

THE STATE OF NEVADA  
CERTIFICATE OF APPROPRIATION OF WATER

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 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:

SE¼ SE¼ Section 35, T.42N., R.32E., M.D.B.&M., or at a point from which the SE corner of said Section 35 bears S. 87°33'43" E., a distance of 1,291.50 feet situated in Humboldt 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: Happy Creek, Inc.  
Source: Underground  
Manner of Use: Irrigation  
Amount of appropriation: \*2.339 c.f.s., but not to exceed 483.60 acre-feet annually  
Period of use: January 1st to December 31st of each year  
Date of priority of appropriation: \*\*November 6, 1990

Description of the works of diversion, manner and place of use:

Water is developed by means of a drilled well 285 feet deep, 16 inch diameter casing, equipped with a 100 H.P. U.S. motor and Flow Way pump thence through a distribution system for flood and sprinkler irrigation of the following: See Page 2.

\*The total combined duty of water under this certificate and any certificates issued under Permits 60059, 60060, 60061, 60062, 60063, 60065 and 60066 shall not exceed 3,063.60 acre-feet annually for the irrigation of 765.90 acres.

\*\*This certificate changes the place of use of Permit 38957; therefore, the date of priority remains the same as Permit 38957. The date of priority was established in accordance with NRS 533.395 (3) by the cancellation rescission hearing of December 10, 1990.

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 annually 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 25th day of September, A.D., 2003.

*Hugh Ricci, P.E.*  
State Engineer

cmf/snc/jal

PERMIT 60064	PLACE OF USE 60064		SUBDIVISION		SEC	TWP		RGE	PERMIT 60059	PERMIT 60060	PERMIT 60061	PERMIT 60062	PERMIT 60063	PERMIT 60065	PERMIT 60066	PERMIT 3063 CERT. 746	PROOF 01331	
	1/4	1/4	LOT	(N)		(E)												
	(NE)	(NW)	(NW)	(N)		(E)												
39.1	(NE)	(NW)	3	41	1	41	32	39.1	39.1	39.1	39.1	---	39.1	39.1	39.1	3063 CERT.	01331	
36.8	(NW)	(NW)	4	41	1	41	32	36.8	36.8	36.8	36.8	---	36.8	36.8	36.8	27.9		
39.2	SW	NW		41	1	41	32	39.2	39.2	39.2	39.2	---	39.2	39.2	39.2		15.82	
39.6	SE	NW		41	1	41	32	39.6	39.6	39.6	39.6	---	39.6	39.6	39.6			
39.8	NW	SW		41	1	41	32	39.8	39.8	39.8	39.8	---	39.8	39.8	39.8			
37.8	(NE)	(NE)	1	41	2	41	32	37.8	37.8	37.8	37.8	---	37.8	37.8	37.8		6.90	
39.2	SE	NE		41	2	41	32	39.2	39.2	39.2	39.2	---	39.2	39.2	39.2		34.55	
38.4	NE	SE		41	2	41	32	38.4	38.4	38.4	38.4	---	38.4	38.4	38.4		4.61	
39.5	SW	SE		41	2	41	32	39.5	39.5	39.5	39.5	---	39.5	39.5	39.5			
39.8	SE	SE		41	2	41	32	39.8	39.8	39.8	39.8	---	39.8	39.8	39.8			
	SE	SW		42	25	42	32										10.58	
39.5	SE	NE		42	35	42	32	39.5	39.5	39.5	39.5	---	39.5	39.5	39.5			
37.0	NE	SE		42	35	42	32	37.0	37.0	37.0	37.0	---	37.0	37.0	37.0		7.27	
39.2	SE	SE		42	35	42	32	39.2	39.2	39.2	39.2	---	39.2	39.2	39.2		13.63	
21.8	NW	NW		42	36	42	32	21.8	21.8	21.8	21.8	---	21.8	21.8	21.8		10.24	
21.8	NE	NW		42	36	42	32	21.8	21.8	21.8	21.8	---	21.8	21.8	21.8		28.59	
39.5	SW	NW		42	36	42	32	39.5	39.5	39.5	39.5	---	39.5	39.5	39.5		40.00	
36.5	SE	NW		42	36	42	32	36.5	36.5	36.5	36.5	---	36.5	36.5	36.5			
33.3	NW	SW		42	36	42	32	33.3	33.3	33.3	33.3	---	33.3	33.3	33.3		38.50	
39.7	NE	SW		42	36	42	32	39.7	39.7	39.7	39.7	---	39.7	39.7	39.7			
29.2	SW	SW		42	36	42	32	29.2	29.2	29.2	29.2	---	29.2	29.2	29.2	27.3		
39.2	SE	SW		42	36	42	32	39.2	39.2	39.2	39.2	---	39.2	39.2	39.2			
765.9	<--- TOTAL ACRES																	
								765.9	765.9	765.9	765.9	765.9	765.9	765.9	765.9	765.9	55.2	210.69

The acreage to be irrigated under Permit 60062 is to be determined upon the filing of the Proof of Beneficial Use and subsequent issuance of its certificate. See total combined duty terms.