AND TAX STATEMENTS TO:

Moapa Alliance Business Trust (Grantee)
9741 Pan Falls Street
Las Vegas, NV 89178

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged which includes the reservation set forth below. Moapa Valley Water District (Grantor) does hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

Moapa Alliance Business Trust (Grantee)

All the right, title, and interests to the pending water right applications described on Attachment "A".

Grantor reserves the right to approve in writing any and all subsequent applications to change the manner of use, place of use and point of diversion of the water rights covered by this Quitclaim Deed, which approval shall not be unreasonably withheld except as to proposed changes in place of use which approval shall be at the sole discretion of Grantor.

The reservation contained herein shall be binding on the heirs, successors and assigns of the Grantee.

Dated this _____ day of _____, 2014

GRANTOR:

MOAPA VALLEY WATER DISTRICT

By: _____
Joseph Davis

STATE OF _____)
 : ss.
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____, 2014 by Joseph Davis.

Notary Public

(My commission expires: _____)

Attachment A

Moapa Valley Water District to Moapa Alliance Business Trust

The following pending change applications:

A portion of Application No. 66978 for 10,016 cfs – 595.0 acre-feet annually;

Application No. 66980 for 1.155 cfs – 395.0 acre-feet annually;

Application No. 66993 for 2.0 cfs – 450.0 acre-feet annually;

A portion of Application No. 66992 for 1.3748 cfs – 406.965 acre-feet annually;

A portion of Application No. 66999 for 1.3748 cfs – 406.965 acre-feet annually; and

Application No. 66994 for 1.72 cfs – 312.75 acre-feet annually.

Attachment A

Moapa Valley Water District to Moapa Pioneers 1919 Trust Dated the 4th Day of January, 2010

The following pending change applications:

Application No. 66987 for 1.0 cfs – 375.00 acre-feet annually;

Application No. 66983 for 0.347 cfs – 130.0 acre-feet annually;

Application No. 66985 for 0.1674 cfs – 8.25 acre-feet annually;

A portion of Application No. 66992 for 0.0038 cfs – 1.13 acre-feet annually; and

A portion of Application No. 66999 for 0.0038 cfs – 1.13 acre-feet annually.

Attachment A

Moapa Valley Water District to Glendale OC Irrevocable Business Trust

The following pending change applications:

Application No. 66977 for 2.73 cfs – 250.40 acre-feet annually;

Application No. 66981 for 1.85 cfs – 310.00 acre-feet annually;

Application No. 66982 for 0.613 cfs – 270.00 acre-feet annually;

Application No. 66990 for 1.97 cfs – 300.00 acre-feet annually;

A portion of Application No. 66992 for 0.0037 cfs – 1.09 acre-feet annually;

A portion of Application No. 66999 for 0.0037 cfs – 1.09 acre-feet annually;

Application no. 66996 for 1.57 cfs – 110.0 acre-feet annually; and

Application No. 66997 for 1.67 cfs – 155.0 acre-feet annually.

APN: Water Right Applications

MAIL DEED AND TAX STATEMENTS TO:

Ronald Rex Day and Bonnie Joann Day (Grantee)
1460 North Cambridge Avenue
Washington, Utah 84780

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged which includes the reservation set forth below. Moapa Valley Water District (Grantor) does hereby REMISE, RELEASE AND FOREVER QUITCLAIM to

Ronald Rex Day and Bonnie Joann Day, Trustees of the Ronald & Joann Day Marital and Family Trust II, dated August 1, 2002 (Grantee)

All the right, title, and interests to the pending water right applications described on Attachment "A".

Grantor reserves the right to approve in writing any and all subsequent applications to change the manner of use, place of use and point of diversion of the water rights covered by this Quitclaim Deed, which approval shall not be unreasonably withheld except as to proposed changes in place of use which approval shall be at the sole discretion of Grantor.

The reservation contained herein shall be binding on the heirs, successors and assigns of the Grantee.

Dated this _____ day of _____, 2014

GRANTOR:

MOAPA VALLEY WATER DISTRICT

By: _____
Joseph Davis

STATE OF _____)
 : ss.
COUNTY OF _____)

This instrument was acknowledged before me on the _____ day of _____, 2014 by Joseph Davis.

Notary Public
(My commission expires: _____)

Attachment A

Moapa Valley Water District to Ronald Rex Day and Bonnie Joann Day, Trustees of the Ronald & Joann Day Marital and Family Trust II, dated August 1, 2002

The following pending change applications:

A portion of Application No. 66978 for 0.009 cfs – 5.0 acre-feet annually;

A portion of Application No. 66984 for 0.0856 cfs – 12.413 acre-feet annually; and

A portion of Application No. 66979 for 0.0036 cfs – 2.587 acre-feet annually.