

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Charles P. Frey, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from the Truckee River and Carson River through a reservoir, "A" Line Canal and ditches for As Decreed purposes. The point of diversion of water from the source is as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T.19N., R.26E., M.D.B.&M.,
situated in Churchill 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: Frey Ranch Partnership
Source: Truckee River and Carson River
Manner of Use: As Decreed
Amount of appropriation: As Decreed but not to exceed
58.80 acre-feet as decreed
Period of use: As Decreed
Date of priority of appropriation: **As Decreed

Description of land to which the water is appurtenant:

*8.40 Acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T.17N., R.29E., M.D.B.&M.
8.40 Acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, T.17N., R.29E., M.D.B.&M.
16.80 Acres Total

*This certificate moves 8.40 acres of vested water rights from the SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 8.40 acres of applied water rights from the SW $\frac{1}{4}$ SW $\frac{1}{4}$ to the SE $\frac{1}{4}$ SW $\frac{1}{4}$ in Section 5, T.17N., R.29E., M.D.B.&M.

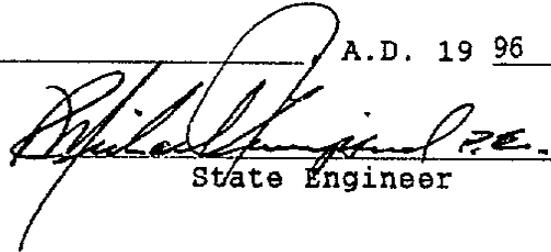
**This certificate changes the place of use of a portion of United States of America vs. Orr Ditch Company in Equity No. A-3 (D. Nevada 1944) Claim No. 3 and a portion of United States vs. Alpine Land & Reservoir Company, Civil No. D-183 BRT (D. Nevada 1980) vested rights acquired by contract, therefore, the date of priority remains the same as Claim 3 and of the vested rights.

This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water shall not exceed 3.5 acre-feet per acre per season as decreed 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.

continued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, State
Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 18th day of MARCH, A.D. 19 96.


State Engineer

cmg/sb