

AMENDED

Filing Serial No. 07655

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source is the Las Vegas Artesian Basin
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source by well
Name of ditch, flume or pipe line

at the following point(s) within the NW 1/4 of the SW 1/4 of Section 33, Township 20S,
List all points of diversion from this source, appending a sheet if necessary

Range 61E, M.D.B.&M., Clark County, Nevada, from which the
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated
southwest corner of said Section 33 bears South 5°36'00" West, a

distance of 1596.67 feet. This point of diversion was designated
as local well number 203 by Deputy State Engineer Hugh Shamberger
is his 1940 Las Vegas Basin map prepared in 1940, and amended in 1945.

(1) Name of claimant Valley Group Constructors
Address 1824 Goldring Ave., LV, County of Clark
State of Nevada Telephone No. (702) 383-6767

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

(3) The date of the survey of ditch, canal, or pipe line was June 15, 1996

(4) The construction of the ditch or other works was begun 1912
and completed 1913

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

(6) The conduit has (has not) been enlarged. N/A
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 N/A

(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. N/A

(9) The claimant is (is not) an owner in the above-described conduit. N/A

If claimant is an owner in the conduit, state interest held on this line



(16) The years during which no water was used for irrigation or during which the full water right was not used were subject to proof  
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

(17) 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 (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:  
domestic  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(19) The character of the soil is subject to proof A continuous flow of \_\_\_\_\_ cubic feet of water per second has been used to irrigate \_\_\_\_\_ acres of land and \_\_\_\_\_ acre-feet per acre per annum have been used to irrigate the crops. Subject to proof.  
(Sandy, gravelly, loam)

(20) Remarks.....

This application covers property historically cultivated prior to 1913 as indicated on the map prepared by J.T. McWilliams in 1913.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Valley Group Constructors are full and correct to the best of his knowledge and belief.

Gregory J. Walch, Esq., attorney for claimants

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

*Gregory J. Walch*  
Gregory J. Walch, Esq.

James, Driggs & Walch  
3763 Howard Hughes Pkwy., Suite 350  
Las Vegas, Nevada 89109

Telephone No. (.702.) 791-0308

Subscribed and sworn to before me this 18<sup>th</sup> day of June, 1996

~~STEPHANIE SYRRAKOS  
Notary Public - Nevada  
Clark County  
My appt. exp. Jan. 12, 1999~~

*Stephanie Syrrakos*  
Notary Public in and for the County of CLARK

My commission expires 1/12/99



STEPHANIE SYRRAKOS  
Notary Public - Nevada  
Clark County  
My appt. exp. Jan. 12, 1999

**\$100 FILING FEE MUST ACCOMPANY PROOF**

62:1117 61700 00  
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STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Las Vegas Artesian Basin
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source by well
Name of ditch, flume or pipe line

at the following point(s) In the SW4 of the SW4 of Section 33, T20S, R61E,
List all points of diversion from this source, appending a sheet if necessary

M.D.B.&M., Clark County, Nevada. Historical point of
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated
diversion is unknown.

(1) Name of claimant Valley Group Constructors

Address 1824 Goldring Avenue, County of Clark

State of Nevada Telephone No. (702) 383-6767

(2) The means of diversion employed well
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 before 1913
and completed after 1913

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

(6) The conduit has (has not) been enlarged. n/a
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... n/a

(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. n/a

(9) The claimant is (is not) an owner in the above-described conduit. n/a

If claimant is an owner in the conduit, state interest held on this line



(16) The years during which no water was used for irrigation or during which the full water right was not used were subject to proof  
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

(17) The claimant's water right ~~wax~~ (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 (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:

Domestic

subject to

(19) The character of the soil is \_\_\_\_\_ (Sandy, gravelly, loam) A continuous flow of proof cubic feet of water per second has been used to irrigate \_\_\_\_\_ acres of land and \_\_\_\_\_ acre-feet per acre per annum have been used to irrigate the crops.



1474

1433154

SHORT FORM DEED OF TRUST AND ASSIGNMENT OF RENTS

(Note not set out)

THIS DEED OF TRUST, made this 5th day of October A.D. 1981, between

VALLEY GROUP CONSTRUCTORS, a joint venture

herein called TRUSTOR.

whose address is

NEVADA SOUTHERN TITLE, INC., a Nevada corporation, herein called TRUSTEE, and

FOCUS, a Nevada Corporation

herein called BENEFICIARY.

WITNESSETH: That Trustor IRREVOCABLY GRANTS, TRANSFERS AND ASSIGNS TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in Clark County, Nevada, described as:

The West Two (2) acres (being the Westerly 264 feet more or less) of the North Half (N1/2) of the Northeast Quarter (NE1/4) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section 33, Township 20 South, Range 61 East, M.D.B. & M.

TOGETHER WITH ALL APPURTENANCES in which Trustor has any interest, including water rights benefiting said realty, represented by shares of a company or otherwise; and.

TOGETHER WITH the rents, issues and profits thereof, reserving the right to collect and use the same, except during continuance of some default hereunder, and during continuance of such default, authorizing Beneficiary to collect and enforce the same by any lawful means in the name of any party hereto.

FOR THE PURPOSE OF SECURING: (1) Performance of each agreement of Trustor incorporated by reference or contained herein. (2) Payment of the indebtedness evidenced by one (1) Promissory Note of even date herewith, and any extension or renewal thereof, in the principal sum of

TWO HUNDRED FIFTY THOUSAND DOLLARS AND NO/100 (\$250,000.00)

executed by Trustor in favor of Beneficiary, or order. (3) Payment of such additional sums as may hereafter be advanced for the account of Trustor or assigns by Beneficiary with interest thereon.

TO PROTECT THE SECURITY OF THIS DEED OF TRUST, TRUSTOR AGREES: By the execution of this Deed of Trust, that provisions numbered (1) to (17) inclusive of the Master Form Deed of Trust, recorded on the 20th day of May, A.D. 1969, in Book 951 as Document No. 763394, of the Official Records in the Office of the County Recorder of Clark County, Nevada, are each and all hereby incorporated herein by reference and made a part hereof as fully as though set forth herein at length; that he will observe and perform said provisions; and that the references to property, obligations, and parties in said provisions shall be construed to refer to the property, obligations and parties set forth in this Deed of Trust.

The parties agree that with respect to provision 16, the amount of fire insurance required by covenant 2 shall be \$ and with respect to attorneys' fees provided for by covenant 7 the percentage shall be 10%.

The undersigned Trustor requests that a copy of any Notice of Default and of any Notice of Sale hereunder be mailed to him at his address hereinbefore set forth.

VALLEY GROUP CONSTRUCTORS

BY: Milton I. Schwartz Managing Agent

STATE OF Nevada

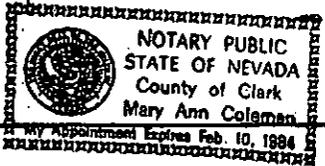
COUNTY OF Clark

On this 9th day of October A.D. 1981, before me, the undersigned, a Notary Public in and

for said County and State, personally appeared Milton I. Schwartz

known to me to be the person described in and who executed the foregoing instrument, who acknowledged to me that he executed the same freely and voluntarily and for the uses and purposes therein mentioned.

Mary Ann Coleman NOTARY PUBLIC in and for said County and State.



ORDER NO NSE 25346-J NEVADA SOUTHERN TITLE, INC. WHEN RECORDED MAIL TO: P.O. Box 42055 Las Vegas, Nev. 89104

CLARK COUNTY NEVADA JOAN L. SWIFT, RECORDER RECORDED AT REQUEST OF NEVADA SOUTHERN TITLE, INC

Oct 12 10 37 AM '81

FEE 4.00 DEPUTY OFFICIAL RECORDS INSTRUMENT

NST-22

1474 1433154

TOTAL P.03





# Clark County Nevada

SEE IMPORTANT TAX INFORMATION ON REVERSE SIDE  
PLEASE INDICATE ADDRESS CHANGES ON REVERSE SIDE

State, County and Special Taxes  
for Fiscal Year 1995-1996  
July 1, 1995 - June 30, 1996

Special Comments  
94-95 \$ 10654.85  
V & B 5237

Assessed Valuation		Value
Description:		
Real Estate		305,840
Buildings & Improvements		46,070
Personal Property		0
Exemption		0
NET ASSESSED		351,910
Property Description:		
PT S#4 S#4 SDC 33 20 61		
ACRES		2.00

Parcel No. 139-33-401-007-96  
Issued To: VALLEY GROUP CONSTRUCTORS  
1824 GOLDING AVE  
LAS VEGAS NV 89108

(200)

Make remittance payable to:  
**MARK ASTON**  
Clark County Treasurer  
500 S. Grand Central Pkwy.  
P.O. Box 501220  
Las Vegas, NV 89155-1220  
(702) 455-4323

All payments must be in U.S. dollars through a U.S. bank.  
We do not accept two party checks.  
Check payment not honored by your bank will void your receipt.  
Note: Your cancelled check is your receipt.

Tax Agency	Rate	Tax Amount
LYNARD MANPOWER SUPPLEMENT LV	.0980	348.39
CLARK COUNTY CAPITAL PROJECTS	.0500	175.96
INDIGENT MEDICAL	.1000	351.91
EMERGENCY 911	.0050	17.60
CC FLOOD CONTROL	.0000	0.00
CLARK COUNTY LIBRARY DEBT SER	.0700	246.34
STATE OF NEVADA	.1500	527.87
LAS VEGAS CITY DEBT SERVICE	.7117	2,504.84
LAS VEGAS ARTESIAN BASIN	.0058	20.41
SCHOOL DIST MAINT & OPER	.7500	2,639.33
SCHOOL DIST BOND DEBT SERV	.4435	1,560.72
STATE INDIGENT TRUST	.0150	52.78
CLARK COUNTY LIBRARY	.0571	200.54
CLARK COUNTY DEBT	.0850	299.12
CLARK COUNTY	.4355	1,532.56
<b>Total Tax</b>		<b>10,617.48</b>

Post-it® Fax Note 7671 Date 7/27/96 Pages 3

Reg Walsh From Susan Turner

Co/Dept Co.

Phone # Phone # 383-6767

Fax # 791-1912 Fax #

April 24, 1996

**VIA OVERNIGHT COURIER**

R. Michael Turnipseed  
State Engineer  
Nevada Department of Conservation  
and Natural Resources  
Division of Water Resources  
123 W. Nye Lane  
Carson City, NV 89710

Re: Valley Group Constructors - Application for Vested Rights

Dear Mr. Turnipseed:

Enclosed for filing is the application of the above-referenced client for vested rights in the Las Vegas Artesian Basin, a copy of relevant title documentation, and our firm check in the amount of \$100 to cover statutory filing fees. We will forward a cultural map shortly.

Please let me know if you need any additional information.

Very Truly Yours,



Gregory J. Walch, Esq.

GJW/gjw

cc: Milton Schwartz  
Mark A. James, Esq.