

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Patricia Fiedler, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Crystal Spring through a natural channel, dams and reservoirs for wildlife (storage) purposes. The point of diversion of water from the source is as follows:

SE 1/4 NE 1/4 Section 3, T.18S., R.50E., M.D.B.&M., or at a point from which the NE corner of said Section 3 bears N. 26°41'14" E., a distance of 1,892.0 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: Crystal Spring
Manner of Use: Wildlife (storage)
Amount of appropriation: *6.53 c.f.s., 170.0 acre feet storage per annum
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: **July 20, 1979

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

Water is diverted from Crystal Spring by means of a natural channel to Upper Crystal Marsh and Lower Crystal Marsh, which are impounded behind earth filled dams (J-476 and J-477) having surface areas of 20 acres and 140 acres, respectively, for wildlife purposes. Upper Crystal Marsh is located within the SE 1/4 of Section 4, and the NE 1/4 of section 9, T.18S., R.50E., M.D.B.&M., and Lower Crystal Marsh is located within the SE 1/4 of Section 9, and SW 1/4 of Section 10, T.18S., R.50E., M.D.B.&M., within the Ash Meadows National Wildlife Refuge.

*The total combined rate of diversion under any certificates issued under Permits 53623, 53624, and 53625 is limited to 6.53 c.f.s.

**This certificate changes the point of diversion, place of use, and manner of use of Permit 38631, therefore, the date of priority remains the same as Permit 38631.

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 20th day of June, A.D. 1997.

cms/sb

[Signature]
State Engineer