

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

WHEREAS, Diana L. Smith, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from the Truckee River through the Last Chance Ditch for as decreed purposes. The point of diversion of water from the source is as follows:

Last Chance Ditch

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 14, T.19N., R.18E., M.D.B.&M., or at a point from which the NE corner of said Section 14 bears N. 24°26' E., a distance of 1,840.0 feet situated in Washoe County, State of Nevada.

Under the provisions of NRS 533.425, the State Engineer has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator:	The Steven P. Smith and Diana L. Smith Revocable Trust, dated January 5, 2006
Source:	Truckee River via Last Chance Ditch
Manner of use:	As Decreed
Amount of appropriation:	0.02 c.f.s., but not to exceed 4.00 acre-feet as decreed
Period of use:	As Decreed
Date of priority of appropriation:	*December 1, 1862, Claims 454/455, 2.34 AF *April 7, 1876, Claim 243, 1.66 AF

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

Water is diverted from the Truckee River through the Last Chance Ditch, headgate with a concrete intake to two(2) settling tanks thence pumped through a distribution system for sprinkler and drip irrigation of landscaping located within a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T.18N., R.19E., M.D.B.&M., being further described as Assessor's Parcel Number 040-930-12, Washoe County, Nevada.

***This certificate changes the point of diversion and place of use of a portion of Claims 454/455 and changed the point of diversion and place of use of a portion of Permit 11489, Certificate 4827; which changed the point of diversion of Claim 243, 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 Claims 454/455 and Claim 243.**

This certificate is issued subject to the terms of the permit and specifically subject to the continuing jurisdiction and regulation by the Federal Water.

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 1st day of March, A.D., 2010.

for K.L. Hurd P.E.
State Engineer

MM/gkl