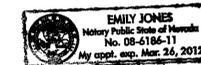


SURVEYOR'S AFFIDAVIT

I, Lenard D. Smith, being first duly sworn, depose and say that this map, consisting of one sheet has been correctly drawn to the designated scale from field notes of a survey made by me, or under my direct supervision and direction, on September 4, 2009; that it truly and correctly represents the proposed location and extent of the works used to divert water from underground, in Lincoln County, Nevada, by William S. Herring and Monaseeta E. Herring for irrigation and domestic purposes under Permit No. 26638, Certificate No. 9368. That the proposed point of diversion, the location, size of the diverting channel or other conduit, location and description of all measuring devices, the location and extent of lands owned or controlled by the applicant upon which water applied for under Permit No. 26638 is used, together with the area and kind of culture in each 40 acre subdivision, and the location and names of all other works or streams which are crossed by or connected with said works are fully and correctly designated thereon.

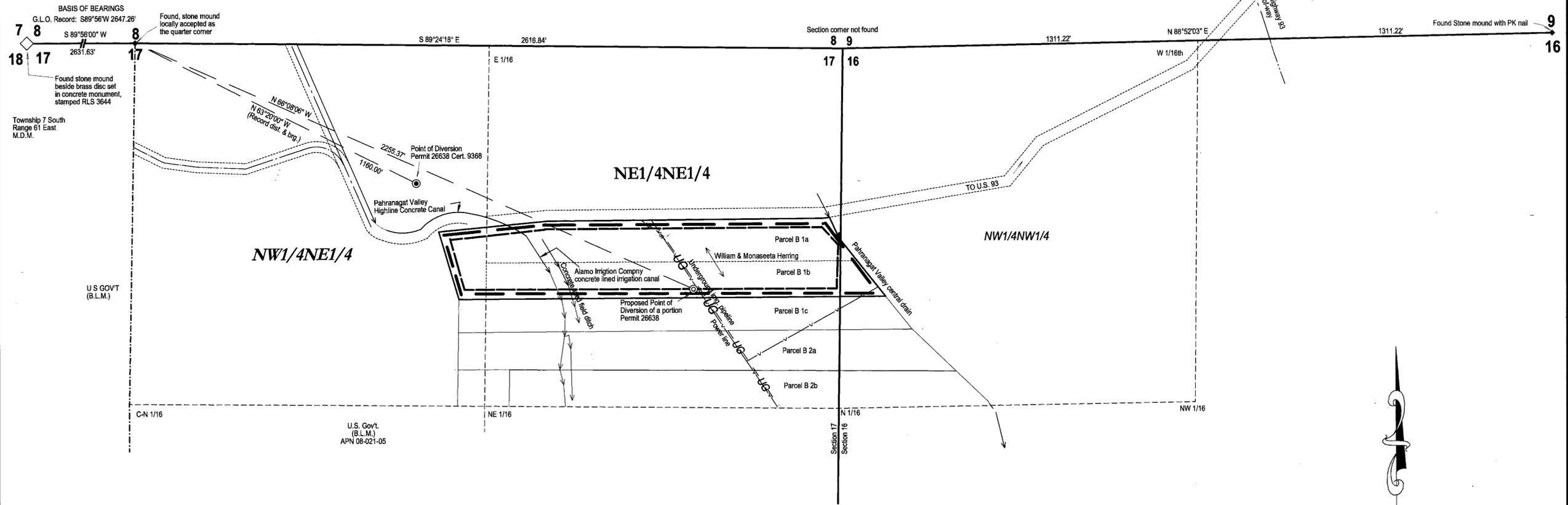
Lenard D. Smith
Lenard D. Smith PLS, WRS 1033

Subscribed and sworn to Before me
this 16th day of December, 2009
Emily Jones
Notary Public in and for Lincoln County, Nevada
My commission expires Mar. 26, 2012



LEGEND

- Section line
- - - Quarter section line
- - - Sixteenth line
- - - Power Line
- UG - Existing underground water line
- - - Proposed area to strip portion of Permit 26638, Cert. 9368
- - - Proposed Place of use Portion of Permit 26638, Cert. 9368



Lenard Smith Survey
509 Main Street
P.O. Box 443
Caliente, Nevada 89008
Phone/Fax 775 726 3365
Cell Phone 775 962 1196

BASIS OF BEARINGS
The Basis of Bearing is the north line of the northwest quarter of Section 17, T. 7 S., R. 61 E., M.D.M. as given in the General Land Office Survey notes as S 89°56' W

FOR STATE ENGINEER'S USE
1-17-2010
Acres being changed under P.26638 C. 9368
NW 1/4, NE 1/4, Section 17 0.83 acres
NE 1/4, NE 1/4, Section 17 8.35 acres
9.38 water righted acres
See FAX from Lenard Smith dated 1-17-2010 in file

79196-T 79197

FILED
JAN 19 2010
STATE ENGINEER'S OFFICE

Map
To Accompany Application to Change the Point of Diversion and place of use of a Portion under Permit 26638, Cert. 9368
For Irrigation and domestic
By William S. and Monaseeta E. Herring
From Underground
In Lincoln County, Nevada

79197 79196 T