

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, William A. Nisbet, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (Rachel Pivot) through a drilled well, pump, and sprinkler system for irrigation purposes. The point of diversion of water from the source is as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 2, T.4S., R.55E., M.D.B.&M., or at a point from which the NE corner of Section 35, T.3S., R.55E., M.D.B.&M., bears N. 11°55'26" E., a distance of 6,890.26 feet situated in Lincoln 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: R. Dirk Agee and Marta S. Agee
Source: Underground (Rachel Pivot)
Manner of Use: Irrigation
Amount of appropriation: 1.0 c.f.s., but not to exceed 157.10 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *April 5, 1977

Description of land to which the water is appurtenant:

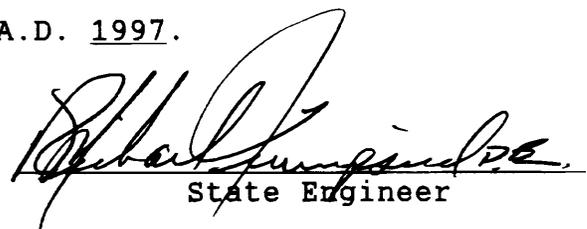
31.42 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) Sec. 2, T.4S., R.55E., M.D.B.&M.

*This certificate changes the place of use of Permit 49217, Certificate 12241, which changed the point of diversion of a portion of Permit 45085, which changed the point of diversion and place of use of a portion of Permit 31281, therefore, the date of priority remains the same as Permit 31281.

This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water shall not exceed 5.0 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 24th day of October, A.D. 1997.


State Engineer