

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Ernest E. Muller, Sr., 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 SE¼ Section 26, T.34N., R.37E., M.D.B.&M., or at a point from which the E¼ corner of said Section 26, bears N. 68°39'E., a distance of 1592.5 feet situated in Pershing 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: N. McCombs Family Trust
Source: Underground
Manner of Use: Irrigation
Amount of appropriation: \*1.190 c.f.s., but not to exceed 414.35 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: \*\*January 17, 1964

Water is developed by means of a drilled well, 240 feet deep, 16-inch diameter casing, equipped with a 100 H.P. Holloshaft motor and Peerless pump, thence through a distribution system for gated pipe irrigation of the following land:

- 25.70 acres in the NE¼ NW¼ of Section 26, T.34N., R.37E., M.D.B.&M.
25.20 acres in the SE¼ NW¼ of Section 26, T.34N., R.37E., M.D.B.&M.
39.10 acres in the NW¼ NE¼ of Section 26, T.34N., R.37E., M.D.B.&M.
34.30 acres in the NE¼ NE¼ of Section 26, T.34N., R.37E., M.D.B.&M.
40.00 acres in the SW¼ NE¼ of Section 26, T.34N., R.37E., M.D.B.&M.
39.60 acres in the SE¼ NE¼ of Section 26, T.34N., R.37E., M.D.B.&M.
11.46 acres in the NE¼ SW¼ of Section 26, T.34N., R.37E., M.D.B.&M.
18.90 acres in the NW¼ SE¼ of Section 26, T.34N., R.37E., M.D.B.&M.
19.80 acres in the NE¼ SE¼ of Section 26, T.34N., R.37E., M.D.B.&M.
254.06 acres total

\*The water under this certificate and Permit 59736, Certificate 16279; Permit 59737, Certificate 16280; Permit 59739, Certificate 16282 and Permit 59740, Certificate 16283 is commingled and the total combined duty shall not exceed 1,016.24 acre-feet annually for the irrigation of 254.06 acres.

\*\*This certificate changes the point of diversion, of a portion of Permit 24593, Certificate 7781, which changed the point of diversion and place of use of Permit 24104, which changed the point of diversion of Permit 21755, therefore, the date of priority remains the same as Permit 21755.

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 9th day of February, A.D., 2004.

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