

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Dwight L. Smith, Agent 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 purposes. The point of diversion of water from the source is as follows:

NW¼ SW¼ Section 31, T.3S., R.55E , M D.B &M or at a point from which the W¼ corner of said Section 31 bears N 22°06'30" W , a distance of 427.05 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. Penoyer Farms, Ltd
Source: Underground
Manner of Use: Irrigation
Amount of appropriation: 4.20 c f. s. , but not to exceed 1,250 0 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *February 22, 1961

Description of land to which the water is appurtenant

- 30 8 acres in the NW¼ NW¼ of Section 31, T.3S., R 55E , M D.B &M.
31.7 acres in the NE¼ NW¼ of Section 31, T 3S., R 55E., M D B.&M
31 7 acres in the SW¼ NW¼ of Section 31, T.3S., R 55E , M D B.&M.
30.8 acres in the SE¼ NW¼ of Section 31, T.3S , R 55E., M D B.&M.
30.5 acres in the NW¼ SW¼ of Section 31, T 3S , R.55E., M D.B.&M
32.0 acres in the NE¼ SW¼ of Section 31, T 3S , R.55E., M D B.&M.
32.0 acres in the SW¼ SW¼ of Section 31, T 3S., R.55E., M.D.B.&M.
30.5 acres in the SE¼ SW¼ of Section 31, T.3S , R 55E., M D.B.&M
250.0 acres total

*This certificate changes the point of diversion and place of use of a portion of Permit 23457, which changed the point of diversion of Permit 19591, therefore, the date of priority remains the same as Permit 19151

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 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 12th day of May, A.D., 2000.

[Handwritten signature of R. Michael Turnipseed, P.E.]
State Engineer