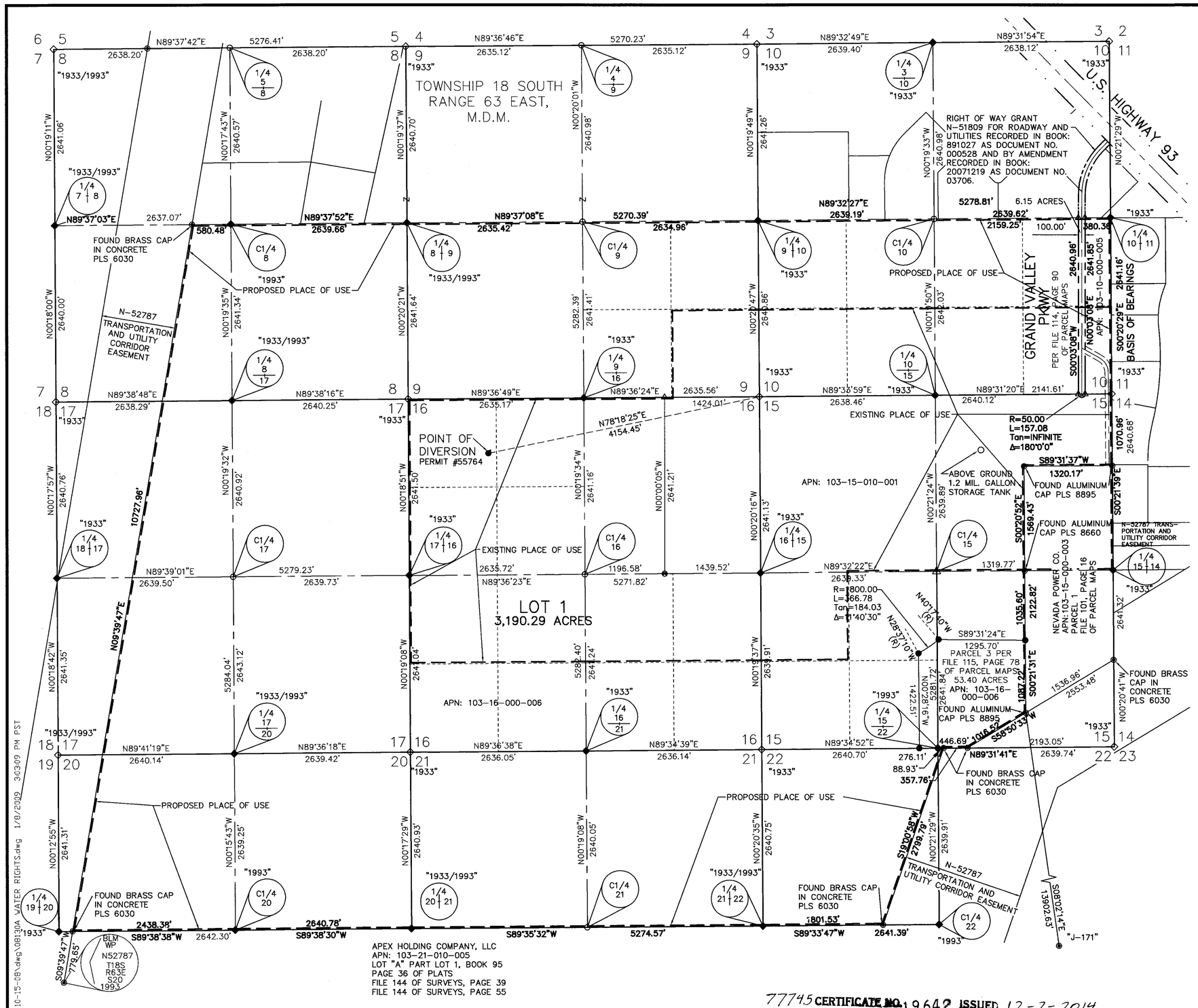

WATER RIGHTS SURVEYOR'S AFFIDAVIT

STATE OF NEVADA }
COUNTY OF CLARK } SS

I, MARK D. HERZIG, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT THIS MAP CONSISTING OF ONE (1) SHEET, NUMBERED FROM 1 TO 1, INCLUSIVE, HAS BEEN CORRECTLY DRAWN TO THE DESIGNATED SCALE FROM FIELD NOTES MADE BY ME, OR UNDER MY SUPERVISION AND DIRECTION ON THE 23th DAY OF DECEMBER, 2008; THAT IT TRULY AND CORRECTLY REPRESENTS THE PROPOSED LOCATION AND EXTENT OF THE WORKS USED TO DIVERT WATER FROM THE GARNET VALLEY BASIN IN CLARK COUNTY BY KAPEX, LLC, A NEVADA LIMITED LIABILITY COMPANY, FOR COMMERCIAL PURPOSES. THAT THE PROPOSED POINT OF DIVERSION AND THE BOUNDARY OF ALL LANDS ARE FULLY AND CORRECTLY THEREON.

MARK D. HERZIG, P.L.S. 18982
STATE WATER RIGHTS SURVEYOR, CERTIFICATE NO. 1220

PROFESSIONAL LAND SURVEYOR STATE OF NEVADA MARK D. HERZIG Exp. 6-30-11 No. 18982

01-08-09

SUBSCRIBED AND SWORN TO BEFORE ME, KIM M. WEBB, THIS 8th DAY OF JANUARY, 2009.

KIM M. WEBB, NOTARY PUBLIC IN AND FOR SAID CLARK COUNTY, NEVADA

MY APPOINTMENT EXPIRES ON THE 12th DAY OF APRIL, 2009.

BASIS OF BEARINGS:

NORTH 00°20'29" EAST, BEING THE THE EAST LINE OF THE SOUTHEAST QUARTER (SE1/4) OF SECTION 10, TOWNSHIP 18 SOUTH, RANGE 63 EAST, M.D.M., CITY OF NORTH LAS VEGAS, CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN MAP RECORDED IN FILE 114, PAGE 90 OF PARCEL MAPS, CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA.

NOTES:

1) ALL DISTANCES SHOWN ARE GROUND VALUES.

2) THE EXISTING PLACE OF USE CONTAINS 1,039.42 ACRES
THE PROPOSED PLACE OF USE CONTAINS 3,243.69 ACRES

LEGEND

- = EXISTING OR PROPOSED PLACE OF USE
- = SECTION LINE
- = QUARTER SECTION LINE
- = BOUNDARY LINE
- = RIGHT-OF-WAY
- B.L.M. = BUREAU OF LAND MANAGEMENT
- U.S.G.L.O. = UNITED STATES GOVERNMENT LAND OFFICE
- (R) = RADIAL BEARING
- ◆◇ FOUND UNITED STATES GENERAL LAND OFFICE MONUMENT AS NOTED
- △ FOUND 5/8" REBAR WITH ALUMINUM CAP STAMPED "F.W. ORBAN PLS 4541" PER FILE 114, PAGE 90 OF PARCEL MAPS
- FOUND NAIL AND BRASS TAG "PLS 4541"
- ○ NO POINT FOUND OR SET
- FOUND REBAR AND ALUMINUM CAP AS NOTED
- ● FOUND 5/8" REBAR WITH ALUMINUM CAP STAMPED "M.D. HERZIG PLS 18982" PER FILE 115, PAGE 78 OF PARCEL MAPS
- APN ASSESSOR'S PARCEL NUMBER

77745 CERTIFICATE NO. 19642 ISSUED 12-2-2014

STATE ENGINEER'S USE

RBL
1-9-2009
The label on the POD should be 55674 Not 55764

FILED JAN 09 2009 STATE ENGINEER'S OFFICE

2009 JAN -9 AM 10:37

MAP TO ACCOMPANY AN APPLICATION TO CHANGE THE PLACE OF USE UNDER PERMIT NO. 55674 CERTIFICATE NO. 16705

FOR: COMMERCIAL PURPOSES
BY: KAPEX, LLC
FROM: AN UNDERGROUND SOURCE
IN: CLARK COUNTY, NEVADA

G:\00Survey\08130A KAPEX PH 2 TM FM 10-15-08\dwg\08130A WATER RIGHTS.dwg 1/8/2009 3:03:09 PM PST

83490 77745