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49432 R01 &
49432 R02

Office Of The State Engineer

Regarding Permit Number *49432* and *49433*

Affidavit Of Withdrawal Of Water Right In Favor Of Use Of Water For Domestic Wells Created By Subdivision Or Parceling Of Land

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COMMUNITY DEVELOPMENT

State of Nevada)
ss
County of Douglas)

I, Carl Ruschmeyer, do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. I am the owner of record of *a portion* of permit numbers *49432* and *49433* as indicated in the records of the Nevada State Engineer.

2. I hereby withdraw an amount of water equivalent to *42.42* acre feet annually from the water appropriated under permit numbers *49432* and *49433*. The water right or portion of water right withdrawn was appurtenant to the land more particularly described as follows:

a portion of the NE 1/4 of the SE 1/4 of section 34, and a portion of the SW 1/4 of section 35; Township 13 North, Range 20 East, M.D.B. & M.; said property is also known by the following assessors parcel numbers:

23-540-01	*23-540-06*	*23-540-11*	*23-540-16*	*23-540-22*
23-540-02	*23-540-07*	*23-540-12*	*23-540-17*	*23-540-23*
23-540-03	*23-540-08*	*23-540-13*	*23-540-18*	
23-540-04	*23-540-09*	*23-540-14*	*23-540-20*	
23-540-05	*23-540-10*	*23-540-15*	*23-540-21*	

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Please Note: Assessor's Parcel Numbers 23-540-01 through 23-540-18 were created by the Willowcreek Final Map. APN 23-540-19 was also created by this Final Map, but was later split further by the Parcel Map for Gregory and Hollis Painter. These four new parcels were given Assessor's Parcel Numbers 23-540-20 through 23-540-23.

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:

> *a portion of the NE 1/4 of the SE 1/4 of section 34, and a portion of the SW 1/4 of section 35; Township 13 North, Range 20 East, M.D.B. & M.; said property is also known by the following assessors parcel numbers:*

23-540-01	*23-540-06*	*23-540-11*	*23-540-16*	*23-540-22*
23-540-02	*23-540-07*	*23-540-12*	*23-540-17*	*23-540-23*
23-540-03	*23-540-08*	*23-540-13*	*23-540-18*	
23-540-04	*23-540-09*	*23-540-14*	*23-540-20*	
23-540-05	*23-540-10*	*23-540-15*	*23-540-21*	

See also attached copies of the subdivision map and the parcel map.

4. I understand that this withdrawal of *a portion* of permit numbers *49432* and *49433* 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

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withdrawal on the basis that all proceedings concerning this 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 map or parcel map is recorded.

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.

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Dated this 23 day of April, 1997.

Carl Ruschmeyer

Carl Ruschmeyer, P.E.
Douglas County Water/Wastewater Engineer
PO Box 218
Minden, Nevada 89423
(702) 782-6227

Subscribed and sworn to before me
this 23 day of April, 1997.

Lynda K. Teglia
Notary Public

LYNDA K. TEGLIA
Notary Public - State of Nevada
Appointment Recorded in Douglas County
MY APPOINTMENT EXPIRES OCT. 1, 1997

Approved this 28 day of July, 1999.

State Engineer

SEAL

Certified Copy
The foregoing instrument is a full, true, and correct copy of the original on file in the office of the County Recorder of Douglas County, State of Nevada.

Witnessed my hand this 4th day of August 1999
By: Betty Benton Deputy Recorder

REQUESTED BY
Douglas County - Wastewater Eng
IN OFFICIAL RECORDS OF
DOUGLAS CO., NEVADA

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LINDA SLATER
RECORDER

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