

REGARDING [PERMIT/CERTIFICATE/PROOF] NUMBER 01616

AFFIDAVIT OF WITHDRAWL 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 Washoe)

I, Nevada Pershing LLC, a Nevada limited liability company, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. I am the owner-of-record of all of Proof No. 01616 as indicated in the records of the Nevada State Engineer.

2. I hereby withdraw an amount of water equivalent to:
Any amount of water claimed under Proof No. 01616. The water right or portion of water right withdrawn was appurtenant to the land more particularly described as follows: See attached Exhibit "A"

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: Humboldt River Ranches formally Rye Patch Ranch Estates Phases A, B, C, D, E, F and G totaling 2,144 lots within the following sections. Sections Numbered 3, 9, 11, 15, 16, 21, 22, 27, 28 & 33, all located within T. 30N., R 33E., M.D.B. & M.

4. I understand that this withdrawal of all of Proof No. 01616 must be approved by the Nevada State Engineer in order for this withdrawal to become effective and enforceable.

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 I understand once this water right or portion thereof is withdrawn based on the recordation of a final subdivision map recorded in the office of the county recorder of the county wherein the land division is located, as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of a final parcel map as provided in NRS 278.4725 (1993), the process cannot be reversed nor can I claim the water withdrawn as a water right.

6. 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.

7. 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 22 day of January, 1999

Michael D. Madison
Affiant's signature

Nevada Pershing LLC

Michael D. Madison - Assistant Manager
Affiant's printed name

Nevada Pershing LLC
Mailing Address

c/o Devco Properties, Inc.

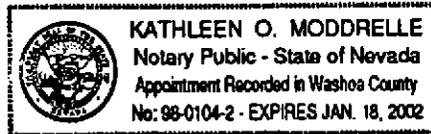
10325 Old Victory Highway

Lovelock, Nevada 89419

(702) 538-7431
Telephone number

Subscribed and sworn to before me

this 22nd day January, 1999



Kathleen O. Moddrelle
NOTARY PUBLIC

APPROVED: This 1st day of March, 1999

Richard Kumpford, P.E.
State Engineer

(14) The additional number of acres first irrigated in subsequent years was as follows:

Year 0 acres in the N.W. & N.E. Sec. 3, T. 30N, R. 3E E.

25.90 acres in the NE & NW of Sec. 11, T. 11, R. 11 E.

17.80 acres in the NW & NE of Sec. 11, T. 11, R. 11 E.

1.00 acres in the SE & NW of Sec. 11, T. 11, R. 11 E.

2.00 acres in the SW & NW of Sec. 11, T. 11, R. 11 E.

..... acres in the of Sec., T., R. E.

..... acres in the of Sec., T., R. E.

..... acres in the of Sec., T., R. E.

..... acres in the of Sec., T., R. E.

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..... acres in the of Sec., T., R. E.

Remarks:
Append a sheet if necessary

(15) The maximum acreage irrigated in any year was 47.20 acres.

(16) The water claimed has ~~has not~~ been used for irrigation each and every year since the right was initiated. ^{Strike out one not wanted} to the extent of the available supply.

(17) The years during which no water was used for irrigation or during which the full water right was not used were All available supply used.
If water was not used, or used in reduced quantity at any time, full information as to causes and duration

of non-use should be given, appending a sheet if necessary

(18) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of County, said record being at page of Book of and being a claim for

..... of water for the irrigation of acres of land in the following legal subdivisions:

Note—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (19)

Exhibit "A"

BOOK 339 PAGE 162

OFFICIAL RECORDS
PERSHING CO. NEVADA
RECORD REQUESTED BY
Summit 2/8
99 MAR 12 PM 1:16
ROLL 339 PAGE 158
DARLENE MOURA
COUNTY RECORDER
DEP. 2 FILE NO. 222160
102
INDEXED

RECEIVED
99 JAN 22 AM 10:58
STATE ENGINEERS OFFICE

RECEIVED
MAR 26 1999

STATE ENGINEER'S OFFICE

3/26/19

Filing Serial No 01616

01616

THE STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

From Spring Gulch
Name of natural water source

Through Taylor Ditch
Name of ditch, flume, or pipe line

John G Taylor, the undersigned, being first
duly sworn, deposes and says that the facts relative to the appropriation of water by him
are full and correct to the best of his
knowledge and belief.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

(1) Name of claimant John G Taylor
Address Lovelock, County of
State of Nevada

(2) The means of diversion employed Dam and ditch
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was

(4) The construction of the ditch or other works was begun 1894
and completed 1894

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom 1 1/2
feet, width on top 2 to 3 feet, depth 1 1/2 feet, on a grade of 2 to 10 feet per thousand feet.

(6) The conduit ~~has~~ (has not) been enlarged.
NOTE: If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the ditch or canal was begun
and completed

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom feet, width on
top feet, depth feet, on a grade of feet per thousand feet.

(9) The claimant is (~~is not~~) an owner in the above-described conduit.
Sole owner
If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is Purchased
from C. P. Railway Co.

(11) Crops of Grain and Alfalfa
have been grown upon the land irrigated.

(12) The water has been used for irrigation from March to September
of each year. when running, and throughout year for domestic and stock purposes.
Day of month Day of month

(13) The water was first used for irrigation by claimant or his grantors in the year 1894
when 47.20 acres were irrigated in the North 1/2 of Sec. 3
T. 30 N., R. 33 E. (see next page for details)

(14) The additional number of acres first irrigated in subsequent years was as follows:

Year 0.50 acres in the NW⁴ of NE⁴ of Sec. 3, T. 30N, R. 33 E.

25.90 acres in the NE⁴ of NW⁴ of Sec. 11, T. 11, R. 11 E.

17.80 acres in the NW⁴ of NW⁴ of Sec. 11, T. 11, R. 11 E.

1.00 acres in the SE⁴ of NW⁴ of Sec. 11, T. 11, R. 11 E.

2.00 acres in the SW⁴ of NW⁴ of Sec. 11, T. 11, R. 11 E.

..... acres in the..... of Sec....., T....., R..... E.

..... acres in the..... of Sec....., T....., R..... E.

..... acres in the..... of Sec....., T....., R..... E.

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..... acres in the..... of Sec....., T....., R..... E.

..... acres in the..... of Sec....., T....., R..... E.

..... acres in the..... of Sec....., T....., R..... E.

Remarks:
Append a sheet if necessary

(15) The maximum acreage irrigated in any year was 47.20 acres.

(16) The water claimed has ~~has not~~ been used for irrigation each and every year since the right was initiated. ^{Strike out one not wanted} to the extent of the available supply.

(17) The years during which no water was used for irrigation or during which the full water right was not used were All available supply used.

If water was not used, or used in reduced quantity at any time, full information as to causes and duration

of non-use should be given, appending a sheet if necessary

(18) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of County, said record being at page..... of Book..... of and being a claim for.....

..... of water for the irrigation of.....

acres of land in the following legal subdivisions:.....

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (19)

(19) The map provided by the ^{Waimant} State Engineer and attached hereto as a part of this proof is hereby accepted as correctly showing the ditch lines or irrigation works diverting or conveying the water claimed and the lands irrigated.

(20) Water from the source given and through the works described is also used for the following purposes other than irrigation: Domestic and watering stock.

(21) The character of the soil is gravelly The soil needs 4.50 acre-feet
(Sandy, gravelly, loam)
per annum to properly irrigate the crops. A continuous flow of 26 cubic feet of water per second, during the irrigation season of 6 months, is needed to irrigate each 100 acres of land.

(22) Remarks: The water supply of Spring Gulch is extremely variable. The major part is furnished by springs which normally yield a fair volume in the early part of the season but are almost dry in the latter part. In dry years their flow is very small, never sufficient to irrigate all of the land under cultivation fully. This is especially true since 1915, and during 1918 not over one tenth of the alfalfa field received water.

John G. Jayes

Subscribed and sworn to before me this 17th day of May, 1919

V. A. Ljung

Notary Public in and for the County of Humboldt

My commission expires Feb 29-1920

This part of form to be left blank by claimant

Filing Serial No. *01616*

STATE OF NEVADA
PROOF OF APPROPRIATION OF
WATER FOR IRRIGATION

Water Source *Spring Gulch*
Through *Taylor Mitah*
Claimant *John G Taylor*

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Filed in the office of the State Engineer on

MAY 26 1919, 191

A. S. Swasey

State Engineer

Certificate No. issued hereunder

, 191