THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, William A. Nisbet, Agent, has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (Middle 12-Mile Well), through a drilled well, pump and sprinkler system for irrigation and domestic purposes. The point of diversion of water from the source is as follows:

SW¼ NE¼ Section 1, T.41N., R.68E., M.D.B.&M., or at a point from which the N¼ corner of Section 35, T.42N., R.68E., M.D.B.&M., bears N. 41°15′ W., a distance of 9,450.0 feet situated in Elko 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:	**Walker-Winecup-Gamble, Inc.**
Source:	**Underground (Middle 12-Mile Well)**
Manner of Use:	**Irrigation and Domestic**
Amount of appropriation:	***2.80 c.f.s., but not to exceed 540.0 acre-feet annually**
Period of use:	**January 1st to December 31st of each year**
Date of priority of appropriation:	****December 28, 1978**

Description of land to which the water is appurtenant:

PERMIT 53207	PLACE OF USE					
	SUBD				TWP	RGE
ACRES	1/4	1/4	LOT	SEC	(N)	(E)
15.80	(NW)	(NW)	4	1	41	68
39.20	(NE)	(NW)	3	1	41	68
7.60	SE	NW		1	41	68
26.20	(NW)	(NE)	2	1	41	68
0.90	(NE)	(NE)	1	1	41	68
25.50	SW	NE		1	41	68
33.70	SE	NE		1	41	68
11.80	NE	SE		1	41	68
7.00	(SW)	(NW)	5	6	41	69
35.80	(NW)	(SW)	6	6	41	69
7.60	NE	SW		6	41	69
26.40	(SW)	(SW)	7	6	41	69
28.30	SE	SW		6	41	69
1.20	SW	SE		6	41	69
8.60	(NW)	(NW)	1	7	41	69
22.10	NE	NW		7	41	69
4.30	NW	NE		7	41	69
1.80	NW	SE		35	42	68
36.00	NE	SE		35	42	68
0.40	SW	SE		35	42	68
25.20	SE	SE		35	42	68
16.90	NW	SW		36	42	68
42.80	SW	SW		36	42	68
14.30	SE	SW		36	42	68
0.20	SW	SE		36	42	68
439.60	TOTAL ACRES					

continued ..

***The water under this certificate and any certificates issued under Permits 53206 and 53208 is commingled and shall not exceed 1,758.4 acre-feet annually for the irrigation of 439.6 acres.**

***This certificate and any certificates issued under Permits 53206 and 53208 are totally supplemental to surface rights under Proof's 01866, 01876, and Permit 2964.**

****This certificate changes the place of use and manner of use of Permit 49368, which changed the point of diversion and place of use of a portion of Permit 36369, therefore, the date of priority remains the same as Permit 36369.**

This certificate is issued subject to the terms of the permit with the understanding that the total duty of water shall not exceed 4.0 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, P.E.**, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this **27th** day of **September**, A.D., **2001**.

Hugh Ricci, P.E.
State Engineer

cmf/sb