

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Patricia J. Fiedler, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Fairbank's Spring, through a Parshall flume for Wildlife purposes. The point of diversion of water from the source is as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9, T.17S., R.50E., M.D.B.&M., or at a point from which the E $\frac{1}{4}$ corner of said Section 9 bears S.42°48'07"E., a distance of 746.39 feet situated in Nye 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:	U.S. Fish and Wildlife Service
Source:	Fairbank's Spring
Manner of Use:	Wildlife
Amount of appropriation:	*0.1933 c.f.s., but not to exceed 140.00 acre-feet annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	**October 8, 1923

Description of the works of diversion, manner and place of use:

The water is diverted from a natural spring through a nine inch wide Parshall flume to water-based habitats (wetlands, springs, seeps, and ponds) within the Ash Meadows National Wildlife Refuge for Wildlife purposes located within the following:

Lots 7 & 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9; S $\frac{1}{2}$, Section 10; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12; All of Sections 15 & 16; E $\frac{1}{2}$ E $\frac{1}{2}$, Section 17; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19; E $\frac{1}{2}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 20; All of Sections 21 & 22; Lots 3 & 4, W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 23; S $\frac{1}{2}$ Section 26; All of Sections 27, 28 & 29; E $\frac{1}{2}$ E $\frac{1}{2}$ Section 30; E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, Section 32; All of Sections 33, 34 & 35; W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 36; T.17S., R.50E., M.D.B.&M.

Lot 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31; S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 32; T.17S., R.51E., M.D.B.&M.

All of Sections 1, 2, 3 & 4; E $\frac{1}{2}$, NW $\frac{1}{4}$, Section 9; All of Sections 10, 11, 12, 13, 14, & 15; E $\frac{1}{2}$ E $\frac{1}{2}$, Section 16; All of Sections 23 & 24; N $\frac{1}{2}$, Section 25; NE $\frac{1}{4}$, Section 26; T.18S., R.50E., M.D.B.&M.

All of Sections 5, 6, 7 & 8; W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, Section 17; All of Sections 18 & 19; W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$, Section 20; W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ Section 29; and N $\frac{1}{2}$ Section 30; T.18S., R.51E., M.D.B.&M.

*The total combined rate of diversion and duty of water under this certificate and any certificate issued under Permits 53607, 53609 and 53610 shall not exceed 4.01 c.f.s. and 2,903.12 acre-feet annually, respectively.

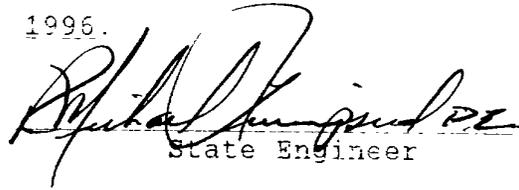
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**This certificate changes the point of diversion, place of use and manner of use of Permit 6983 Certificate 1653, therefore, the date of priority remains the same as Permit 6983 Certificate 1653.

This certificate is issued subject to the terms of the permit.

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 18th day of June, A.D. 1996.


State Engineer

cms/sb