

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Lowell D. Emery, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source through a drilled well, pump, and distribution system for quasi-municipal purposes. The point of diversion of water from the source is as follows:

NW 1/4 NE 1/4 Section 32, T.11N., R.43E., M.D.B.&M., or at a point from which the SW corner of the NW 1/4 NE 1/4 Section 32 bears S. 45° W., a distance of 35.35 feet situated in Nye 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: Karl W. Berg
Source: Underground
Manner of Use: Quasi-Municipal
Amount of appropriation: *0.20 c.f.s., but not to exceed 20.56 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: **May 22, 1986

Description of the works of diversion, manner and place of use:

Water is developed by means of a drilled well, 300 feet deep, 12 inch casing, via a 90 H.P. pump equipped with a diesel engine, thence through a distribution system to 60 lots within the Shoshone Estates Subdivision (Nye County) and 16 other parcels located within all that portion of the W 1/2 SE 1/4 Section 29, T.11N., R.43E., M.D.B.&M., lying north of Nevada State Highway 376 except the westerly 660.5 feet, NE 1/4 SE 1/4 Section 29, T.11N., R.43E., M.D.B.&M., SE 1/4 SE 1/4 Section 29, T.11N., R.43E., M.D.B.&M., except that portion within the boundary of Nevada State Highway 376 and all that portion in the NE 1/4 NE 1/4 Section 32, T.11N., R.43E., M.D.B.&M., lying northerly of the Nevada State Highway 376. This well is a back-up well to Permit 46913. The following parcels are served:

SHOSHONE ESTATES

Table with 6 columns: APN NO., LOT, APN NO., LOT, APN NO., LOT. Lists parcel numbers and lot numbers for Shoshone Estates.

continued.....

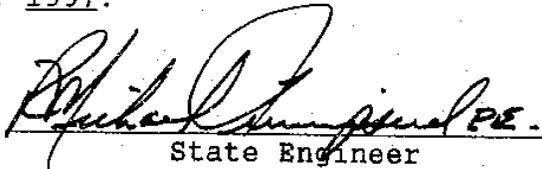
<u>APN NO.</u>	<u>LOT</u>	<u>APN NO.</u>	<u>LOT</u>
10-392-01	32	10-392-31	62
10-392-02	33	10-392-32	63
10-392-03	34	10-392-33	64
10-392-04	35	10-393-01	26
10-392-05	36	10-393-02	27
10-392-06	37	10-393-03	28
10-392-07	38	10-393-04	29
10-392-08	39	10-393-05	30
10-392-09	40	10-393-06	31
10-392-10	41	10-394-01	21
10-392-11	42	10-394-02	22
10-392-12	43	10-394-03	23
10-392-13	44	10-394-04	24
10-392-14	45	10-394-05	25

*The total combined rate of diversion and duty of water under this certificate and any certificate issued under Permit 46913, shall not exceed 0.32 c.f.s., and 20.56 million gallons annually, respectively.

**This certificate changes the manner of use of a portion of Permit 30033, the date of priority was established in accordance with NRS 533.395(3) cancellation rescission hearing of Permit 46914 on July 30, 1986.

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

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of July, A.D. 1997.


State Engineer

cms/sb