

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:

SW¼ NE¼ Section 28, T.14N., R.43E., M.D.B.&M., or at a point from which the NE¼ 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. & Bertie W. Berg
Source:	Underground
Manner of Use:	Irrigation
Amount of appropriation:	*0.602 c.f.s., but not to exceed 147.07 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:

11.50 acres in the NE¼ NW¼ Section 33, T.14N., R.43E., M.D.B.&M.
 22.00 acres in the NW¼ NE¼ Section 33, T.14N., R.43E., M.D.B.&M.
5.10 acres in the SW¼ NE¼ Section 33, T.14N., R.43E., M.D.B.&M.
 38.60 Acres Total

*The total combined duty of water under this certificate and Permit 16847, Certificate 4666; Permit 16848, Certificate 4667 and any certificate issued under Permit 40007 shall not exceed 351.68 acre-feet annually.

*The total rate of diversion and duty of water under this certificate and any certificate issued under Permit 40007 shall not exceed 1.34 c.f.s. and 326.14 acre-feet per season, respectively.

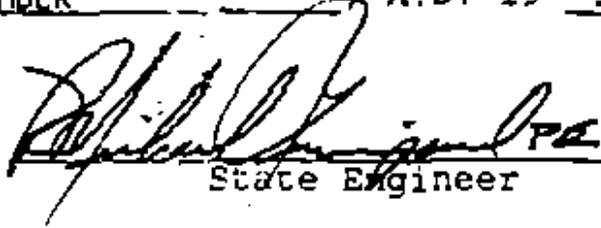
*This certificate is issued supplemental to Proofs 02422 and 05777.

**This certificate changes the place of use of a portion of Permit 40007, therefore, the date of priority remains the same as Permit 40007.

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