

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Richard W. Arden, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (Well #5), 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:

SW¼ SW¼ Section 29, T.3S., R.55E., M.D.B.&M., or at a point from which the W¼ corner of said Section 29 bears N.15°50'00"W., a distance of 2,690.0 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 (Well #5)
Manner of Use: Irrigation and Domestic
Amount of appropriation: *2.10 c.f.s., but not to exceed 680.0 acre-feet annually.
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: **February 13, 1964

Description of the land to which the water is appurtenant:

- 8.5 acres in the NE¼ NW¼ of Section 29, T.3S., R.55E., M.D.B.&M.
2.5 acres in the SE¼ NW¼ of Section 29, T.3S., R.55E., M.D.B.&M.
31.4 acres in the NW¼ SW¼ of Section 29, T.3S., R.55E., M.D.B.&M.
31.1 acres in the NE¼ SW¼ of Section 29, T.3S., R.55E., M.D.B.&M.
31.1 acres in the SW¼ SW¼ of Section 29, T.3S., R.55E., M.D.B.&M.
31.4 acres in the SE¼ SW¼ of Section 29, T.3S., R.55E., M.D.B.&M.
136.0 acres total

*The total combined duty of water under this certificate and any certificates issued under Permits 58340 and 58342 shall not exceed 1,250.0 acre-feet annually for the irrigation of 250 acres.

**This certificate changes the point of diversion of Permit 44227, which changed the point of diversion and place of use of a portion of Permit 23709, Certificate 6493, which changed the point of diversion of Permit 21813, therefore, the date of priority remains the same as Permit 21813.

This certificate is issued subject to the terms of the permit 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, HUGH RICCI, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of August, A.D., 2000.

[Signature of Hugh Ricci, P.E.]
State Engineer