

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Gary Garms, Permittee has 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 and domestic purposes. The point of diversion of water from the source is as follows:

NE¼ NW¼ Section 33, T.11N., R.24E., M.D.B.&M., or at a point from which the N¼ corner of said Section 33 bears N. 40°43'33" E., a distance of 1,641.67 feet situated in Lyon 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: Gary and Toni Garms
Source: Underground
Manner of Use: Irrigation and Domestic
Amount of appropriation: 2.182 c.f.s., but not to exceed 636.0 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *September 12, 1969

Description of land to which the water is appurtenant:

36.39 acres in the SE¼ NW¼ of Sec. 28, T.11N., R.24E., M.D.B.&M.
35.98 acres in the NE¼ SW¼ of Sec. 28, T.11N., R.24E., M.D.B.&M.
33.94 acres in the SE¼ SW¼ of Sec. 28, T.11N., R.24E., M.D.B.&M.
35.715 acres in the NE¼ NW¼ of Sec. 33, T.11N., R.24E., M.D.B.&M.
16.975 acres in the SE¼ NW¼ of Sec. 33, T.11N., R.24E., M.D.B.&M.
159.000 acres total.

*This certificate changes the point of diversion and place of use of Permit 25279, Certificate 8423, therefore, the date of priority remains the same as Permit 25279, Certificate 8423.

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 16th day of December, A.D. 1997.

[Signature]
State Engineer