

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Kenneth P. Hiatt, 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 industrial and domestic purposes. The point of diversion of water from the source is as follows:

NE¼ NE¼ Section 21, T.19N., R.29E. M.D.B.&M., or at a point from which the NE corner of said Section 21 bears N. 63°26'06" E., a distance of 707.17 feet situated in Churchill 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: A & K Earthmovers, Inc.
Source: Underground
Manner of Use: Industrial and Domestic
Amount of appropriation: 0.20 c.f.s., but not to exceed 4.48 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *March 30, 1995

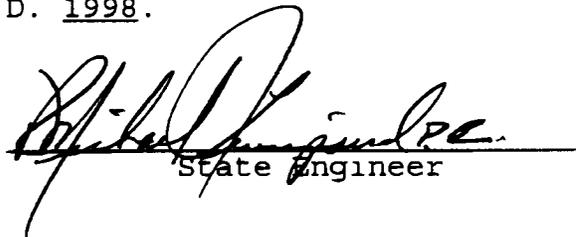
Description of the works of diversion, manner and place of use:

Water is developed by means of a drilled well, 450 feet deep, 6 inch diameter casing, via a 10 H.P. Hays 4 stage pump, thence the water is conveyed by truck and distribution system to a sand and gravel operation and a hot plant located within the W¼ SW¼ Section 15, and NE¼ NE¼ Section 21, and the NW¼ NW¼ Section 22, T.19N., R.29E., 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 25th day of August, A.D. 1998.


State Engineer