

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Richard W. Forman, 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:

SE¼ NW¼ Section 31, T.12N., R.62E., M.D.B.&M., or at a point from which the SW corner of said Section 31 bears S. 24° 12' 48" W., a distance of 4,311.16 feet situated in White Pine 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: Milton Gardner
Source: Underground
Manner of Use: Irrigation and Domestic
Amount of appropriation: 1.0 c.f.s., but not to exceed 234.73 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: March 18, 1985

Description of land to which the water is appurtenant:

18.147 acres in the SE¼ NW¼ Section 31, T.12N., R.62E., M.D.B.&M.
20.659 acres in the NE¼ SW¼ Section 31, T.12N., R.62E., M.D.B.&M.
19.876 acres in the SE¼ SW¼ Section 31, T.12N., R.62E., M.D.B.&M.
58.682 Acres Total

The total combined rate of diversion granted under this certificate and Permit 10646, Certificate 4096 is limited to 1.58 c.f.s.

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.

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 7th day of FEBRUARY, A.D. 19 94.

[Signature]
State Engineer