

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Raymond H. Foster, 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 commercial purposes. The point of diversion of water from the source is as follows:

NW¼ NW¼ Section 5, T.20S., R.53E., M.D.B.&M., or at a point from which the NW corner of said Section 5 bears N. 22°08'42" W., a distance of 1,026.34 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: The Foster Family Trust

Source: Underground

Manner of Use: Commercial

Amount of appropriation: 0.05 c.f.s., but not to exceed 0.097 million gallons annually

Period of use: January 1st to December 31st of each year

Date of priority of appropriation: February 11, 1992

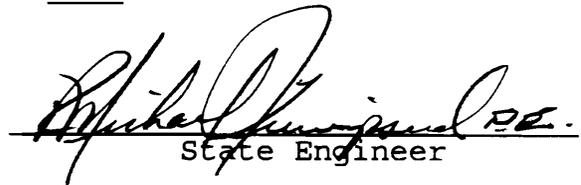
Description of the works of diversion, manner and place of use:

Water is developed by means of a drilled well, 140 feet deep, 8 inch diameter casing, via a 1½ H.P. submersible pump to an 80 gallon pressure tank, thence through a distribution system to one office building and garage for commercial purposes located within the NW¼ NW¼ of Section 5, T.20S., R.53E., M.D.B.&M, being Lot 4 of Block 1 of the Pechstein Ranch Unit No. 1.

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 20th day of April, A.D. 1998.



State Engineer