

STATE OF NEVADA**CERTIFICATE OF APPROPRIATION OF WATER**

WHEREAS, James E. Usher, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from an underground source, through a drilled well, pump and distribution system for irrigation purposes. The point of diversion of water from the source is as follows:

NW¼ NW¼ Section 26, T.13N., R.20E., M.D.B.&M., or at a point from which the SW corner of Section 27, T.13N., R.20E., M.D.B.&M., bears S. 53°29'06" W., a distance of 8,163.04 feet situated in Douglas 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:	Bently Family Limited Partnership
Source:	Underground
Manner of use:	Irrigation
Amount of appropriation:	2.228 c.f.s., but not to exceed 1,613.0 acre-feet annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	*1928

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

Water is developed by means of a drilled well, 570 feet deep, 16-inch diameter casing, equipped with a 100 H.P. U.S. motor, pump and totalizing meter, thence through a distribution system for wheel-line, pivot and fixed sprinkler irrigation of the following land:

PERMIT		SUPPLEMENTAL ACREAGE									
55356A01		PLACE OF USE PERMIT 55356				CERTIFICATED PERMITS 46519 THRU 46529 (COMMINGLED)	CERTIFICATED PERMITS 65223 THRU 65225, 65227 AND 65230	CLAIM 091	CLAIM 092	CLAIM 095	CLAIM 100
C. 17445	SUBD		TWP	RGE							
ACRES	¼	¼	SEC	(N)	(R)	ACRES	ACRES	ACRES	ACRES	ACRES	
31.20	NW	SW	15	13	20	0.00	0.00	0.00	0.00	0.00	
15.00	SW	SW	15	13	20	15.00	0.00	0.00	0.00	0.00	
19.90	NW	SW	16	13	20	19.90	0.00	0.00	0.00	0.00	
22.00	SW	SW	16	13	20	22.00	0.00	0.00	0.00	0.00	
20.60	SE	SW	16	13	20	20.60	0.00	0.00	0.00	0.00	
17.60	NE	SE	16	13	20	0.00	17.60	0.00	0.00	0.00	
29.20	SW	SE	16	13	20	29.20	0.00	0.00	0.00	0.00	
27.10	SE	SE	16	13	20	27.10	0.00	0.00	0.00	0.00	
38.10	NW	SW	17	13	20	0.00	0.00	0.00	0.00	38.10	
36.70	NE	SW	17	13	20	0.00	0.00	0.00	0.00	36.70	
39.00	SW	SW	17	13	20	0.00	0.00	0.00	0.00	39.00	
36.60	SE	SW	17	13	20	0.00	0.00	0.00	0.00	36.60	
30.10	NW	SE	17	13	20	30.10	0.00	0.00	0.00	0.00	
22.50	NE	SE	17	13	20	22.50	0.00	0.00	0.00	0.00	
24.60	SW	SE	17	13	20	24.60	0.00	0.00	0.00	0.00	
20.60	SE	SE	17	13	20	20.60	0.00	0.00	0.00	0.00	
36.60	NE	NW	20	13	20	0.00	0.00	0.00	36.60	0.00	
3.60	SE	NW	20	13	20	0.00	0.00	0.00	3.60	0.00	
35.60	NW	NE	20	13	20	0.00	0.00	0.00	35.60	0.00	
38.20	NE	NE	20	13	20	0.00	0.00	0.00	38.20	0.00	
18.00	SW	NE	20	13	20	0.00	0.00	0.00	18.00	0.00	
35.80	SE	NE	20	13	20	0.00	0.00	0.00	28.44	0.00	
15.00 ¹	NW	SW	20	13	20	0.00	0.00	0.00	0.00	15.00	
28.20 ¹	NE	SW	20	13	20	0.00	0.00	0.00	0.00	28.20	
10.60 ¹	SW	SW	20	13	20	0.00	0.00	0.00	0.00	10.60	
27.70 ¹	SE	SW	20	13	20	0.00	0.00	0.00	0.00	26.17	
33.60	NW	NW	21	13	20	33.60	0.00	0.00	0.00	0.00	
32.40	NE	NW	21	13	20	32.40	0.00	0.00	0.00	0.00	
26.00	SW	NW	21	13	20	24.89	0.00	0.00	0.00	0.00	
24.70	SE	NW	21	13	20	24.70	0.00	0.00	0.00	0.00	
35.00	NW	NE	21	13	20	34.43	0.00	0.00	0.00	0.00	
29.90	NE	NE	21	13	20	29.90	0.00	0.00	0.00	0.00	
27.30	SW	NE	21	13	20	26.03	0.00	0.00	0.00	0.00	
23.30	SE	NE	21	13	20	23.30	0.00	0.00	0.00	0.00	
15.70	NW	NW	26	13	20	0.00	0.00	12.00	0.00	0.00	
928.00					460.85	17.60	12.00	160.44	79.97	150.40	

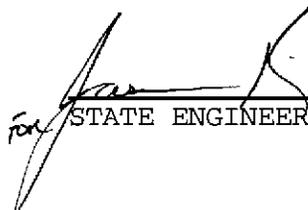
¹The irrigated acreage in the SW¼ of Sec. 20, T.13N., R.20E. totals 81.5 acres from Permit 55356 and 79.97 acres under Claim 095. The exact footprint of the acreage under Claim 095 is not known, therefore, the difference in acreage (1.53 ac.) is reflected in the SE¼ SW¼ of Sec. 20, T.13N., R.20E.

*This certificate changes the point of diversion and place of use of Proof 04771, therefore the date of priority remains the same as Proof 04771.

This certificate is issued subject to the terms of the permit and is partially supplemental to Carson River Claims and Certificated Changes of Carson River Claims, Carson River Final Decree in United States v Alpine Land & Reservoir Co., Civil No. D-183 BRT (D. Nevada 1980). In addition, in any year that the Federal Water Master declares a full allocation of decreed waters to the priority years of the Carson River claims supplemental to these permits, underground water shall not be pumped from the well described under this certificate except on the non-supplemental acreage being 44.5 acres. In any year that the Federal Water Master has no decreed water, or declares a reduced allocation of Carson River Claim Water, then the place of use of the permits can be irrigated with underground water, but not to exceed a duty of 4.0 acre-feet per acre annually from the total of decreed and underground waters. This certificate is further subject to any matter of determination of the relative rights of the Carson Valley Hydrographic Groundwater Basin due to the un-adjudicated nature of Proof 04771, therefore, any change in manner of use of this certificate will be subject to the adjudication of the Carson Valley Hydrographic Groundwater Basin.

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 9th day of October, 2009.


STATE ENGINEER P.E.

KEE/gkl