STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Nancy Upham, Permittee, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from the Truckee River and Carson River, through Lahontan Reservoir, "V" Line Canal and ditches for irrigation purposes. The point of diversion of water from the source is as follows:

***Lahontan Dam, SW¼ SE¼ Section 33, T.19N., R.26E., M.D.B.&M., situated in Churchill 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:	**James N. and Nancy A. Upham**
Source:	**Truckee River and Carson River**
Manner of use:	**Irrigation**
Amount of appropriation:	**As decreed, but not to exceed 12.32 acre-feet as decreed**
Period of use:	**As decreed**
Date of priority of appropriation:	****As decreed**

Description of land to which the water is appurtenant:
0.18 acre in the SW¼ NW¼ Section 34, T.19N., R.28E., M.D.B.&M.
3.34 acres in the SE¼ NW¼ Section 34, T.19N., R.28E., M.D.B.&M.
3.52 total acres

***Water is diverted from the Truckee River via Derby Dam and transported in the Truckee Canal and co-mingled with waters from the Carson River at Lahontan Reservoir, as decreed.**

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

This certificate is issued subject to the terms of the permit with the understanding that the total duty of water shall not exceed the amount set forth in the Carson River Final Decree and the Truckee River Final Decree.

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 21st day of August, A.D., **2009**.

MM/gkl

for State Engineer