74896 R-823

171

REQUESTED BY
Anderson Engineering
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

2004 JUL 16 PM 3:24

WERNER CHRISTEN
RECORDER

$17.00 PAID K2 DEPUTY

Assessor's Parcel Number: N/A

Recording Requested By:

Name: Anderson Engineering

Address: 1603 Esmeralda Ave.

City/State/Zip Minden, NV 89423

Real Property Transfer Tax: Ø

Affidavit of Withdrawal of Water Right
(Title of Document)

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

This cover page must be typed or legibly hand printed.

C\bc docs\Cover page for recording

PRK
(46)
4/25/05

0619025

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OFFICE OF THE STATE ENGINEER

REGARDING PERMIT NUMBER: 66196 & 24696
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 Douglas)

I, DARRELL H. DION, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. DARRELL H. DION is the owner-of-record of Permit No. 66196 and a portion of Permit No. 24696 as indicated in the records of the Nevada State Engineer.

2. I do hereby withdraw an amount of water equivalent to a total of 4.04 acre feet seasonally: 4.00 acre feet seasonally from the water appropriated under Permit No. 66196 together with 0.04 acre feet seasonally from the water appropriated under Permit No. 24696. The water right or portion of water right withdrawn was appurtenant to the land more particularly described as follows: for that portion under Permit No. 66196, 1 acre within a portion of the NW ¼ SE ¼ of Section 32, T. 13N., R 21 E., M.D.B. & M, Douglas County Nevada; and for that portion under Permit No. 24696, 0.04 acres within a portion of the NE ¼, SW ¼ of Section 32, T. 14 N., R. 20 E., M.D.B. & M., Douglas County, Nevada.

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 well of a home or homes located at the place described below and reflected on the attached map.

4. I understand that this withdrawal of portions of Permit Nos. 66196 and 24696 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.

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 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 9th day of Feb, 2004

By: Darrell H Dion
Darrell H. Dion

County of Douglas
State of Nevada SS:

On this 9 day of Feb, 2004, before me a Notary Public, personally appeared Darrell H. Dion, personally known to me to be the person whose name is subscribed to the above instrument who acknowledged that he executed the instrument.

Witness my hand and official seal
Notary's Signature [illegible]

KRISTY NUZUM
NOTARY PUBLIC - NEVADA
Appt. Recorded in DOUGLAS CO.
No. 00-60012-5 My Appt. Exp. Feb. 9, 2004

My Commission expires Feb 9, 2004

APPROVED: This 14th Day of July, 2004.

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
Division of Water Resources

Hugh Ricci, P.E.
Hugh Ricci, P.E.
Nevada State Engineer

SEAL

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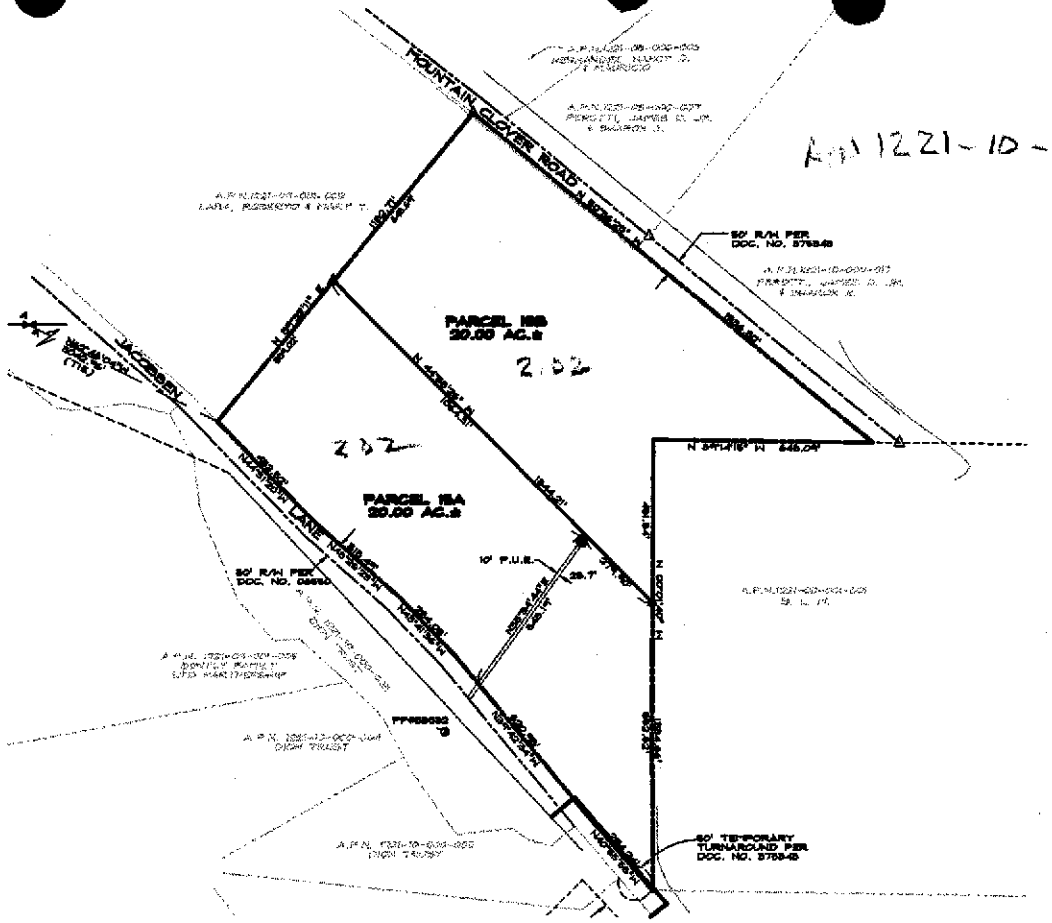

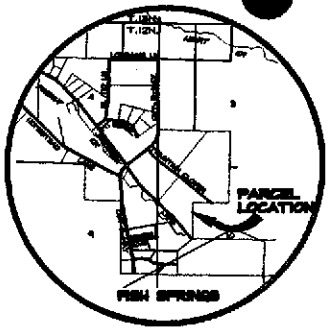

VICINITY MAP

NO SCALE

NOTES

TOTAL AREA TO BE DIVIDED: 40.0 ACRES.

A 7.5' PUBLIC UTILITY EASEMENT SHALL EXIST ALONG ALL ROAD FRONTAGES. A 5' PUBLIC UTILITY EASEMENT SHALL EXIST ALONG ALL SIDE AND REAR LOT LINES, UNLESS OTHERWISE SHOWN.

THIS MAP IS A DIVISION OF PARCEL 1B OF LAND DIVISION MAP, BOOK 1198, PAGE 5626, DOCUMENT NO. 376848.

ANY FURTHER DIVISION OF THESE PARCELS SHALL BE SUBJECT TO SUBDIVISION IMPROVEMENTS AS PROVIDED UNDER NRS 278.462(5).

DOUGLAS COUNTY DOES NOT INSURE THE DEVELOPMENT OF ANY LOT WHERE WELLS AND SEPTIC SYSTEMS HAVE BEEN PLACED ON THE LOTS OR ADJOINING LOTS IN COMPLIANCE WITH THE SEPARATIONS REQUIRED BY NEVADA STATE HEALTH CODE.

MAINTENANCE OF ALL DRAINAGE FACILITIES AND EASEMENTS SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNERS OR OTHER PRIVATE ENTITY, INCLUDING A HOMEOWNER'S ASSOCIATION.

OBSTRUCTING THE FLOW OR ALTERING THE COURSE OF A DRAINAGE CHANNEL IS PROHIBITED.

DOUGLAS COUNTY REJECTS ANY OFFER OF DEDICATION OF DRAINAGE FACILITIES, EASEMENTS OR RIGHTS-OF-WAY.

PURSUANT TO NAC 444.760, ALL SEPTIC TANKS AND SHALLOW DISPOSAL FIELDS MUST BE LOCATED A MINIMUM OF 100 FEET FROM ANY EXISTING STREAM OR WATERCOURSE. ALL DEEP DISPOSAL FIELDS MUST BE LOCATED A MINIMUM OF 150 FEET FROM ANY EXISTING STREAM OR WATERCOURSE PER DOCUMENT NO. 491778.

THE FOLLOWING EASEMENTS AFFECT THESE PARCELS:

10' WIDE SIERRA PACIFIC POWER COMPANY AND CONTINENTAL TELEPHONE EASEMENT PER BOOK 279, PAGE 594.

16' WIDE CONTINENTAL TELEPHONE EASEMENT PER BOOK 463, PAGE 471.

7.5' PUBLIC UTILITY EASEMENT ALONG ROAD FRONTAGES AND 5' ALONG SIDE AND REAR LOT LINES PER DOC. NO. 491778.

BASIS OF BEARING

N.80°36'35"W., THE BEARING OF THE SOUTH-WESTERLY RIGHT-OF-WAY LINE OF MOUNTAIN CLOVER ROAD, AS SHOWN ON DOC. NO. 376848 AND AS MEASURED BETWEEN FOUND MONUMENTS.

LEGEND

- ▲ SET 5/8" REBAR W/ CAP PLS 11172
- △ FOUND 5/8" REBAR W/ CAP PLS 4849
- ● FOUND 5/8" REBAR & TAG RLS 2988 PER DOC. NO. 127025
- FOUND STANDARD BLM BRASS CAP PER DOC. NO. 376848

UTILITY COMPANIES' CERTIFICATE

WE, THE UNDERSIGNED PUBLIC UTILITIES, ACCEPT AND APPROVE THE PUBLIC UTILITY EASEMENT AS SHOWN ON THIS PLAT. THIS APPROVAL DOES NOT GUARANTEE ACCESSIBILITY FOR SERVICE.

SIERRA PACIFIC POWER COMPANY

SIGNATURE: _____
PRINTED NAME: _____

VERIZON

SIGNATURE: _____
PRINTED NAME: _____

SOUTHWEST GAS COMPANY

SIGNATURE: _____
PRINTED NAME: _____

COUNTY ENGINEER'S CERTIFICATE

I, CARL RUSCHMEYER, DOUGLAS COUNTY ENGINEER, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP, AND ALL PHYSICAL IMPROVEMENTS AS REQUIRED BY THE PARCEL MAP REGULATIONS HAVE BEEN COMPLETED; AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

_____
CARL RUSCHMEYER, P.E.
DOUGLAS COUNTY ENGINEER

COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS PRESENTED BEFORE THE DOUGLAS COUNTY COMMUNITY DEVELOPMENT DEPARTMENT ON THE _____ DAY OF _____, 20____, AND HAS DULY APPROVED. IN ADDITION, THE OFFER OF DEDICATION FOR ALL PUBLIC WAYS HAS REJECTED WITH THE RESERVATION TO ACCEPT SAID OFFER AT A LATER DATE. FURTHERMORE, THIS MAP IS IN SUBSTANTIAL CONFORMANCE WITH ALL APPLICABLE PROVISIONS OF STATE TATUTES AND COUNTY CODES.

_____
MIMI S. MOSS
PLANNING/ECONOMIC DEVELOPMENT MANAGER

TITLE CERTIFICATE

THIS IS TO CERTIFY THAT THE PARTIES AS LISTED WITHIN THE OWNERS CERTIFICATE ARE THE ONLY PARTIES OF RECORD HAVING INTEREST IN THE TRACTS OF LAND EMBRACED WITHIN THE GRAPHIC BORDER SHOWN ON THIS PLAT. THE FOLLOWING IS A COMPLETE LIST OF LIEN AND/OR HOLDERS OF RECORD:

_____
STEWART TITLE OF DOUGLAS COUNTY

COUNTY TAX COLLECTOR'S CERTIFICATE

I, BARBARA J. REED, DOUGLAS COUNTY CLERK-TREASURER AND EX-OFFICIO TAX COLLECTOR, DO HEREBY CERTIFY THAT ALL PROPERTY TAXES ON THIS LAND FOR THE FISCAL YEAR HAVE BEEN PAID. (A.P.N. 1221-10-000-002)

_____ DATE
BARBARA J. REED
DOUGLAS COUNTY CLERK-TREASURER

COUNTY CLERK'S CERTIFICATE

IT IS HEREBY CERTIFIED THAT THIS PLAT HAS PRESENTED TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT ON THE _____ DAY OF _____, 20____, AND HAS DULY APPROVED. IN ADDITION, ALL OFFERS OF DEDICATION FOR PUBLIC ROADWAYS AND OTHER PUBLIC USES WERE REJECTED WITH THE RESERVATION TO ACCEPT SAID OFFERS AT A LATER DATE.

_____
BARBARA REED
COUNTY CLERK

OWNER'S CERTIFICATE

I, DARRELL H. DION, TRUSTEE OF THE DARRELL DION TRUST DATED DECEMBER 21, 1995, CERTIFY THAT IT IS THE LEGAL OWNER OF THIS PARCEL AND DO HEREBY GRANT PERMANENT EASEMENTS FOR PUBLIC ROAD RIGHT-OF-WAY, DRAINAGE, SLOPE AND UTILITY INSTALLATION AND CONSENT TO THE PREPARATION AND RECORDING OF THIS MAP.

_____
DARRELL H. DION, TRUSTEE
DARRELL DION TRUST DATED DECEMBER 21, 1995

COUNTY OF _____
STATE OF _____ SS:

ON THIS _____ DAY OF _____, IN THE YEAR 20____ BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED DARRELL H. DION, PERSONALLY KNOWN BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE INSTRUMENT WHO ACKNOWLEDGED THAT HE EXECUTED THE SAME IN HIS AUTHORIZED CAPACITY AND THAT BY HIS SIGNATURE ON THE INSTRUMENT, THE PERSON, OR THE ENTITY ON BEHALF OF WHICH THE PERSON ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL
NOTARY'S SIGNATURE _____

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, MATT BERNARD, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA CERTIFY THAT:

1) THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF DARRELL H. DION.
2) THE LANDS SURVEYED LIE WITHIN A PORTION OF SECTION 10, T.12N., R.21E., M.D.M. AND THE SURVEY WAS COMPLETED ON _____.
3) THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCE IN EFFECT ON THE DATE THAT THE GOVERNING BODY GAVE ITS FINAL APPROVAL.
4) THE MONUMENTS DEPICTED ON THE PLAT ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

_____
MATT BERNARD, P.L.S. 11172

RECORDER'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 20____,
AT _____ MINUTES PAST _____ O'CLOCK _____ M., IN BOOK _____ OF OFFICIAL RECORDS, AT PAGE _____, DOCUMENT NO. _____
RECORDED AT THE REQUEST OF THE DARRELL H. DION.

_____
DOUGLAS COUNTY RECORDER

SCALE: 1" = 100'

SHEET 1 OF 1

Anderson ENGINEERING INC.

PARCEL MAP
LDA 02-015
FOR
DARRELL DION TRUST
DATED DECEMBER 21, 1995

LOCATED WITHIN A PORTION OF SECTION 10,
T.12N., R.21E., M.D.M.
DOUGLAS COUNTY, NEVADA

1995-21-01
RESCINTR.dwg

06/19/02
06/19/02