

STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

Whereas, Lenard Smith, Agent has presented to the State Engineer of the State of Nevada, Proof of Application of Water to Beneficial Use, from Miller Creek (aka Millard Creek), through a pond, pump and distribution system for irrigation and domestic purposes. The point of diversion of water from the source is as follows:

SW¹/₄ SW¹/₄ Section 25, T.6N., R.69E., M.D.B.&M. or at a point from which the SW corner of said Section 25 bears S. 20°10'49" W., a distance of 866.73 feet situated in Lincoln 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:	Condie Living Trust (50%) and John T. and Mara L. Condie (50%)
Source:	Miller Creek (aka Millard Creek)
Manner of use:	Irrigation and Domestic
Amount of appropriation:	*0.5 c.f.s. but not to exceed 55.50 acre-feet annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	**June 2, 1997

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

Water is diverted from Miller Creek via a diversion dam to a storage reservoir, thence pumped through a distribution system for wheel line sprinkler irrigation of the following land:

4.4 acres in the NW¹/₄ SW¹/₄ of Section 25, T.6N., R.69E., M.D.B.&M.
2.2 acres in the NE¹/₄ SW¹/₄ of Section 25, T.6N., R.69E., M.D.B.&M.
5.6 acres in the SW¹/₄ SW¹/₄ of Section 25, T.6N., R.69E., M.D.B.&M.
6.3 acres in the SE¹/₄ SE¹/₄ of Section 26, T.6N., R.69E., M.D.B.&M.
18.5 acres total

*The total combined duty of water under Permit 63157, Certificate 16896 and Permit 73344, Certificate 17990 shall not exceed 55.5 acre-feet annually for the irrigation of 18.5 acres within the above described place of use.

**This certificate changes the point of diversion and place of use of Permit 63156, therefore, the date of priority remains the same as Permit 63156.

This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water shall not exceed 3.0 acre-feet per acre annually from any and/or all sources, and is further subject to any future matter of determination of the relative rights of Miller Creek and its tributaries.

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 9th day of May, A.D., 2011.

for K.D. Hurl P.E.
State Engineer

KEE/gkl