

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Otis W. Tipton III, 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 construction (road construction and maintenance) purposes. The point of diversion of water from the source is as follows:

SE¼ SW¼ Section 11, T.33N., R.56E., M.D.B.&M., or at a point from which the S¼ corner of said Section 11 bears S. 72°36'35" E., a distance of 759.15 feet situated in Elko 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: Elko County
Source: Underground
Manner of use: Construction (Road Construction and Maintenance)
Amount of appropriation: 0.10 c.f.s., but not to exceed 3.10 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: June 20, 2002

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

Water is developed by means of a drilled well, 300 feet deep, 8-inch diameter casing, equipped with a 20 H.P. Grunfos submersible pump and totalizing meter and utilized for road construction and maintenance purposes within the NW¼ NE¼, NE¼ NE¼, NE¼ SE¼, SE¼ SE¼, SW¼ SE¼ Section 3; NW¼ NE¼, SW¼ NE¼, NW¼ SE¼, SW¼ SE¼ Section 10; SE¼ SW¼, SW¼ SE¼, SE¼ SE¼, NE¼ SE¼ Section 11; NW¼ SW¼, NE¼ SW¼, NW¼ SE¼, NE¼ SE¼ Section 12; NW¼ NE¼, SW¼ NE¼, NW¼ SE¼, NE¼ SW¼ Section 15; All in T.33N., R.56E., M.D.B. & M.
NW¼ SW¼, SW¼ SW¼, SE¼ SW¼, SW¼ SE¼, SE¼ SE¼ Section 1; SW¼ SW¼, SE¼ SW¼, NE¼ SW¼, NW¼ SE¼, NE¼ SE¼ Section 2; SE¼ SE¼ Section 3; NW¼ SW¼, NE¼ SW¼, SE¼ NW¼, SW¼ NE¼, SE¼ NE¼ Section 7; SW¼ NW¼, SE¼ NW¼, SW¼ NE¼, NW¼ SE¼, NE¼ SE¼ Section 8; NW¼ SW¼, NE¼ SW¼, NW¼ SE¼, SW¼ NE¼, SE¼ NE¼, SE¼ SW¼, SW¼ SE¼, SE¼ SE¼ Section 9; SW¼ NW¼, SE¼ NW¼, SW¼ NE¼, SE¼ NE¼, NE¼ NE¼, SW¼ SW¼ Section 10; NW¼ NE¼, NE¼ NE¼, NE¼ SE¼, SE¼ SE¼ Section 12; NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ SE¼, NE¼ SE¼, SW¼ SE¼ Section 13; SW¼ SE¼, SE¼ SW¼, SW¼ SW¼, NW¼ SW¼ Section 14; NE¼ SE¼, NW¼ SE¼, SW¼ NE¼, SE¼ NW¼, NE¼ NW¼, NW¼ NW¼ Section 15; NE¼ NE¼, NW¼ NE¼ Section 23; NW¼ NW¼, SW¼ NW¼, SE¼ NW¼, NW¼ NE¼, SW¼ NE¼, SE¼ NE¼, NE¼ SE¼, SE¼ SE¼ Section 24; All in T.33N., R.57E., M.D.B. & M.
SE¼ SE¼ Section 13; NW¼ NE¼, NE¼ NE¼, SW¼ NE¼, SE¼ NW¼, NW¼ SW¼, NE¼ SW¼, SW¼ SW¼ Section 24; NW¼ NW¼ Section 25; NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ SE¼, SE¼, SW¼ SE¼, NE¼ SW¼, SE¼ SW¼ Section 26; SE¼ SE¼ Section 34; NW¼ NW¼, NE¼ NW¼, SE¼ NW¼, SW¼ NW¼, NW¼ SW¼, SW¼ SW¼ Section 35; All in T.34N., R.56E., M.D.B. & M.
NE¼ NW¼, NW¼ NW¼ Section 3; SW¼ NE¼, NE¼ NE¼, SE¼ NE¼, SE¼ NW¼, NE¼ SW¼, SE¼ SW¼, SW¼ SW¼ Section 4; NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ SE¼, NE¼ SW¼, SE¼ SW¼, SW¼ SW¼ Section 8; NW¼ NW¼ Section 9; NW¼ NW¼ Section 17; NE¼ NE¼, SE¼ NE¼, SW¼ NE¼, NW¼ SE¼, NE¼ SW¼, SE¼ SW¼, SW¼ SW¼ Section 18; All in T.34N., R.57E., M.D.B. & M.

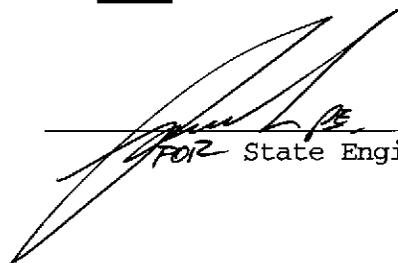
Continued..
Permit 68909

**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 6th day of March, A.D., 2009.

SNC/gkl

  
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FOR State Engineer