

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Joseph F. Scalise, Permittee has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Topaz Summit Spring through a perforated pipe, pressure pipe, storage tank and pump for commercial purposes. The point of diversion of water from the source is as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, T.10N., R.22E., M.D.B.&M., or at a point from which the W $\frac{1}{4}$ corner of said Section 29 bears S. 10°33' W., a distance of 615.27 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: Joseph F. Scalise
Source: Topaz Summit Spring
Manner of Use: Commercial
Amount of appropriation: 0.0044 c.f.s., but not to exceed 0.20 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: September 1, 1988

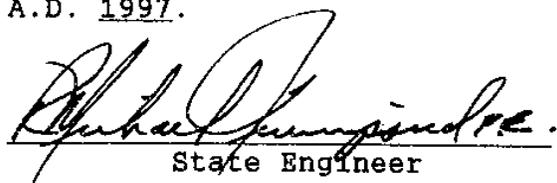
Description of land to which the water is appurtenant:

Water is diverted from an improved spring by means of a buried perforated pipe thence to pressure pipe, thence to a 9,500 gallon exposed stainless steel storage tank, thence to a flooded suction centrifugal pump and hydropneumatic pressure tank, thence to Topaz Joes Bar & Grill, bottling plant and house located within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29, T.10N., R.22E., M.D.B.&M.

This certificate is issued subject to the terms of the permit.

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 3rd day of September, A.D. 1997.


State Engineer