

APN 1219-24-002-013
APPLICATION NO. V06328
CERTIFICATE NO. 8137

RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:

Bailey
75-2900 Miller Lane Dr
Kathua Korne, HI 96740

MAIL TAX STATEMENTS TO:

Steve A. Abate

WATER RIGHTS QUIT CLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, PAUL D. MARIENTHAL and ELLEN MARIENTHAL, husband and wife as community property with right of survivorship, as owners of water rights under a Decree stemming from the State of Nevada, Division of Water Resources Application No. V06328 and under Certificate No. 8137, appertaining to Assessor's Parcel No. 1219-24-002-013, DOES HEREBY QUIT CLAIM to THOMAS C. BAILEY and JUDITH A. BAILEY, Trustees of THE BAILEY REVOCABLE TRUST dated May 12, 1999, the following described water rights:

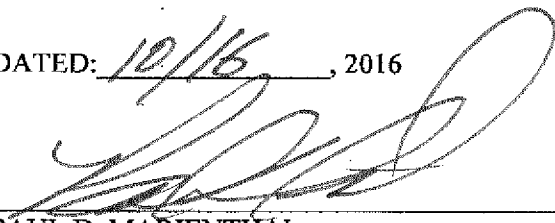
A portion of the Decree stemming from the State of Nevada, Division of Water Resources, Application No. V06328, an amount Duty of 9.77, 2.44 Acres, together with a Rate of Diversion of 1.06, as more particularly described in the Proof of Appropriation of Water for Irrigation, Filing Serial No. 06328, as attached hereto as Exhibit A; and

A portion of the State of Nevada, Division of Water Resources, Certificate No. 8137, an amount Duty of 4.95, 2.44 Acres, together with a Rate of Diversion of 0.007, as more particularly described in the State of Nevada Certificate of Appropriation of Water, Certificate No. 8137, as attached hereto as Exhibit B;

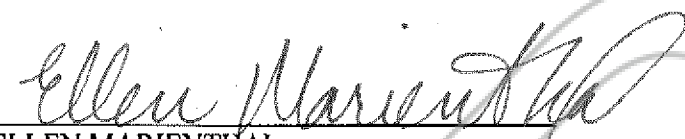
TOGETHER WITH the tenements, hereditaments and appurtenances belonging thereto or appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD said water rights, together with the appurtenance, unto said parties and to their survivors, heirs, assigns and successors forever.

DATED: 10/16, 2016

✓ 

PAUL D. MARIENTHAL

✓ 

ELLEN MARIENTHAL

STATE OF NEVADA)
)ss.
COUNTY OF DOUGLAS)

See Attached

This instrument was acknowledged before me on the ____ day of _____ 2016, by PAUL D. MARIENTHAL and ELLEN MARIENTHAL, husband and wife as community property with right of survivorship.

NOTARY PUBLIC

[SEAL]

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Contra Costa)

On October 17, 2016, before me, Janice E. Elizondo, a Notary Public, personally appeared Paul Marienthal and Ellen Marienthal, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Janice E. Elizondo

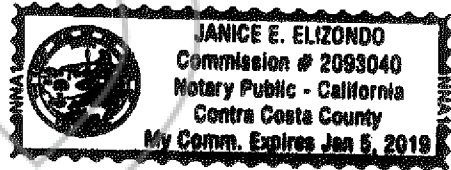


EXHIBIT A

ORIGINAL

Filing Serial No. 06328

State of Nevada

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Miller Creek and Unnamed Creek

The water is diverted from its source by diversion box and ditches

at the following point(s) (Miller Creek) within the NE 1/4 NW 1/4, Section 26, T.12N., R.19E., M.D.B.&M., or at a point from which the NW corner of said Section 26 bears N 82° 27' 34" West, a distance of 1,982.63 feet. (Unnamed Creek) within the NE 1/4 NW 1/4, Section 26, T.12N., R.19E., M.D.B.&M., or at a point from which the NW corner of said Section 26 bears N 65° 20' 28" West, a distance of 2,614.06 feet. Additionally, water is used from the "spring area" shown on the supporting map, located in the Northeasterly portion of the NE 1/4 NW 1/4 said Section 26, which flows into the Miller Creek Ditches, AND return flow from the Spring area shown on the supporting map located in the SE 1/4 NW 1/4 said Section 26.

- (1) Name of claimant Wayne A. & Sharon W. Currie
Address 636 Green Acres Drive, Gardnerville, County of Douglas
State of Nevada 89410 Telephone No. (702) 265-
- (2) The means of diversion employed ditch and dam
- (3) The date of the survey of ditch, canal, or pipe line was _____
- (4) The construction of the ditch or other works was begun 1853 (all sources)
and completed 1853
- (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.
- (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.
Percentage based on final decreed right.

(10) The nature of the title to the land for which the water right is claimed is fee simple

(11) Crops of native hay have been grown upon the land irrigated (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture).

(12) The water has been used for irrigation from January 1 to December 31 of each year.

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

1853, 5.55 acres in Lot 13 on supporting map located
in portions of SE 1/4 SW 1/4 of Sec. 24, T. 12N., R. 19E.
and SW 1/4 SW 1/4 of Sec. 24, T. 12N., R. 19E.

(14) The maximum acreage irrigated in any year was 5.55 acres.

(15) The water claimed has (~~has not~~) been used for irrigation each and every year since the right was initiated.

(16) The years during which no water was used for irrigation or during which the full water right was not used were none

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:

Stockwater and Domestic

- (19) The character of the soil is sandy loam. A rotation flow of 0.40 Unnamed Creek/2.0 Miller Creek cubic feet of water per second has been used to irrigate 5.55 acres of land and 4 acre-feet per acre per annum have been used to irrigate the crops.
- (20) Remarks Please use map filed under Permit 24525 to support this claim. Stream flow values are from F.N. Dondero's "Special Report - Carson River & Its Forks Distribution" - 1929. Miller Creek Agreement - Entitled to entire flow 3 days out of every 8 days - See Deed from Bokelman to Scossa - 6/01/16. Unnamed Creek Agreement - Entitled to use 1/3 of entire flow. See Permit Nos. 24526 and map to support 24919 filed under 24918. See attachment.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Wayne A. & Sharon W. Currie 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.

[Signature]

Telephone No. (702) 268-2886

Subscribed and sworn to before me this 16th day of March, 1994.
Karen Leet



Notary Public in and for the County of Douglas
My commission expires Aug 27, 1994

\$100 FILING FEE MUST ACCOMPANY PROOF

Attachment

One source of Unnamed Creek, as shown on the supporting map, is the spring located in California. At times, all the water from the spring is diverted, as shown on the map filed under 24918, into the 6" pipeline, and split when appropriate, 2/3 - 1/3 at the tee and valve located in the NE 1/4 NW 1/4 of Section 26, T.12N., R.19E., M.D.B.&M.

COPY

EXHIBIT B

Application No. 24526

Certificate Record No. 8137

Book 26

Page 8137

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, B. J. Vasey, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an unnamed creek through headgate and ditches for irrigation and domestic purposes. The point of diversion of water from the source is as follows: NE 1/4 NW 1/4 Sec. 26, T. 12N., R. 19E., M.D.B.&M., or at a point from which the NW corner of said Sec. 26 bears N. 65° 20' 28" W., a distance of 2,614.06 feet situated in Douglas County, State of Nevada.

Now Know Ye, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator: Luther J. Martin and Hugh L. Martin

Post-office address: Genoa, Nevada

Amount of appropriation: 0.15 c.f.s. but not to exceed 108.57 acre feet annually

Period of use, from January 1st to December 31st of each year

Date of priority of appropriation June 7, 1968

Description of land to which the water is appurtenant:

10.35	acres in the	SE 1/4	SE 1/4	of Section 23,	T. 12N.,	R. 19E.,	M.D.B.&M.
13.73	"	"	"	SE 1/4 SW 1/4	"	"	"
20.20	"	"	"	SW 1/4 SW 1/4	"	"	"
0.60	"	"	"	NW 1/4 NW 1/4	"	"	"
8.62	"	"	"	NE 1/4 NE 1/4	"	"	"
53.50	acres total						

This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water for the land under this certificate shall not exceed 4.0 acre feet per acre annually from any and/or all sources.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and its use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer

Compared 9/17/73 of Nevada, have hereunto set my hand and the seal of my office, this

Recorded 9-17-73 Page 44 7th day of September A. D. 19 73

Douglas County Records.

Roland D. Westergard
State Engineer

**STATE OF NEVADA
DECLARATION OF VALUE**

1. Assessor Parcel Number(s)

- a) 1219-24-002-013
- b) _____
- c) _____
- d) _____

2. Type of Property

- a) Vacant Land
- b) Single Fam. Res.
- c) Condo/Twnhse
- d) 2-4 Plex
- e) Apt. Bldg.
- f) Comm'l/Ind'l
- g) Agricultural
- h) Mobile Home
- i) Other Water Rights Deed

FOR RECORDERS OPTIONAL USE	
Book _____	Page: _____
Date of Recording: _____	
Notes: _____	

- 3. a) Total Value/Sales Price of Property: \$0.00
- b) Deed in Lieu of Foreclosure Only (value of property) (\$ _____)
- c) Transfer Tax Value: \$0.00
- d) Real Property Transfer Tax Due \$0.00

4. **If Exemption Claimed:**

- a. Transfer Tax Exemption, per 375.090, Section: 3
- b. Explain reason for exemption: Trasfer tax paid through deed recorded concurrently

5. Partial Interest: Percentage being transferred: _____ %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: [Signature]

Capacity: [Signature]

Signature: _____

Capacity: _____

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: Paul D. Marienthal and Ellen Marienthal
Address: 3636 Boyer Circle
City: Lafayette
State: CA Zip: 94549

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: Thomas Bailey and Judith Bailey
Address: 75-292 Malu Lani Drive
City: Kailua Kona
State: HI Zip: 96740

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buyer)

Print Name: First American Title Insurance Company File Number: 141-2511404 NMP/ NMP
Address: P.O. Box 645
City: Zephyr Cove State: NV Zip: 89448

(AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED)