

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Henry L. & Bertie W. Berg, Permittees have 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:

SW~~X~~ NE~~X~~ Section 28, T.14N., R.43E., M.D.B.&M., or at a point from which the N~~X~~ corner of said Section 28 bears N. 01° 20' 19" W., a distance of 1,371.78 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: Henry L. Berg and Bertie W. Berg
 Source: Underground
 Manner of Use: Irrigation
 Amount of appropriation: *0.738 c.f.s., but not to exceed 179.07 acre-feet per season
 Period of use: May 1st to August 31st of each year
 Date of priority of appropriation: December 19, 1979

Description of land to which the water is appurtenant:

SUPPLEMENTAL ACREAGE

| PERMIT | PLACE OF USE | | | | | PERMIT |
|--------|-----------------|-----|---------|-----|-------|--------|
| 40007 | PERMIT | | 40007 | | 16848 | |
| | SUBD | | TWP RGE | | CERT. | |
| ACRES | 1/4 | 1/4 | SEC | (N) | (E) | 4667 |
| 2.00 | SW | NE | 28 | 14 | 43 | |
| 4.00 | SE | NE | 28 | 14 | 43 | |
| 21.00 | NW | SE | 28 | 14 | 43 | 19.41 |
| 20.00 | NE | SE | 28 | 14 | 43 | |
| 47.00 | ← TOTAL ACRES → | | | | | 19.41 |

This certificate is issued supplemental to Proof 05777.

*The total combined duty of water under this certificate and Permit 16847, Certificate 4666; Permit 16848, Certificate 4667 and any certificate issued under Permit 61473 shall not exceed 351.68 acre-feet annually.

*The total combined rate of diversion and duty of water under this certificate and any certificate issued under Permit 61473 shall not exceed 1.34 c.f.s. and 326.14 acre-feet per season, respectively.

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 25th day of NOVEMBER, A.D. 19 96.


State Engineer

bk/sb