

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, John H. Milton III, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from the Humboldt River through Pitt Dam, Union Canal, and Lakeshore Ditch for irrigation purposes. The point of diversion of water from the source is as follows

Union Canal located in the NE¼ SE¼ Section 6, T.27N , R 32E., M.D.B.&M , situated in Pershing 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               | Warren Fisk   |
| Source.                            | Humboldt River  |
| Manner of Use:                     | Irrigation  |
| Amount of appropriation.           | 0 081 c.f.s , but not to exceed 30.0 acre-feet per season |
| Period of use.                     | March 15th to September 15th of each year                 |
| Date of priority of appropriation. | *1914   |

Description of land to which the water is appurtenant

10 0 acres in the NW¼ NE¼ of Section 31, T 26N , R.31E , M.D B &M

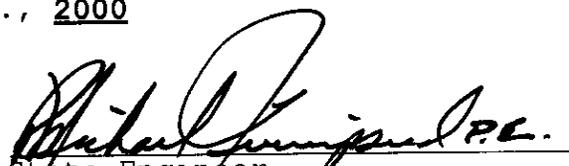
Note Water can also be delivered by way of Rodgers Dam and Union Rodgers Canal to Lakeshore Ditch

\*This certificate changes the point of diversion and place of use of a portion of Claim 00701, In the Matter of the Determination of the Relative Rights of the Waters of the Humboldt River Stream System and Tributaries, Case No. 2804, Sixth Judicial District Court of Nevada, In and for the County of Humboldt, 1923 - 1938; therefore, the date of priority remains the same as Claim 00701.

This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water shall not exceed 3 0 acre-feet per acre per season from any and/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 13th day of April, A.D., 2000

  
 State Engineer