

DOC # 337707

12/09/2004 10:59 AM

Official Record

Requested By
COTTONWOOD CANYON PROP

Lyon County - NV

Mary C. Milligan - Recorder

Page 1 of 4 Fee: \$42.00

Recorded By: MCM RPTT:



0337707

26610 R03

APN# 19-383-06

Recording Requested by:

Name: Cottonwood Canyon Prop, LLC

Address: Box 286

City/State/Zip: Dayton NV 89403

Affidavit with denial of Vht. Right
(Title of Document)

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This page added to provide additional information required by NRS 111.312 Sections 1-2. (Additional recording fee applies)

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OFFICE OF THE STATE ENGINEER

REGARDING [PERMIT/CERTIFICATE] NUMBER: 26110/8394

AFFIDAVIT OF WITHDRAWAL OF WATER RIGHT IN FAVOR OF
USE OF WATER FOR DOMESTIC WELLS CREATED
BY SUBDIVISION OR PARCELING OF LAND

State of Nevada

County of Lyon

I, Donna Sullivan as Managing Member of Cottonwood Creek Apartments LLC, do hereby swear under penalty of perjury
base right holder

that the assertions of this affidavit are true

1. I am the owner-of-record of all portions of permit 26119 Certificate 8394
(circle of permit number, certificate number

of record right as indicated in the records of the Nevada State Engineer.

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

2.02 AFA

acre feet annually from the water appropriated under permit 26119, Certificate 8394
under a total amount of water equal to the sum of 2.02 a.f.a., or 1,800 g.p.u. for each proposed individual
permit number, certificate number of decreed right.

The water right or portion of water right withdrawn was appurtenant to the land more part-

icularly described as follows: NE 1/4 NW 1/4, Section 3, T. 17N, R. 3E.

Describe land drying up; describe with quarter sections, sections.

MDBEM APR 15-761-31 AS SHOWN ON RELINQUISHMENT MAP
Map, range, of T. & R., and section & parcel numbers

FOR A PORTION OF PERMIT 26110, ATTACHED

STATE ENGINEERS OFFICE

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3. This withdrawal of the water right or portion of the water right is for the purpose of having sufficient water available to supply the domestic wells of homes located at the place described below and reflected on the attached map: West 1/2 of Lot 20

Describe place where water will be used; describe with

Rancho Subdivision NO 2, MAP FILE NO. 80 293,

quarter sections, section, township, range, M.D.B.C.M., and district's parcel numbers and block map

Lyon County OFFICIAL RECORDS, IN THE SE 1/4 NW 1/4 SECTION 11, T. 12 N., R. 23 E., M.D.B. & M.

4. I understand that this withdrawal of all / a portion of PERMIT 26110

(circle one)

Certificate 8394

permit number, certificate number or decree right must be approved by the Nevada State Engineer in order for this withdrawal to become effective and enforceable.

5. I understand this withdrawal shall become effective upon the date approved by the State Engineer. However, if a final subdivision or parcel map is not recorded in the office of the county recorder of the county wherein the land division is located within 18 months after the State Engineer's approval the base right holder may petition the State Engineer to void this withdrawal on the basis that all proceedings concerning the division of land have been terminated.

6. I understand once this water right or portion thereof is withdrawn based on the recordation of a final subdivision map recorded in the office of the county recorder of the county wherein the land division is located, as provided in NRS 278.380 (1993), or in the case of a final parcel map as provided in NRS 278.4725 (1993), the process cannot be reversed nor can I claim the water withdrawn as a water right.

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7. Upon approval of this withdrawal by the State Engineer, I shall record this Affidavit of Withdrawal 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 of Withdrawal in the office of the county recorder of the county in which the old place of use was located, if it is not the same county.

8. I shall provide the State Engineer with a certified copy of the recorded Affidavit of Withdrawal within thirty (30) days of recording the Affidavit with the county recorder.

DATED: This 11th day of August, 19 2004

Donna Julian
Affiant's signature

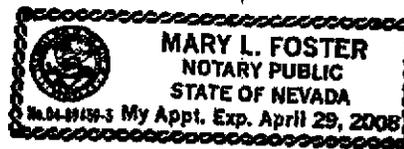
Donna Julian
Affiant's printed name

Box 286
Payton NV 89403
Mailing address

775/225-0419
Telephone number

Subscribed and sworn to before me
this 11th day of August, 19 2004

Mary L. Foster
NOTARY PUBLIC



APPROVED: This 29th day of NOVEMBER, 19 2004

Justice, P.E.
State Engineer

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