

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Michael Fitzmaurice, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from unnamed springs through natural channels and a parshall flume for wildlife (instream flow) purposes. The point of diversion of water from the source is as follows:

SE¼ SE¼ Section 16, T.14S., R.65E., M.D.B.&M., or at a point from which the SE corner of said Section 16 bears S. 78°40'00" E., a distance of 542.0 feet situated in Clark 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: Unnamed Springs
Manner of Use: Wildlife (instream flow)
Amount of appropriation: 3.50 c.f.s. (non-consumptive)
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: August 15, 1991

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

Water is diverted from 15 springs and seeps which flow into a common channel and thence through a one foot parshall flume located at the boundary of the refuge. The non-consumptive in situ flow is used to maintain habitats for the Moapa dace (Moapa coriacea) and other wildlife species. The place of use is within the Moapa National Wildlife Refuge located in the NE¼ NE¼ Section 21 and the SE¼ SE¼ Section 16, T.14S., R.65E., M.D.B.&M.

This certificate is further issued with the understanding that it will not in any way affect the prior right under Permit 26317, which is diverted for consumptive purposes at the same point of diversion.

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 5th day of January, A.D. 1999.

[Handwritten signature of R. Michael Turnipseed]
State Engineer