

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Jeff O'Connell, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from Marlette Creek and Tributaries for instream flow purposes. The point of diversion of water from the source is as follows:

NE¼ SE¼ Section 11, T.15N., R.18E., M.D.B.&M., or at a point from which the S¼ corner of said Section 11 bears S. 49°48' W., a distance of 2,102.55 feet situated in Washoe 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:	United States of America Forest Service, Department of Agriculture
Source:	Marlette Creek and Tributaries
Manner of use:	Instream Flow
Amount of appropriation:	0.25 c.f.s.
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	*August 26, 2004

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

Water from Marlette Creek and Tributaries flows down a natural stream channel for instream flow purposes, located within portions of the NE¼ SE¼, SE¼ SE¼, SW¼ SE¼, and the SE¼ SW¼, all in Section 11, T.15N., R.18E., M.D.B.&M., and Lot 02, NE¼ NW¼, NW¼ NE¼, and the SE¼ NW¼ all in Section 14, T.15N., R.18E., M.D.B.&M.

***This certificate changes the manner and place of use of Permit 12086, Certificate 4333. The date of priority was established in accordance with NRS 533.395 (3) by the cancellation rescission hearing of September 23, 2004, for Permit 68942.**

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, **TRACY TAYLOR, P.E.**, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of October, A.D., 2008.

KEE/gkl



 State Engineer