

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Bruce R. Scott, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from Lake Tahoe, through an intake, pumps and distribution system for quasi-municipal purposes. The point of diversion of water from the source is as follows:

NE¼ NW¼ Section 27, T.14N., R.18E., M.D.B.&M., or at a point from which the NE corner of said Section 27, bears N. 78°20'33" E., a distance of 2,967.4 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:	Elk Trust
Source:	Lake Tahoe
Manner of use:	Quasi-Municipal
Amount of appropriation:	*0.0365 c.f.s., but not to exceed 9.8 acre-feet annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	**Prior to 1870

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

Water is diverted from Lake Tahoe by means of a 120-foot long, 8-inch diameter intake pipeline, equipped with 3 pumps, being a 5 H.P. Aurora pump, a 15 H.P. Aurora pump, and a 30 H.P. Aurora pump, and totalizing meter, thence through a distribution system to one associated single family residence, one guest cottage, one caretaker's residence, and landscaping located within portions of the SW¼ NE¼, NW¼ NE¼, NE¼ NW¼ Section 27, T.14N., R.18E., M.D.B.&M., being further described as Douglas County, Nevada, Assessor's Parcel Numbers 1418-27-210-001 and 1418-00-002-003.

*The total combined duty of water under Permit 53770, Certificate 14252; Permit 63443, Certificate 16953; and Permit 64854, Certificate 16954 shall not exceed 15.36 acre-feet annually.

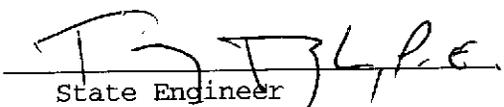
**This certificate changes the point of diversion and place of use of a portion of Permit 45354, which changed the point of diversion, manner and place of use of a portion of Claim V01768, Certificate 337, in the Matter of the Determination of the Relative Rights in and to the Waters of McFaul Creek and its Tributaries, in Douglas County, State of Nevada, Case No. 887, First Judicial District Court of the State of Nevada in and for the County of Douglas, 6th day of October, 1942; therefore, the date of priority remains the same as Claim V01768, Certificate 337.

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, **TRACY TAYLOR, P.E.**, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of April, A.D., 2008.

KEE/gkl


State Engineer