

**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 (South Fork) and Tributaries for instream flow purposes. The point of diversion of water from the source is as follows:

**NW¼ NE¼ Section 14, T.15N., R.18E., M.D.B.&M., or at a point from which the NW¼ corner of said Section 14 bears N. 29°42'40" W., a distance of 1,358.7 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 (South Fork) and Tributaries**

Manner of use: **Instream Flow**

Amount of appropriation: **0.25 c.f.s.**

Period of use: **January 1<sup>st</sup> to December 31<sup>st</sup> of each year**

Date of priority of appropriation: **\*August 26, 2004**

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

**Water from the South Fork of Marlette Creek and Tributaries flows down a natural stream channel for instream flow purposes, located within the SW¼ SE¼, 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.**

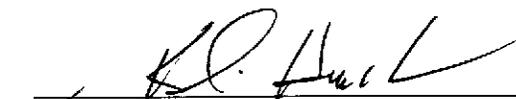
**\*This certificate changes the manner and place of use of Permit 12087, Certificate 4334. The date of priority was established in accordance with NRS 533.395 (3) by the cancellation rescission hearing of September 23, 2004, for Permit 68943.**

**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

  
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State Engineer