

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Gregory M. Bilyeu, 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 and domestic purposes. The point of diversion of water from the source is as follows:

SE¼ NE¼ Section 28, T.11N., R.24E., M.D.B.&M., or at a point from which the E¼ corner of said Section 28 bears S. 58°44'55" E., a distance of 1094.34 feet, situated in Lyon 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: **The Clemens Family Trust**

Source: **Underground**

Manner of Use: **Irrigation and Domestic**

Amount of appropriation: **0.0111 c.f.s., but not to exceed
8.0 acre-feet annually**

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

Date of priority of
appropriation: ***January 7, 1948**

Description of land to which the water is appurtenant:

Water is developed by means of a drilled well, 360 feet deep, 6 inch casing, equipped with a 5 H.P. submersible pump and used for irrigation of 2.0 acres within the SE¼ NE¼ of Section 28, T.11N., R.24E., M.D.B.&M, being a portion of Lyon County Assessor's Parcel Number 09-121-10.

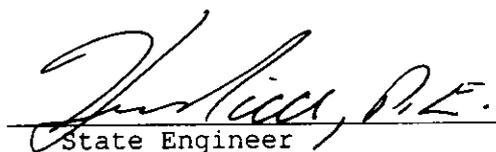
*This certificate changes the point of diversion, place of use, and manner of use of a portion of Permit 12156, Certificate 3397, therefore, the date of priority remains the same as Permit 12156, Certificate 3397.

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

cmf/cb


State Engineer