

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Robert O. Anderson, 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 #2), through a drilled well, pump and sprinkler system for irrigation purposes. The point of diversion of water from the source is as follows:

NW¼ NE¼ Section 31, T.19N., R.27E., M.D.B.&M., or at a point from which the NE corner of said Section 31 bears N. 74°56'17" E., a distance of 2,613.0 feet situated in Churchill 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: Brown Sand, Inc.

Source: Underground (Well #2)

Manner of Use: Irrigation

Amount of appropriation: *0.69 c.f.s., but not to exceed 258.8 acre-feet annually

Period of use: January 1st to December 31st of each year

Date of priority of appropriation: **March 25, 2000

Description of land to which the water is appurtenant:

- 33.2 acres in the SW¼ NW¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 15.5 acres in the SE¼ NW¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 38.8 acres in the SW¼ NE¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 14.4 acres in the NW¼ SW¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 36.1 acres in the NE¼ SW¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 29.1 acres in the SE¼ SW¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 32.1 acres in the NW¼ SE¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 30.3 acres in the SW¼ SE¼ of Section 29, T.19N., R.27E., M.D.B.&M.
 - 24.8 acres in Lot 1 (NW¼ NW¼) of Section 31, T.19N., R.27E., M.D.B.&M.
 - 24.0 acres in the NE¼ NW¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 32.1 acres in Lot 2 (SW¼ NW¼) of Section 31, T.19N., R.27E., M.D.B.&M.
 - 30.2 acres in the SE¼ NW¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 30.6 acres in the NW¼ NE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 28.8 acres in the NE¼ NE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 31.1 acres in the SW¼ NE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 28.4 acres in the SE¼ NE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 28.3 acres in Lot 3 (NW¼ SW¼) of Section 31, T.19N., R.27E., M.D.B.&M.
 - 26.5 acres in the NE¼ SW¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 30.6 acres in Lot 4 (SW¼ SW¼) of Section 31, T.19N., R.27E., M.D.B.&M.
 - 27.7 acres in the SE¼ SW¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 32.3 acres in the NW¼ SE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 30.6 acres in the NE¼ SE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 30.1 acres in the SW¼ SE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
 - 27.5 acres in the SE¼ SE¼ of Section 31, T.19N., R.27E., M.D.B.&M.
- 693.1 acres total

*The water under this certificate and any certificates issued under Permits 60109, 60110, 60114, 60115, 67000, 67001, 67002 and 67003 is commingled and shall not exceed 2,724.10 acre-feet annually for the irrigation of 693.1 acres.

continued

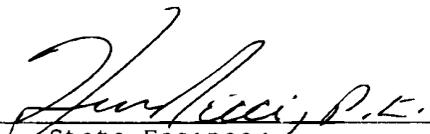
**This certificate changes the point of diversion and place of use of Permit 58595, which changed the point of diversion of Permit 48418, Certificate 12689, which changed the place of use of Permit 47592, which changed the point of diversion and place of use of a portion of Permit 46840, which changed the point of diversion and place of use of a portion of Permit 35794. The date of priority was established in accordance with NRS 533.395 (3) by the cancellation rescission hearing of Permit 60108 on June 2, 2000.

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 17th day of December, A.D., 2001.

cmf/sb


State Engineer