

Upon recording mail to:
State Engineer's Office
901 S. Stewart Street, Suite 2002
Carson City, NV 89701

DOC # 763580
Official Records Nye County Nevada
Deborah Beatty - Recorder
04/15/2011 02:53:07 PM
Requested By: NYE CO PLANNING
Recorded By: vw
Recording Fee: \$0.00
Non Conformity Fee: \$0.00
Page 1 of 8

OFFICE OF THE NEVADA STATE ENGINEER



66460 R01

Regarding Permit No. 66460 Certificate Number _____

This space reserved for
county recorder's use only

AFFIDAVIT TO RELINQUISH WATER RIGHTS IN FAVOR OF USE OF WATER
FOR DOMESTIC WELLS

State of Nevada)

: ss

County of Nye)

I, Kelly Harris, as agent for Nye County

do hereby swear under penalty of perjury that the assertions of this affidavit are true.

1. I am the owner of record

agent for the owner of record who is Nye County

of all a portion of 66460 as indicated in the records of the
check one permit/certificate no. or decreed right

Nevada State Engineer.

2. I hereby relinquish an amount of water equivalent to:

1.12 acre-feet

enter a total amount of water equal to the sum of 2.0 afa for each proposed new domestic well

acre-feet annually from the above water right.

The water right or portion of water right relinquished was appurtenant to the land more particularly described as follows:

the Pahrump Regional Planning District as shown on DWR Map #65304 filed September 21, 1999

describe the place of use by quarter sections, section, township, range M.D.B. &M. and assessor's parcel numbers

THE PROCESSING CHARGE OF \$250 MUST ACCOMPANY THIS AFFIDAVIT

3. This relinquishment of water rights is for the purpose of offsetting the water withdrawn from domestic wells to homes, or for the dedication of water to newly created lots located at the place described below and reflected on the attached map: *(Describe place where water will be used with quarter sections, section, township, range, M.D.B. &M. and assessor's parcel numbers)*

See attached Exhibit A

4. I have attached a reduced, scaled, 8 1/2 X 11" copy of the tentative parcel map. The original tentative parcel map must be prepared to the standards of NRS 278.466.
5. I understand that this relinquishment must be approved by the Nevada State Engineer in order for it to become effective.
6. I am aware that, under NRS 534.350, a county may dedicate and relinquish sufficient water rights to offset water withdrawals from domestic wells of new homes. Water rights so relinquished revert to the source of the water. Should these homes later be added to a public water system, the public water system is entitled to receive a credit in the same manner as the addition of any other customer to the public water system pursuant to NRS 534.350.
7. I understand this relinquishment shall become effective upon the date of approval by the State Engineer. The affiant may petition the State Engineer to void this relinquishment if the final subdivision or parcel map is not recorded within 18 months after this approval. If a petition to void this relinquishment is not submitted to the State Engineer within the 18 month period, the water remains permanently reverted to the source.
8. I understand once these water rights are relinquished by recordation of a final subdivision map in the office of the county recorder of the county wherein the domestic wells are to be located, as provided in NRS 278.380 (2001), or in the case of a final parcel map as provided in NRS 278.4725 (2003), the process cannot be reversed nor can I claim said right as a water right.

Permit/Cert No. 66460

9. Within 30 days of approval of this relinquishment by the State Engineer, I shall record this Affidavit 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 in the office of the county recorder of the county in which the previous place of use was located, if it is not the same county.

10. I shall provide the State Engineer's Office with a copy of this recorded Affidavit within thirty (30) days of its recording with the county recorder.

DATED: This 10th day of March, 20 11.

[Signature]
Affiant's Signature

Kelly Harris
Affiant's printed name

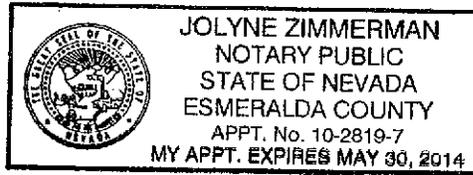
P.O. Box 1531
Street Address

Tonopah, NV 89049
City, State, ZIP

(775) 482-8181
Telephone Number

Subscribed and sworn to before me
this 10 day of March, 20 11.

[Signature]
Notary Public Signature



Notary Stamp

APPROVED: This 5th day of April, 20 11.

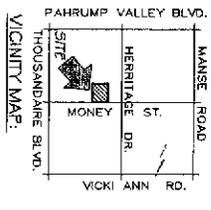
[Signature] P.E.
for State Engineer's signature
Tracy Taylor
for Print State Engineer's name

EXHIBIT A

Original AP #44-491-01 now known as:

AP #44-491-08 Parcel 1 of file map #546511 located within the NW¼ SE¼ of Section 11, T21S, R53E, MDB&M recorded on 11/14/02 inherited the domestic well entitlement; and

AP #44-491-09 Parcel 2 of file map #546511 located within the NW¼ SE¼ of Section 11, T21S, R53E, MDB&M recorded on 11/14/02 required 1.12 acre-feet of water right dedication



- LEGEND:**
- PROPERTY BOUNDARY LINE
 - SECTION LINE / STREET CENTERLINE
 - PROPERTY LINE EXTENSION TO CENTERLINE
 - RIGHT-OF-WAY LINE
 - MONUMENT FOUND AS INDICATED
 - SO. FT. SQUARE FEET
 - R/W RIGHT-OF-WAY
 - APN: ASSESSOR'S PARCEL NUMBER
 - SET TYPE III MONUMENT, PLS 11831
 - PUE PUBLIC UTILITY EASEMENT
 - PUE AND SB - DISTANCE AS NOTED
 - SB BUILDING "SETBACK"
 - SB LINE BUILDING SB LINE

PAHRUMP REGIONAL PLANNING COMMISSION CERTIFICATE:
 THIS MAP IS HEREBY APPROVED BY THE PAHRUMP REGIONAL PLANNING COMMISSION OF
 NVE COUNTY, NEVADA, THIS 11th DAY OF SEPTEMBER, 2004.

Don Williams
 RICH WILLIAMS - PLANNING DIRECTOR

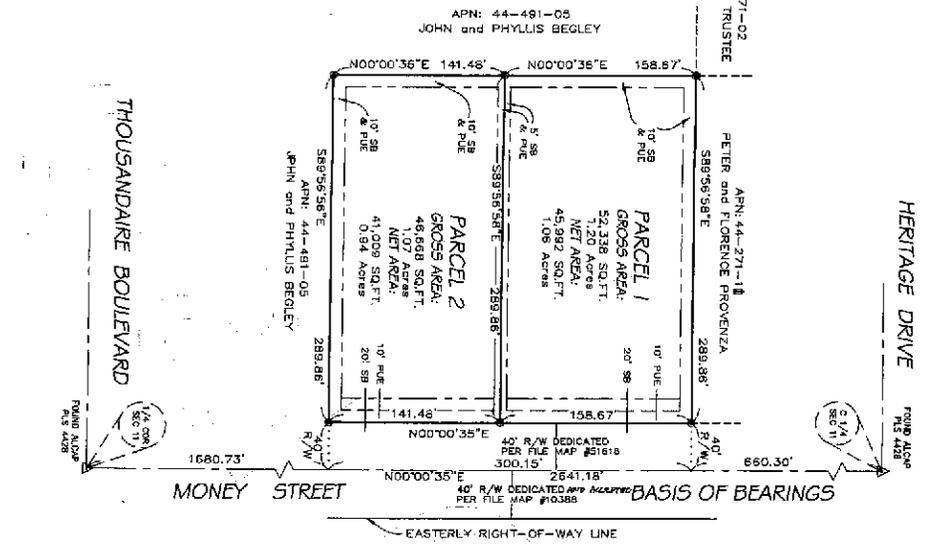
AGENCY APPROVALS:

07/17/04
 DATE

07/15/04
 DATE

TAX CERTIFICATE:
 TAXES ON ALL REAL PROPERTY FOR THE CURRENT FISCAL YEAR ARE PAID IN FULL.

11-14-03
 DATE



FLOOD ZONE STATEMENT:
 THIS PROPERTY IS LOCATED IN FLOOD ZONE A1 AS SHOWN ON MAP 320016, COMMUNITY PANEL #4430, DATED SEPTEMBER 28, 1980. ANY CONSTRUCTION OF IMPROVEMENT WITHIN A SPECIAL COUNTY FLOOD AREA MUST BE IN ACCORDANCE WITH THE ORDINANCE, EFFECTIVE DATE 1974, THE FLOOD DAMAGE PREVENTION BASIS OF BEARINGS.

RECORDERS STATEMENT:
 SUBSEQUENT CHANGES TO THIS DOCUMENT SHOULD BE EXAMINED BY COUNTY RECORDOR.

SURVEYOR'S CERTIFICATE:
 I, JEFFERY WM. PHILLIPS, A PROFESSIONAL LAND SURVEYOR LICENSED IN THE STATE OF NEVADA, DO HEREBY CERTIFY THAT

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AND CONTROL.
2. THE MONUMENTS SHOWN ON THIS PLAT WERE PLACED BY ME OR UNDER MY SUPERVISION AND THE SURVEY WAS COMPLETED ON MARCH 23, 2000.
3. THIS PLAT COMPLETES WITH APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN FULL COMPLIANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL LAND SURVEYING ACT AND THE MONUMENTS DEPICTED ON THE PLAT DO NOT OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

JEFFERY WM. PHILLIPS, SURVEYOR
 NEVADA CERTIFICATE NO. 11891

OWNERS CERTIFICATE:
 WE, PETER AND FLORENCE PROVENZA, CO-TRUSTEES OF THE PETER, FLORENCE AND FLORENCE PROVENZA FAMILY TRUST DATED JANUARY 22, 1988, DO HEREBY CONSENT TO THE DEDICATION OF THE RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS SHOWN HEREON FOR PUBLIC USE, A PERMANENT EASEMENT FOR UTILITY WITH THE RIGHT TO ERECT FACILITIES FOR THE CONDUCT OF BUSINESS AND UTILITIES, AND THE DIVISION OF THIS PROPERTY ON OTHER DESIGNATED LAND USE.

Peter Provenza
Florence Provenza

ACKNOWLEDGMENTS:
 STATE OF NV
 COUNTY OF Nye
 ON THIS 21st DAY OF July, 2004.
 NOTARY PUBLIC: *Ronald W. Stearns*
 MY COMMISSION EXPIRES: 21 July 2004

COUNTY SURVEYOR'S CERTIFICATE:
 I, RICHARD FORMAN, COUNTY SURVEYOR, NVE COUNTY, NEVADA, DO HEREBY CERTIFY THAT ON THE 15th DAY OF AUGUST, 2004, I DID EXAMINE THIS PARCEL MAP AS SHOWN HEREON AND FOUND THAT IT IS TECHNICALLY CORRECT.

Richard Forman
 RICHARD FORMAN
 LICENSE # 21827

PARCEL MAP
 A SUBDIVISION OF PARCELS 4 AND 5, THE AVERAGED PARCEL MAP IN AND ON THE 198916 OFFICIAL RECORDS OF THE COUNTY OF NEVADA, IN A PORTION OF SECTION 17, T. 21S. R. 23E. APR. 44-491-01

PETER and FLORENCE PROVENZA

JEFFERY WM. PHILLIPS, PLS #11831
 1038 ASPEN BRIDGE AVE
 LAS VEGAS, NEVADA 89133

RQ-10-0019

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

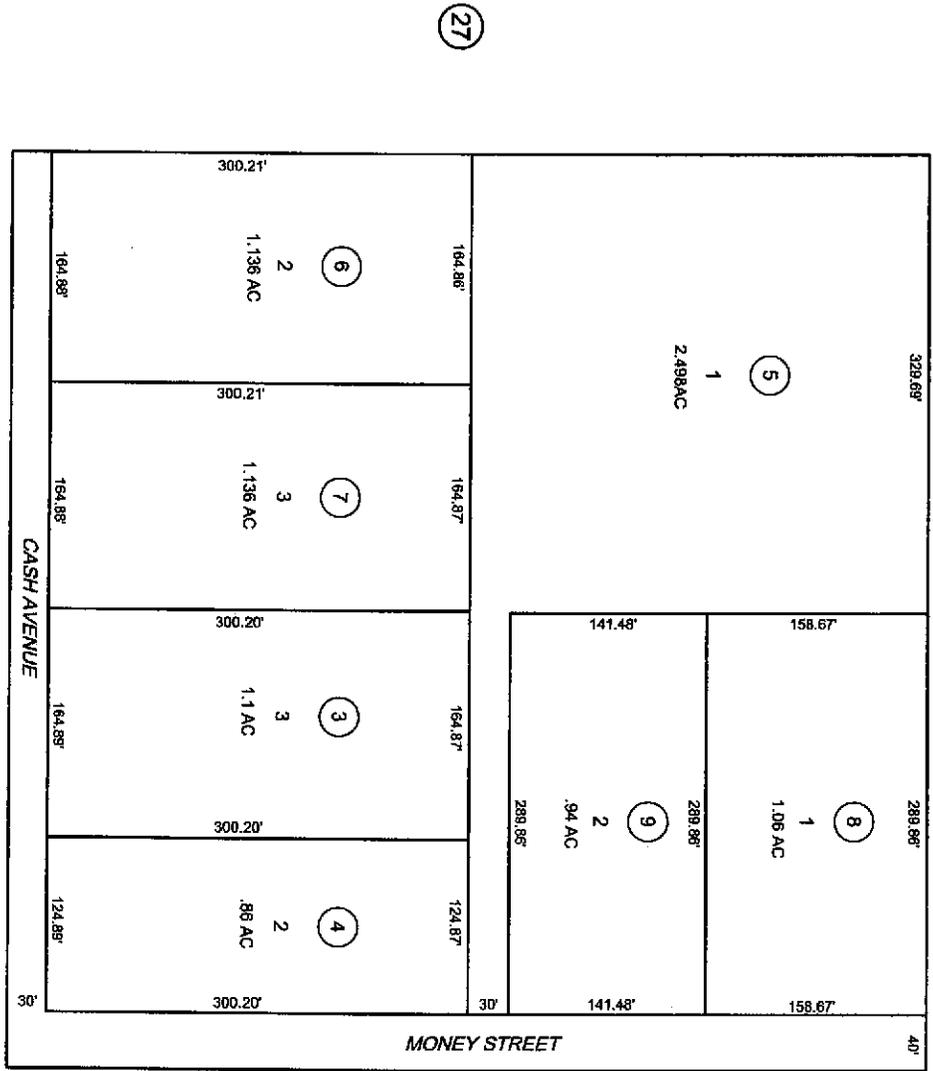
546511

Parcel Number 044-491-08 Prior Parc # 044-491-01 Changed 1/16/03
 Last Updated 11/17/10 By RRIVERO Created by split; Primary # 044-491-08
 Ownership (F6=All Owners F7=Documents F8=Correspondence History)
 Legal Owner..... PROVENZA, PETER & FLORENCE Force Assmt Notice....
 Assessed Owner..... PROVENZA, PETER & FLORENCE Force Ag Message...
 Mail Address..... 2341 RED ROCK DR Force Label.....
 City, State..... PAHRUMP, NV Force Card/Aff (C/A)..
 Vesting Doc #, Date. _____ Zip... 89048-3716
 Map Document #s..... _____ Yr, Bk, Pg 00 000 000 Corr Rq'd
 Description _____ (F11=Additional Locations)
 # Dir Street or Other Description Unit #(s)
 Property Location... 5640 S MONEY ST
 Subdivision..... _____ Block... _____ Lot... _____
 Town..... PAHRUMP Parcel Map ID.. _____
 Property Name..... F#546511 P.1 1.06AC Confidential..
 Remarks..... _____
 Parcel # Containing Descriptive/Document Data.... _____ Land Use: 230
 Size
 Total Acres... 1.060 Square Feet.... 0
 Ag Acres..... .000 W/R Acres..... .000
 F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data
 F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years
 F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

Parcel Number 044-491-09 Prior Parc # 044-491-01 Changed 1/16/03
 Last Updated 11/17/10 By RRIVERO Created by split; Primary # 044-491-08
 Ownership (F6=All Owners F7=Documents F8=Correspondence History)
 Legal Owner..... PROVENZA, PETER & FLORENCE Force Assmt Notice....
 Assessed Owner..... PROVENZA, PETER & FLORENCE Force Ag Message...
 Mail Address..... 2341 RED ROCK DR Force Label.....
 City, State..... PAHRUMP, NV Force Card/Aff (C/A)..
 Vesting Doc #, Date. _____ Zip... 89048-3716
 Map Document #s..... _____ Yr, Bk, Pg 00 000 000 Corr Rq'd
 Description _____ (F11=Additional Locations)
 # Dir Street or Other Description Unit #(s)
 Property Location... 5670 S MONEY ST
 Subdivision..... _____ Block... _____ Lot... _____
 Town..... PAHRUMP Parcel Map ID.. _____
 Property Name..... F#546511 P.2 .94AC Confidential..
 Remarks..... _____
 Parcel # Containing Descriptive/Document Data.... _____ Land Use: 180
 Size
 Total Acres... .940 Square Feet.... 0
 Ag Acres..... .000 W/R Acres..... .000
 F9=Scan >/< > F10=Other Functions F12=Cancel F14=Imprvmnts/Appraisal Data
 F15=Legal Description F16=Misc Notes F17=Factoring History F20=Tax Years
 F21=Personal Property F22=Ag Land F23=Exemptions F24=Livestock Counts

T 21S., R.53E.
 POR. OF SECTION 11

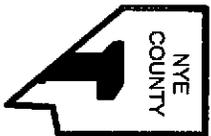
44-49



AUG. 92/JH
 CAD FILE 11-21-02/JNG
 NYE COUNTY ASSESSOR

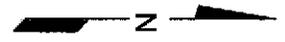
NOTE: THIS PLAT IS FOR ASSESSMENT USE ONLY AND
 DOES NOT REPRESENT A SURVEY. NO LIABILITY IS
 ASSUMED AS TO THE ACCURACY OF THE DATA
 DELINEATED HEREON.

D:\Users\Nelle\APN Books\Updates 11-18-02\044-49-021121-ng.dwg, 12/05/2002 11:28:11 AM



REV. 08-14-85
 11-21-02

RQ-10-0019





DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

April 13, 2011



Permit 66460R01

Nye County Planning Department
Attn: Ms. Kelly Harris
P.O. Box 1531
Tonopah, NV 89049-1531

Re: **RQ-10-0019- Affidavit of Relinquishment of water rights from Permit 66460 in favor of domestic well(s).**

Dear Ms. Harris:

Enclosed are the original Affidavit of Relinquishment & documents, Nye County # RQ-10-0019, recently signed and approved by Deputy State Engineer Tracy Taylor for the relinquishment of 1.12 AFA, in the name of Nye County, of water from Permit 66460.

RQ-10-0019: 1.12 acre-feet is being relinquished to create one (1) new domestic well parcel from the parent parcel APN 44-491-01 in Pahrump, Nye County, Nevada. The new domestic well parcel is identified by the Nye County Assessor as APN 44-491-09. The Date of Priority for the new domestic well will be the same Date of Priority as Permit 66460; June 3, 1957. The original domestic well entitlement will be inherited by APN 44-491-08.

To properly complete the relinquishment process, **this office must receive a recorded copy of this Affidavit of Relinquishment & documents within 30 days from the date of this letter.** Nye County is to retain the original Affidavit of Relinquishment & documents. The 1.12 acre-feet of water under Permit 66460 owned by Nye County will be relinquished when a recorded copy of the enclosed Affidavit of Relinquishment & documents is returned to this office. If you have any questions, please call me at (775) 684-2800.

Sincerely,

A handwritten signature in black ink, appearing to read "W. H. Reed".

Hamilton Reed, FG, PE
Staff Engineer

WHR/ml
Enclosures