

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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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 a surface water source (tail water from existing farming operations), through culverts, drainage ditch, reservoir, return pump and distribution system for irrigation purposes. The point of diversion of water from the source is as follows:

NE¹/₄ SE¹/₄ Section 29, T. 43N., R. 37E., M.D.B.&M., or at a point from which the SE corner of said Section 29 bears S. 01°13'00" E., a distance of 1,319.0 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: **McClintick Farms, Inc.**
 Source: **Tail Water**
 Manner of use: **Irrigation**
 Amount of appropriation: **2.0 c.f.s. , but not to exceed 292.4 acre-feet annually**
 Period of use: **January 1st to December 31st of each year**
 Date of priority of appropriation: **June 23, 1994**

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

Tail Water is diverted into two (2) 16-inch diameter by 30-foot long culverts to a tail water ditch and conveyed to a storage reservoir, thence pumped and used for flood irrigation of the following land:

| SUPPLEMENTAL ACREAGE | | | | | | |
|----------------------|----------------------------------|-----|-----|-----|-----|-------------|
| PERMIT | PLACE OF USE | | | | | ACRES |
| 60151 | PERMIT 60151 | | | | | 15612 |
| | SUBD | | | TWP | RGE | C. 5159 |
| ACRES | 1/4 | 1/4 | SEC | (N) | (E) | |
| 36.5 | NE | NE | 29 | 43 | 37 | 36.5 |
| 36.6 | SE | NE | 29 | 43 | 37 | 36.6 |
| 73.1 | <-- TOTAL ACRES --> | | | | | 73.1 |

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, and that tail water is diverted only when it is available.

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, **TRACY TAYLOR, P.E.**, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this

25 day of June, A.D., 2007.

K.P. Taylor P.E.
 for State Engineer