

STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Dave F. Stix, Sr., Permittee, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from the Truckee River, through Derby Dam, into the Truckee Canal and laterals for dust mitigation purposes. The point of diversion of water from the source is as follows:

Derby Dam, within the NE¹/₄ SW¹/₄ Section 19, T.20N., R.23E., M.D.B.&M., 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:	David F. Stix, Sr.
Source:	Truckee River
Manner of use:	Dust Mitigation
Amount of appropriation:	As decreed, but not to exceed 4.32 acre-feet as decreed
Period of use:	As decreed
Date of priority of appropriation:	*As decreed

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

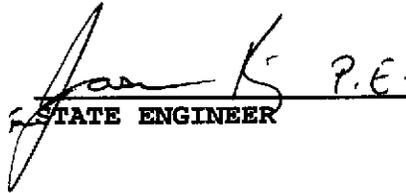
Water is diverted from the Truckee River via the Truckee Canal, through a diversion structure (TC-T28) and pumped into a 4,000 gallon water truck where the water is used for dust mitigation purposes within portions of the S¹/₂ NE¹/₄ and SE¹/₄ Section 24, T.20N., R.25E., M.D.B.&M.

***This certificate changes the manner and place of use of a portion of Claim 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 3.**

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 4th day of September, 2009.

 P.E.
STATE ENGINEER

MM/gkl