

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

~ ~ ~ ~ ~

WHEREAS, Barbara Carter, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from Egan Creek for Fish Farming purposes. The point of diversion of water from the source is as follows:

NE¼ SE¼ Section 13, T.23N., R.62E., M.D.B.&M., or at a point from which the E¼ corner of said Section 13 bears N. 86°38'26" E., a distance of 827.33 feet situated in White Pine 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: David A. Carter

Source: Egan Creek

Manner of use: Fish Farming

Amount of appropriation: *0.33 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: August 6, 1992

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

Water is diverted from Egan Creek by means of by an unlined ditch and transported by ditches and culverts to three ponds, comprising a surface area of approximately 2.0 acres and used for fish farming located within portions of the N¼ SW¼ and the SE¼ SW¼ Section 18, T. 23N., R.63E., M.D.B.&M., which includes the natural discharge channel from the ponds to the point of return to Egan Creek being within the NE¼ SW¼ Section 18, T.23N., R.62E., M.D.B.&M., or at a point from which the W¼ corner of said Section 18 bears N. 65°09'14" W., a distance of 2,785.64 feet situated in White Pine County, State of Nevada.

*This certificate is issued strictly for the annual estimated evaporative loss occurring at the three ponds whose combined surface area was estimated to be 2.0 acres.

This certificate is issued subject to the terms of the permit and specifically subject to existing rights as set forth in the Judgment and Decree in the Matter of the Determination of The Relative Rights of Claimants and Appropriators in and to the Waters of Egan Creek and its Tributaries, Seventh Judicial Court of the State of Nevada, in and for the County of White Pine, dated November 30, 1955.

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 20th day of November A.D., 2007.

Tracy Taylor, P.E.
State Engineer