Application No. 44536 Certificate Record No. 12490 Book 42 Page 12490

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Bruce L. Rice, 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 and Domestic purposes. The point of diversion of water from the source is as follows: Lot 1 (SW¼ SW¼) Section 26, T.3S., R.35E., M.D.B.&M., or at a point from which the S¼ corner of said Section 26 bears S. 71°04' E., a distance of 1644.9 feet.

situated in Esmeralda 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 Roy C. and Mary Annah Smith

Post-office address Perris, California

Amount of appropriation 0.572 c.f.s., but not to exceed 169.5 ac-ft annually

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

*Date of priority of appropriation December 13, 1976

Description of land to which the water is appurtenant:

SECTION	SUBDIVISION	TOWNSHIP	RANGE	ACRES
Sec 23	NW¼SE¼	3 S	35 E., M.D.B.&M.	1.3
Sec 23	SW¼SE¼	3 S	35 E., M.D.B.&M.	32.1
Sec 23	SE¼SE¼	3 S	35 E., M.D.B.&M.	5
Sec 23	SE¼SW¼	3 S	35 E., M.D.B.&M.	10.0
Sec 26	W½ E½	3 S	35 E., M.D.B.&M.	160.0
Sec 26	E½ NW¼	3 S	35 E., M.D.B.&M.	80.0
Sec 26	NE¼SW¼	3 S	35 E., M.D.B.&M.	40.0
Sec 26	NE¼NE¼	3 S	35 E., M.D.B.&M.	11.0
Sec 26	SE¼NE¼	3 S	35 E., M.D.B.&M.	22.0
Sec 26	NE¼SE¼	3 S	35 E., M.D.B.&M.	31.0
Sec 26	SE¼SE¼	3 S	35 E., M.D.B.&M.	38.0
Sec 26	SE¼SW¼	3 S	35 E., M.D.B.&M.	38.0
Sec 35	NE¼NE¼	3 S	35 E., M.D.B.&M.	40.0
Sec 35	NW¼NE¼	3 S	35 E., M.D.B.&M.	37.3
Sec 35	NE¼NW¼	3 S	35 E., M.D.B.&M.	12.0
Sec 35	SW¼NE¼	3 S	35 E., M.D.B.&M.	9.0
Sec 35	SE¼NE¼	3 S	35 E., M.D.B.&M.	36.4
Sec 36	NW¼NW¼	3 S	35 E., M.D.B.&M.	6.6
Sec 36	SW¼NW¼	3 S	35 E., M.D.B.&M.	13.2
				618.4 acres total

(CONTINUED ON PAGE TWO)

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, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13TH day of AUGUST, A.D. 1990

Compared bk/vjw

Recorded ..... Bk. ..... Page .....

..... County Records.

State Engineer

1923

*This Certificate changes the point of diversion and place of use of a portion of Permit 30919, therefore the date of priority remains the same as Permit 30919.

This Certificate is issued subject to the terms of the permit, and the conditions imposed in the McAffee Decree. The total combined duty of water under this Certificate and any certificates issued under Permits 44537, 44538 and 44539 shall not exceed 3092 acre-feet annually and shall not exceed 5.0 acre-feet per acre per annum from any and/or all sources.

The total combined diversion rate of Permits 44536, 44537 and 44538 shall not exceed 5.3 c.f.s.