

STATE OF NEVADA

BRIAN SANDOVAL  
Governor

LEO DROZDOFF  
Director

JASON KING, P.E.  
State Engineer



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES  
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

February 14, 2012

**Permit 24079R01**

Nye County Planning Department  
Attn: Ms. Kelly Harris  
P.O. Box 1531  
Tonopah, NV 89049-1531

**Re: Nye Co. # RQ-11-0007 - Affidavit of Relinquishment of water rights from Permit 24079 in favor of domestic well(s).**

Dear Ms. Harris:

Enclosed are the original Affidavit of Relinquishment, Nye County No. RQ-11-0007, and documents approved on February 13, 2012, for the relinquishment of 3.36 AFA, in the name of Nye County, of water from Permit 24079.

RQ-11-0007: 3.36 acre-feet are being relinquished to create three (3) new domestic well parcels from the parent parcel APN 36-471-29 in Pahump, Nye County, Nevada. The new domestic well parcels are identified by the Nye County Assessor as APN 36-471-85, 36-471-86 and 36-471-87. The Date of Priority for the new domestic well(s) will be the same Date of Priority as Permit 24079; August 25, 1967. The original domestic well entitlement will be inherited by APN 36-471-88.

To properly complete the relinquishment process, **this office must receive a recorded copy of this Affidavit of Relinquishment and documents within 30 days from the date of this letter.** Nye County is to retain the original Affidavit of Relinquishment and documents.

The 3.36 acre-feet of water under Permit 24079 owned by Nye County will be relinquished when a recorded copy of the enclosed Affidavit of Relinquishment and documents is returned to this office. If you have any questions, please call me at (775) 684-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "H Reed", written over a horizontal line.

Hamilton Reed, PG, PE  
Staff Engineer

WHR/mk  
Enclosures

Upon recording mail copy to:  
State Engineer's Office  
901 S. Stewart Street, Suite 2002  
Carson City, NV 89701

OFFICE OF THE NEVADA STATE ENGINEER

Regarding Permit No. 24079 Certificate Number 7794

This space reserved for  
county recorder's use only

AFFIDAVIT TO RELINQUISH WATER RIGHTS IN FAVOR OF USE OF WATER  
FOR DOMESTIC WELLS

State of Nevada )

: ss

County of Nye )

I, Kelly Harris, as agent for Nye County

do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. I am the  owner of record

agent for the owner of record who is Nye County

of  all  a portion of 24079 as indicated in the records of the

*check one* permit/certificate no. or decreed right

Nevada State Engineer.

2. I hereby relinquish an amount of water equivalent to:

3.36 acre-feet

*enter a total amount of water equal to the sum of 2.0 afa for each proposed new domestic well*

acre-feet annually from the above water right.

The water right or portion of water right relinquished was appurtenant to the land more particularly described as follows:

the east half of the 1.34 acres being stripped as shown on DWR map #69487 filed January 21, 2003

*describe the place of use by quarter sections, section, township, range M.D.B. & M. and assessor's parcel numbers*

**THE PROCESSING CHARGE OF \$250 MUST ACCOMPANY THIS AFFIDAVIT**

3. This relinquishment of water rights is for the purpose of offsetting the water withdrawn from domestic wells to homes, or for the dedication of water to newly created lots located at the place described below and reflected on the attached map: *(Describe place where water will be used with quarter sections, section, township, range, M.D.B. & M. and assessor's parcel numbers)*

See attached Exhibit A

4. I have attached a reduced, scaled, 8 1/2 X 11" copy of the tentative parcel map. The original tentative parcel map must be prepared to the standards of NRS 278.466.
5. I understand that this relinquishment must be approved by the Nevada State Engineer in order for it to become effective.
6. I am aware that, under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350.
7. I understand this relinquishment shall become effective upon the date of approval by the State Engineer. The affiant may petition the State Engineer to void this relinquishment if the final subdivision or parcel map is not recorded within 18 months after this approval. If a petition to void this relinquishment is not submitted to the State Engineer within the 18 month period, the water remains permanently reverted to the source.
8. I understand once these water rights are relinquished by recordation of a final subdivision map in the office of the county recorder of the county wherein the domestic wells are to be located, as provided in NRS 278.380 (2001), or in the case of a final parcel map as provided in NRS 278.4725 (2003), the process cannot be reversed nor can I claim said right as a water right.

Permit/Cert No. 24079

9. Within 30 days of approval of this relinquishment by the State Engineer, I shall record this Affidavit in the office of the county recorder of the county in which the final subdivision or parcel map is recorded. I shall also record this Affidavit in the office of the county recorder of the county in which the previous place of use was located, if it is not the same county.

10. I shall provide the State Engineer's Office with a copy of this recorded Affidavit within thirty (30) days of its recording with the county recorder.

DATED: This 20<sup>th</sup> day of January, 20 12.

[Handwritten Signature]

Affiant's Signature

Kelly Harris

Affiant's printed name

STATE OF NEVADA )  
                          )ss.  
COUNTY OF NYE   )

Subscribed and sworn to before me by Kelly Harris

this 20 day of January, 20 12.

[Handwritten Signature]

Notary Public Signature

PO Box 1531

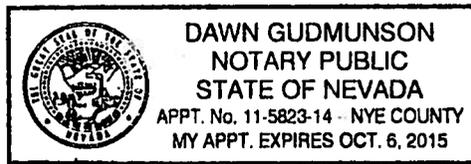
Street Address

Tonopah, NV 89049-1531

City, State, ZIP

(775)482-8181

Telephone Number

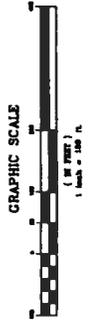
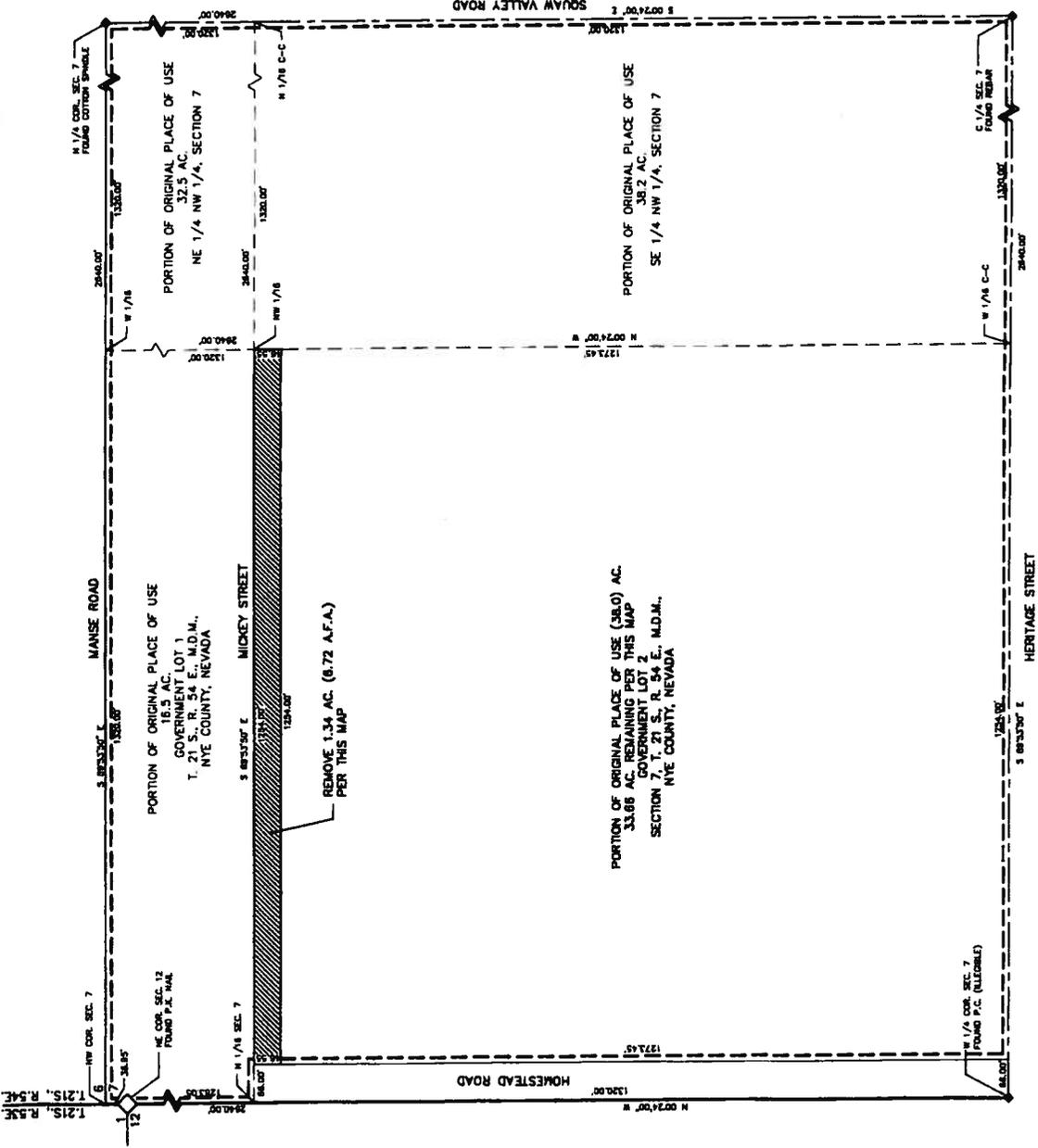


Notary Stamp

APPROVED: This 13<sup>th</sup> day of FEB, 20 12.

[Handwritten Signature] P.E.  
for State Engineer's signature

Tracy Taylor  
Print State Engineer's name



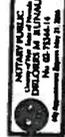
**SURVEYOR'S CERTIFICATE:**  
STATE OF NEVADA }  
COUNTY OF NYE } 33

I, DAVID A. RICHARDS, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I HAVE PERSONALLY EXAMINED THE ORIGINAL FIELD NOTES OF THE SURVEY HEREIN REFERRED TO, AND THE REPRODUCED SCALE NOTES OF THE SAME, MADE BY OR UNDER MY SUPERVISION AND CONTROL, 2002, THAT THEY TRULY AND CORRECTLY REPRESENT THE PROPOSED LOCATION, AND EXTENT OF THE PROPERTY DESCRIBED BY THIS MAP, AS THE SAME IS SHOWN ON THE MAP, IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 207, NRS, AND I AM NOT AWARE OF ANY CHANGE IN THE PLACE AND NUMBER OF USE OF A PORTION OF PARCEL NO. 24079.



*David A. Richards*  
DAVID A. RICHARDS, Surveyor No. 1098  
WATER FRONT SURVEYOR No. 1098

SUBSCRIBED AND SWORN TO BEFORE ME  
THIS 14th DAY OF January 2002.  
*Sharon B. Stewart*  
NOTARY PUBLIC IN AND FOR the State of Nevada  
MY COMMISSION EXPIRES July 31, 2006.



**BASIS OF BEARING:**  
S 07°45'00" W BEING THE BEARING OF THE WEST LINE OF THE NW 1/4 OF SECTION 7, T. 21 S., R. 54 E., M.D.M., NYE COUNTY, NEVADA, AS PER PARCEL MAP DOCUMENT NO. 24079.

- REFERENCES:**
- 1.) PARCEL MAP DOC. NO. 153604
  - 2.) PARCEL MAP DOC. NO. 220804
  - 3.) PARCEL MAP DOC. NO. 153354

**CIVIL WISE SERVICES**  
1181 W. BETTY AVE. PHOENIX, NEV. 89500 (775) 751-1413

MAP IN SUPPORT OF  
APPLICATION TO CHANGE P.O.D., M.O.U. &  
P.O.L.U. FOR MUNICIPAL PURPOSES  
NYE COUNTY, NEVADA

PREPARED FOR  
TRACE VACAR (FROM ZELLY BURSON)

SCALE: 1" = 100'  
SHEET NO. 1 OF 1  
JOB NUMBER: 705E-1

**STATE ENGINEER'S USE:** 69987

FILED  
JAN 21 2002

1-31-03 Title block should state "Point of diversion, manner of place of use of portion of..."

EXPIRES: 9:11 AM 12/31/06  
DEPT. OF CONSTRUCTION

MAP TO ACCOMPANY APPLICATION  
TO CHANGE THE POINT OF DIVERSION,  
MANNER & PLACE OF USE  
UNDER PERMIT #24079, CERT. #7794  
FOR MUNICIPAL USE PURPOSES  
BY NYE COUNTY  
FROM "UNDERGROUND"  
IN NYE COUNTY, NEVADA

## EXHIBIT A

Original AP #36-471-29 now known as:

AP #36-471-85 Parcel 1 of file map #681190 located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 31, T20S, R53E, MDB&M recorded on 3/16/07 required 1.12 acre-feet of water right dedication;

AP #36-471-86 Parcel 2 of file map #681190 located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 31, T20S, R53E, MDB&M recorded on 3/16/07 required 1.12 acre-feet of water right dedication;

AP #36-471-87 Parcel 3 of file map #681190 located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 31, T20S, R53E, MDB&M recorded on 3/16/07 required 1.12 acre-feet of water right dedication;

AP #36-471-88 Parcel 4 of file map #681190 located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 31, T20S, R53E, MDB&M recorded on 3/16/07 inherited the domestic well entitlement.



Parcel Number 036-471-85 Prior Parc # 036-471-29 Changed 4/04/07  
 Last Updated 12/14/11 By DORRICK Created by split; Primary # 036-471-85  
 Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
 Legal Owner..... TDCT HOLDINGS LLC SERIES 2 Force Assmt Notice....  
 Assessed Owner..... TDCT HOLDINGS LLC SERIES 2 Force Ag Message....  
 Mail Address..... 3431 E SUNSET RD #4 Force Label.....  
 City, State..... LAS VEGAS, NV Force Card/Aff (C/A)..  
 Vesting Doc #, Date. 659561 - 6/07/2006 Yr,Bk,Pg 00 000 000 Corr Rq'd  
 Map Document #s..... 681190  
 Description (F1=Additional Locations)  
 # Dir Street or Other Description Unit #(s)  
 Property Location... 2120 W JEREMY CT  
 Subdivision.....  
 Town..... PAHRUMP Block... Lot...  
 Property Name..... F#681190 P.1 1.14AC Parcel Map ID..  
 Remarks..... Confidential..  
 Parcel # Containing Descriptive/Document Data.... Land Use: 200  
 Size  
 Total Acres... 1.140 Square Feet... 0  
 Ag Acres..... 000 W/R Acres..... 000  
 F9=Scan >/< > F5=Addr Hist F10=Othr Func F12=Cancel F14=Imprv/Apprsl Data  
 F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
 F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

Parcel Number 036-471-86 Prior Parc # 036-471-29 Changed 4/04/07  
 Last Updated 11/22/11 By MBECHT Created by split; Primary # 036-471-85  
 Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
 Legal Owner..... TDCT HOLDINGS LLC SERIES 2 Force Assmt Notice....  
 Assessed Owner..... TDCT HOLDINGS LLC SERIES 2 Force Ag Message....  
 Mail Address..... 3431 E SUNSET RD #4 Force Label.....  
 City, State..... LAS VEGAS, NV Force Card/Aff (C/A)..  
 Vesting Doc #, Date. 659561 - 6/07/2006 Yr,Bk,Pg 00 000 000 Corr Rq'd  
 Map Document #s..... 681190  
 Description (F1=Additional Locations)  
 # Dir Street or Other Description Unit #(s)  
 Property Location... 2090 W JEREMY CT  
 Subdivision.....  
 Town..... PAHRUMP Block... Lot...  
 Property Name..... F#681190 P.2 1.16AC Parcel Map ID..  
 Remarks..... Confidential..  
 Parcel # Containing Descriptive/Document Data.... 036-471-85 Land Use: 200  
 Size  
 Total Acres... 1.160 Square Feet... 0  
 Ag Acres..... 000 W/R Acres..... 000  
 F9=Scan >/< > F5=Addr Hist F10=Othr Func F12=Cancel F14=Imprv/Apprsl Data  
 F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
 F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

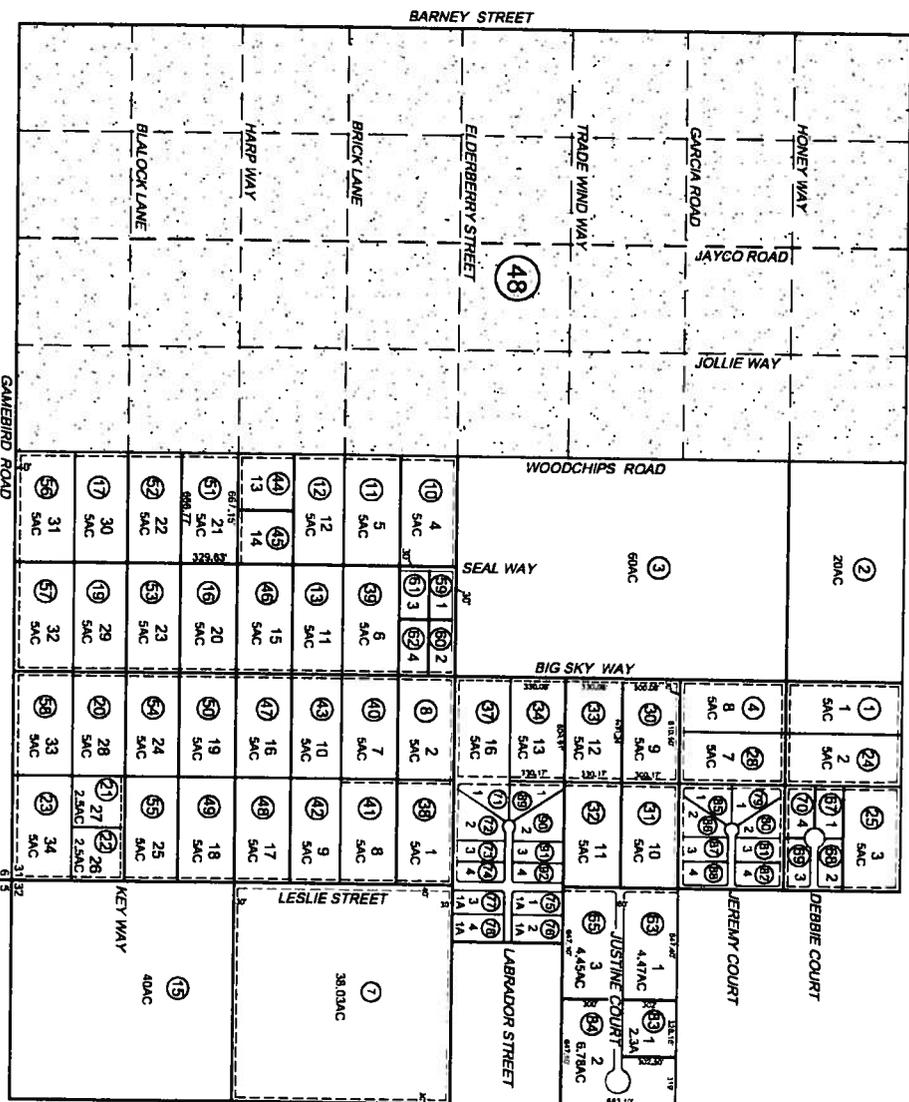
Parcel Number 036-471-87 Prior Parc # 036-471-29 Changed 4/04/07  
 Last Updated 11/22/11 By MBECHT Created by split; Primary # 036-471-85  
 Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
 Legal Owner..... TDCT HOLDINGS LLC SERIES 2 Force Assmt Notice....  
 Assessed Owner..... TDCT HOLDINGS LLC SERIES 2 Force Ag Message....  
 Mail Address..... 3431 E SUNSET RD #4 Force Label.....  
 City, State..... LAS VEGAS, NV Force Card/Aff (C/A)..  
 Vesting Doc #, Date. 659561 - 6/07/2006 Yr,Bk,Pg 00 000 000 Corr Rq'd  
 Map Document #s..... 681190  
 Description (F1=Additional Locations)  
 # Dir Street or Other Description Unit #(s)  
 Property Location... 2060 W JEREMY CT  
 Subdivision.....  
 Town..... PAHRUMP Block... Lot...  
 Property Name..... F#681190 P.3 1.09AC Parcel Map ID..  
 Remarks..... Confidential..  
 Parcel # Containing Descriptive/Document Data.... 036-471-85 Land Use: 200  
 Size  
 Total Acres... 1.090 Square Feet... 0  
 Ag Acres..... 000 W/R Acres..... 000  
 F9=Scan >/< > F5=Addr Hist F10=Othr Func F12=Cancel F14=Imprv/Apprsl Data  
 F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
 F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

Parcel Number 036-471-88 Prior Parc # 036-471-29 Changed 4/04/07  
 Last Updated 11/22/11 By MBECHT Created by split; Primary # 036-471-85  
 Ownership (F6=All Owners F7=Documents F8=Correspondence History)  
 Legal Owner..... TDCT HOLDINGS LLC SERIES 2 Force Assmt Notice....  
 Assessed Owner..... TDCT HOLDINGS LLC SERIES 2 Force Ag Message....  
 Mail Address..... 3431 E SUNSET RD #4 Force Label.....  
 Additional Owners..... Force Card/Aff (C/A)..  
 City, State..... LAS VEGAS, NV Zip... 89120  
 Vesting Doc #, Date. 659561 - 6/07/2006 Yr,Bk,Pg 00 000 000 Corr Rq'd  
 Map Document #s..... 681190  
 Description (F1=Additional Locations)  
 # Dir Street or Other Description Unit #(s)  
 Property Location... 2030 W JEREMY CT  
 Subdivision.....  
 Town..... PAHRUMP Block... Lot...  
 Property Name..... F#681190 P.4 1.08AC Parcel Map ID..  
 Remarks..... Confidential..  
 Parcel # Containing Descriptive/Document Data.... 036-471-85 Land Use: 200  
 Size  
 Total Acres... 1.080 Square Feet... 0  
 Ag Acres..... 000 W/R Acres..... 000  
 F9=Scan >/< > F5=Addr Hist F10=Othr Func F12=Cancel F14=Imprv/Apprsl Data  
 F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years  
 F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

RQ-11-0007

T.20S., R.53E.  
SECTION 31 &  
POR. OF SECTION 32

JAYBIRD STREET



BK  
28

BK  
40

MAY82\MTB-bjb  
CAD FILE 06-16-03\CM  
NVE COUNTY ASSESSOR

NOTE: THIS PLAT IS FOR ASSESSMENT USE ONLY AND  
DOES NOT REPRESENT A SURVEY. NO LIABILITY IS  
ASSUMED AS TO THE ACCURACY OF THE DATA  
DELINEATED HEREON.

BK  
44

Z:\plantech\APN Books\Updates 2007\_11-14\036-47-07\214-4-ng.dwg, 12/14/2007 7:48:10 AM

36-47



RQ-11-0007

- REV. 08-21-84
- 03-30-95
- 04-17-95
- 05-04-95
- 07-14-95
- 03-13-97
- 03-27-97
- 05-13-97
- 05-13-98
- 03-04-99
- 08-21-99
- 07-22-03
- 02-11-04
- 12-10-04
- 03-16-05
- 03-28-07
- 12-14-07