

GRANT, BARGAIN AND SALE DEED

R.P.T.T. \$ EX#2

WATER RIGHT

COMES NOW, Eugene C. & P. V. Smith, hereinafter referred to as "Grantor" and the TOWN OF GARDNERVILLE, hereinafter referred to as "TOWN" and/or "Grantee", and for good and valuable consideration, the terms of which are as set forth hereinbelow, receipt of which is hereby acknowledged, by this Deed convey(s) to Grantee as its sole and separate property the water right described hereinbelow:

W I T N E S S E T H

WHEREAS, Grantor owns a certain water right which may be identified as Right Number 160-000-00 35 appurtenant to Douglas County Assessor's Parcel Number 25-402-12 1220-04-514-002 in the amount of 0.13 acres, which right is the subject of a general assessment from the United States District Court Water Master. Grantor is also identified by Claimant Number 001094; and

WHEREAS, Grantor desires to convey, and Grantee desires to accept, all that water right of the Grantor referenced within this Deed; and

WHEREAS, upon the recordation of this Deed Grantee shall take all steps necessary to record this Deed, and to notify the United States District Court Water Master and the Nevada Division of Water Resources of the conveyance of the water right of Grantor to Grantee.

NOW, THEREFORE, for and in consideration of Grantee's payment of all general assessments by the United States District Court Water Master due, and to become due in the future, and other good and valuable consideration as is set forth herein, receipt of

0468887  
BK0599PG5340

Mailing Address  
P.O. Box 2080  
Minden, NV 89423  
Facsimile (775) 782-3683

Rowe & Hales  
Attorneys At Law

Physical Address  
1638 Esmeralda Street  
Minden, NV 89423  
(775) 782-3141

Mailing Address  
P.O. Box 2080  
Mindlen, NY 89423  
Faxville (775) 782-3685

Rowe & Hales  
Attorneys At Law

Physical Address  
1638 Esmeralda Street  
Mindlen, NV 89423  
(775) 782-8141

1 which is hereby acknowledged, Grantor hereby grants and conveys to  
2 Grantee Water Right Number 160-000-00-35 appurtenant to Assessor's  
3 25-402-12  
Parcel Number 1220-04-514-002 for 0.13 acres, which right may  
4 also be referenced by Grantor's Claimant Number of 001094.

5 Upon Grantee's recordation of this Deed, and Grantee's  
6 notification to the United States District Court Water Master and  
7 the Nevada Division of Water Resources, the water right transferred  
8 hereby shall become the property of Grantee, which shall be solely  
9 responsible hereinafter for the payment of any and all general  
10 assessments due, or to become due, to the United States District  
11 Court Water Master for the water right transferred herein.

12 Together with all and singular the tenements,  
13 hereditaments and appurtenances thereunto belonging or in anywise  
14 appertaining, and any reversions, remainders, rents, issues or  
15 profits thereof.

16 DATED this 20th day of May, 1999.

17  
18 Eugene C Smith  
GRANTOR Eugene C Smith

19  
20 Phyllis V Smith  
GRANTOR Phyllis V Smith

21  
22 The Deed hereinabove set forth is hereby accepted this  
23 20th day of May, 1999.

24  
25 Diane L. Pettitt  
DIANE L. PETTITT  
26 GARDNERVILLE TOWN MANAGER

27 / / /  
28 / / /

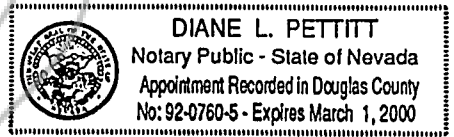
A C K N O W L E D G E M E N T

1  
2 STATE OF NEVADA )  
3 ) ss.  
4 COUNTY OF DOUGLAS )

5 On May 20, 1999, before me, the undersigned,  
6 a Notarial Officer in and for said County and State, personally  
7 appeared Eugene C. Smith and Phyllis V. Smith, known to me  
8 to be the person(s) whose name(s) ~~is~~(are) subscribed to the within  
9 instrument and acknowledged that ~~he/she~~(they) executed the same.

10 WITNESS my hand and official seal.

11 *Diane L. Pettitt*  
12 NOTARIAL OFFICER



13 **Rowe & Hales**  
14 **Attorneys At Law**

15 Physical Address  
16 1638 Esmeralda Street  
17 Minden, NV 89423  
18 (775) 782-8141

19 Mailing Address  
20 P.O. Box 2080  
21 Minden, NV 89423  
22 Facsimile (775)782-3685

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25  
26  
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28  
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# United States District Court

## WATER MASTER

**CARSON RIVER**  
IN THE DISTRICT COURT OF THE UNITED STATES  
IN AND FOR  
THE DISTRICT OF NEVADA  
IN EQUITY, DOCKET NO. D-183  
THE UNITED STATES OF AMERICA, PLAINTIFF  
VS.  
ALPINE LAND & RESERVOIR COMPANY,  
A CORPORATION, ET AL., DEFENDANTS

GARRY D. STONE  
290 SOUTH ARLINGTON AVENUE  
RENO, NEVADA 89501  
PHONE 784-5241

**TRUCKEE RIVER**  
IN THE DISTRICT COURT OF THE UNITED STATES  
IN AND FOR  
THE DISTRICT OF NEVADA  
IN EQUITY, DOCKET NO. A3  
THE UNITED STATES OF AMERICA, PLAINTIFF  
VS.  
ORR WATER DITCH COMPANY, ET. AL., DEFENDANTS

EUGENE C. & P. V. SMITH  
P.O. BOX 1135

REF: CLAIMANT# 001094  
PAGE 0 02/08/99

GARDNERVILLE, NV 89410

**OFFICE OF THE WATER MASTER**  
**CARSON RIVER AND TRIBUTARIES**  
FOR THE FISCAL YEAR 10/1/98 TO 9/30/99  
NOTICE# 1

An order was made and entered in the above entitled action on 02/02/99 "creating an assessment to replenish the fund heretofore established to pay the expense of conducting the Water Master's office," in which order you are required to pay to the Water Master your pro-rata share of the administration of the Water Master's Office on or before 02/31/99 From the records of this office, your pro-rata share of said costs of administration is as follows, to-wit:

RIGHT	160-000-00-35	APN#	25-402-12	0.13	ACRES
				-----	
TOTAL				0.13	ACRES
				=====	

*Prd clc 0960  
3/27/99*

	FAST DUE	CURRENT DUE	SUB TOTAL	TOTAL DUE
GENERAL ASSESSMENT	\$ 0.00	\$ 15.72	\$ 15.72	
TOTAL AMOUNT DUE THIS OFFICE				\$ 15.72
				=====

"If any of the above-mentioned sums so assessed, apportioned and allowed, remain unpaid 30 days after the date mentioned for the payment thereof, attachment for contempt may issue against the parties failing to make any payments as so ordered to be made, and execution may issue for the recovery, satisfaction, or obtaining payment thereof against the parties, intervenors or persons liable for the payment thereof as above allowed, and against their rights, titles and interests in the said lands, ditches, water and water rights and works, and other property, whether conveyed after the commencement of this suit or not; and the same may be seized and sold to pay and satisfy said amounts so allowed and remaining unpaid, and costs the same as in cases for foreclosure or mortgages or liens, or upon judgments in ordinary actions at law or in equity; and the Water Master is hereby authorized and empowered to shut off the water of any party so failing to make any payment or payments assessed against him or her or his or her water rights herein at the time or times at which the same should be made, such water to remain shut off until such time as any such payment shall be made, and the costs of shutting off such water shall also be assessed against any such party."

"The Water Master must be notified by the parties when title to a water right is changed. The Water Master shall not be required to deliver water to any new owner unless this provision is complied with." — Extracts from Court Order.

TO ENSURE PROPER CREDIT, PLEASE RETURN SECOND COPY OF THIS NOTICE WHEN MAKING PAYMENT.

Make all Checks and Money Orders payable to "Office of the Water Master"

0468887

BK0599P65343

REQUESTED BY  
*Town of Gardnerville*  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

'99 MAY 26 P2:01

0468887

BK0599PG5344

LINDA SLATER  
RECORDER

\$ *Q* PAID *Bh* DEPUTY