

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Joe Higbee and Nolan Shumway, Permittees, have presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Murphy Gap Reservoir, a surface source, for stockwater purposes. The point of diversion of water from the source is as follows:

SE¼ SW¼ Section 12, T.1S., R.59E., M.D.B.&M., (unsurveyed) or at a point from which the U.S.G.S. Triangulation Station Mt. Diablo 60, bears N. 68°13'00" E. a distance of 28,500 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: 1979 Higbee Trust and Nolan Shumway

Source: Murphy Gap Reservoir

Manner of Use: Stockwater

Amount of appropriation: 0.0156 c.f.s., or sufficient to water 500 head of cattle

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

Date of priority of appropriation: December 6, 1989

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

Water is impounded in a shallow excavation, fed by three catchment ditches that collect and transmit water to the reservoir, where 500 head of cattle water in the SE¼ SW¼ and SW¼ SE¼ Section 12, and NW¼ NE¼ and NE¼ NW¼ Section 13, all in T.1S., R.59E., M.D.B.&M., being within the South Coal Valley Allotment, Lincoln County, Nevada.

This certificate is issued subject to the terms of the permit.

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 5th day of August, A.D., 2004.

cmf/rel

Hugh Ricci, P.E.
State Engineer