Application No. 50264 Certificate Record No. 12485 Book 42 Page 12485

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Duane V. Merrill, 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 Irrigation purposes. The point of diversion of water from the source is as follows: NW¼ SE¼ Section 14, T.31N., R. 59 E., M.D.B.&M. or at a point from which the SW corner of said Section 14 bears S 64° 29' 04" W., a distance of 3077.88 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 Walter J. and Brenda S. Gardner

Post-office address Wells, Nevada

Amount of appropriation 4.077 c.f.s. but not to exceed 1272.08 acre-feet per annum

Period of use, from January 1st to December 31st of each year

*Date of priority of appropriation August 24, 1981

Description of land to which the water is appurtenant:

0.02	acres in the	SW¼ NW¼ of Section 13, T.31N., R.59E., M.D.B.&M.				
1.27	"	SW¼ SW¼	"	"	"	"
7.36	"	NW¼ SW¼	"	"	"	"
10.65	"	SW¼ NW¼ of Section 14,		"	"	"
26.47	"	SE¼ NW¼	"	"	"	"
7.76	"	SW¼ NE¼	"	"	"	"
12.55	"	SE¼ NE¼	"	"	"	"
23.62	"	NW¼ SW¼	"	"	"	"
40.00	"	NE¼ SW¼	"	"	"	"
36.61	"	NW¼ SE¼	"	"	"	"
40.00	"	NE¼ SE¼	"	"	"	"
2.28	"	SW¼ SW¼	"	"	"	"
29.43	"	SE¼ SW¼	"	"	"	"
40.00	"	SW¼ SE¼	"	"	"	"
40.00	"	SE¼ SE¼	"	"	"	"
318.02	acres total					

This Certificate and any certificate issued under Permit 50263 shall be limited to a combined diversion rate of 4.077 c.f.s. and a total combined annual duty of 1272.08 acre-feet.

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, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10TH day of JULY A.D. 19 90

Compared

Recorded Bk. Page

County Records.

State Engineer

1923

* This Certificate changes the point of diversion and place of use of Permit 49280 which changed the point of diversion of Permit 47486 which changed the point of diversion and place of use of Permit 44341 therefore the date of priority remains the same as Permit 44341.

This Certificate is issued subject to the terms of the Permit and with the understanding that the total duty of water shall not exceed 4.0 acre-feet per acre per annum from any/or all sources.