STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Todd Schwandt, Agent, has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from Snell Creek, through a head gate, diversion structure, pipeline and distribution system for irrigation purposes. The point of diversion of water from the source is as follows:

> **NW¼ NE¼ Section 33, T.33N., R.58E., M.D.B.&M., or at a point from which the N¼ corner of said Section 33 bears N. 31°08'26" W., a distance of 1,286.06 feet (as built location), 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:	**Julian Tomera Ranches, Inc., Lamoille Division**
Source:	**Snell Creek**
Manner of use:	**Irrigation**
Amount of appropriation:	**0.096 c.f.s., but not to exceed 28.80 acre-feet per season**
Period of use:	**May 1st to September 1st of each year**
Date of priority of appropriation:	***January 14, 1919**

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

> **Water is diverted from Snell Creek by means of a head gate and diversion structure into a pipeline equipped with a totalizing meter, thence through a distribution system for sprinkler and flood irrigation of 9.60 acres of pasture, located within a portion of the SW¼ SE¼ of Section 28, T.33N., R.58E., M.D.B.&M.**
>
> ***This certificate changes the place of use of a portion of Permit 5354, Certificate 1089, therefore the date of priority remains the same as Permit 5354, Certificate 1089.**

This certificate is issued subject to the terms of the permit with the understanding that the total seasonal duty of water shall not exceed a 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 acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, JASON KING, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29th day of December, **2010**.

P.E.

State Engineer

JED/SNC/gkl