

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Dennis McCormick, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from the Truckee River through an infiltration gallery for quasi-municipal (industrial purposes) purposes. The point of diversion of water from the source is as follows:

NW¼ SW¼ Section 32, T.20N., R.22E., M.D.B.&M., or at a point from which the SW corner of said Section 32 bears S. 03°35'01" W., a distance of 2,311.12 feet situated in Storey 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: **Kal Kan Foods, Inc.**
Source: **Truckee River (infiltration gallery)**
Manner of use: **Quasi-Municipal (industrial)**
Amount of appropriation: ***0.058 c.f.s, but not to exceed 27.91 acre-feet annually**
Period of use: **January 1st to December 31st of each year**
Date of priority of appropriation: ****February 10, 1879**

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

Water is diverted from the Truckee River through an infiltration gallery consisting of a CMP cistern, 30 feet deep and 6 feet in diameter, equipped with a 5 H.P. submersible pump and totalizing meter, thence through a distribution system for sprinkler and drip irrigation of an employee park recreation area located within a portion of the SE¼ Section 31 and a portion of the W¼ Section 32, all in T.20N., R.22E., M.D.B.&M., lying between the Truckee River and Southern Pacific Railroad, being further described as within a portion of Assessor's Parcel Number 004-161-01, Storey County, Nevada.

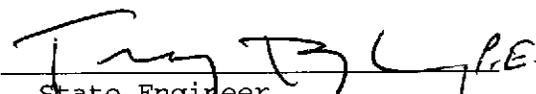
*The total combined duty of water under Permit 66403, Certificate 16876 and Permit 66404, Certificate 16877 shall not exceed 69.725 acre-feet annually.

**This certificate changes the point of diversion, manner and place of use of a portion of Claim 625.5, Truckee River Final Decree, United States v. Orr Water Ditch Co., In Equity Docket No. A-3 (D. Nevada 1944), therefore, the dates of priority remains the same as Claim 625.5.

This certificate is issued subject to the terms of the permit and specifically subject to the continuing jurisdiction and regulation by the Federal Water Master.

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 20 day of September, A.D., 2007.


State Engineer