

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

WHEREAS, Gregory M. Bilyeu, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from the Carson River (Main) through the Koch Ditch, ditches and laterals for as decreed purposes. The point of diversion of water from the source is as follows:

Koch Ditch from north bank in SE corner SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T.17N., R.22E., M.D.B.&M. situated in Lyon 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: | Dayton Valley Investors, LLC |
| Source: | Carson River (Main) |
| Manner of use: | As Decreed |
| Amount of appropriation: | As Decreed (50.4 acres) |
| Period of use: | As Decreed |
| Date of priority of appropriation: | *1877 - Claim 769 (17.2 acres) *1881 - Claim 770 (32.4 acres) *1888 - Claim 771 (00.8 acres) |

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

Water is diverted from the main branch of the Carson River through the Koch Ditch, thence further diverted through a lift pump and flexible pipeline through a series of ditches and laterals for flood irrigation of alfalfa on the following land:

| | | | | | | SUPPLEMENTAL ACREAGE |
|-----------------|------------------------------|-----|-----|-----|-----|-------------------------|
| PERMIT 69162 | PLACE OF USE PERMIT 69162 | | | | | PERMIT 35971 |
| C. 17463 | SUBD | | | TWP | RGE | C. 10426 |
| ACRES | 1/4 | 1/4 | SEC | (N) | (E) | ACRES |
| 0.8 (DCR 771) | SE | NW | 34 | 17 | 22 | 0.0 |
| 14.0 (DCR 769) | SW | NE | 34 | 17 | 22 | 14.0 |
| 3.2 (DCR 769) | SE | NE | 34 | 17 | 22 | 3.2 |
| 17.0 (DCR 770) | SE | NE | 34 | 17 | 22 | 11.9 |
| 0.4 (DCR 770) | NE | SW | 34 | 17 | 22 | 0.0 |
| 15.0 (DCR 770) | NW | SE | 34 | 17 | 22 | 13.6 |
| 50.4 | <-- TOTAL ACRES --> | | | | | 42.7 |

*This certificate changes the point of diversion of Claims 769, 770 and 771 Carson River Final Decree, United States v. Alpine Land & Reservoir Co., Civil No. D-183 BRT (D. Nevada 1980); therefore, the date of priority remains the same as Claims 769, 770 and 771.

This certificate is issued subject to the terms of the permit and with the understanding that the duty of water is as decreed and subject to the continuing jurisdiction of the Federal Water Master.

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

SNC/gkl