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OFFICE OF THE STATE ENGINEER

REGARDING [PERMIT/CERTIFICATE] NUMBER: 41159/13215

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)
: ss
County of Carson City)

I, Tim Hafen Ranches, Inc. (base right holder), do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. I am the owner-of-record of all (circle one) a portion of Permit 41159, (permit number, certificate number) Certificate 13215 (or decreed right) as indicated in the records of the Nevada State Engineer.

2. I hereby withdraw an amount of water equivalent to: 309.06 (enter a total amount of water equal to the sum of 2.02 a.f.a., or 1,800 g.p.d. for each proposed individual lot) acre feet annually from the water appropriated under Permit 41159, Certificate 13215 (permit number, certificate number or decreed right). The water right or portion of water right withdrawn was appurtenant to the land more particularly described as follows: NE¼NE¼ (4.0 acres), SE¼NE¼ (2.0 acres), NW¼NE¼ (10.7 acres), SW¼NE¼ (15.0 acres), NE¼NW¼ (31.87 acres), (Describe land drying up; describe with quarter sections, section, township, range, M.D.B.&M. and assessor's parcel numbers) Section 9, T.21 S., R.54 E., MDB&M, within Assessor Parcel Number 45-101-01.

63.57 ACRES ✓ x 4.8617 AF/AC = 309.06

3. This withdrawal of the water right or portion of the water right is for the purpose

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of having sufficient water available to supply the domestic wells of homes located at the place described below and reflected on the attached map: 153 lots within Cottonwoods at Hafen Ranch - Phase No. 2, located within portions of the S½NE¼ and N½SE¼ Section 16, T.21 S., R.54 E., MDB&M, within Assessor Parcel Numbers 45-131-41, 43-071-13 and 43-081-13.

(Describe place where water will be used; describe with quarter sections, section, township, range, M.D.B.&M. and assessor's parcel numbers and attach map)

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4. I understand that this withdrawal of all / a portion (circle one) of Permit 41159, Certificate 13215 (permit number, certificate number or decreed 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~~ 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.

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 16th day of March, 1995.

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Affiant's signature

M. Kent Hafen, President
Tim Hafen Ranches, Inc.

Affiant's printed name

1321 So. Hwy 160
Pahrump, Nevada 89048

Mailing Address

(702) 727-5216

Telephone number

Subscribed and sworn to before me

this 16th day March, 1995.

Carol L. Walton
NOTARY PUBLIC

CAROL L. WALTON
NOTARY PUBLIC NEVADA
CARSON CITY
Nov. 6, 1998

APPROVED: This 24 day of March, 1995.

State Engineer

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I HEREBY CERTIFY THAT IF IMPRESSED WITH THE RAISED SEAL OF THE NYE COUNTY RECORDER THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORD ON FILE IN THIS OFFICE.

APR 19 1995

Naoma Lydon

NAOMA LYDON COUNTY RECORDER
NYE COUNTY, NEVADA

'95 MAR 23 P4:29

STATE ENGINEER'S OFFICE

OFFICIAL RECORDS
NYE, CO. NEV.
RECORD REQUESTED BY

Tim Hafen Ranches

'95 APR 19 P1:51

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NAOMA LYDON
RECORDER

FEE 10.00 DEP tap