

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

WHEREAS, Robert E. Morley, 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:

NE¼ SW¼ Section 19, T.33N., R.58E., M.D.B.&M., or at a point from which the SW corner of said Section 19 bears S. 45° 16' 36" W., a distance of 1,906.16 feet situated in Elko 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:	Richard L. Bitton Family Living Trust
Source:	Underground
Manner of use:	Irrigation
Amount of appropriation:	0.16 c.f.s., but not to exceed 27.60 acre-feet annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	October 3, 1995

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

Water is developed by means of a drilled well, 203 feet deep, 8-inch diameter casing, equipped with a 5 H.P. Goulds submersible pump and totalizing meter, thence through a distribution system for flood irrigation of 9.20 acres of meadow hay and native grasses located within a portion of the NE¼ SW¼ Section 19, T.33N., R.58E., M.D.B.&M.

This certificate is issued subject to the terms of the permit and is totally supplemental to a portion of Proof 00408, In the Matter of the Determination of the Relative Rights of the Waters of the Humboldt River Stream System and Tributaries, Case No 2804, Sixth Judicial District Court of Nevada, In and for the County of Humboldt, 1923 - 1938.

Any use of water under this certificate is allowed only when the decreed surface water allocation under Proof 00408 is unavailable or reduced and with the understanding that the total duty of water shall not exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and or/all sources.

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, JASON KING, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 5th day of November, A.D., 2010.

T. J. King, P.E.
for State Engineer

JED/SNC/gkl