

ASSIGNED

Application No. 13062

Certificate Record No. 3438 Book 11 Page 3438

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

WHEREAS, L. E. Schmittlein has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Rock Creek through ditch system for Irrigation and domestic purposes. The point of diversion of water from the source is as follows: SW 1/4 SE 1/4 Section 27, T. 17 N., R. 44 E., M.D.B.&M., or at a point from which the SW Corner of said Section 27, bears S. 88° 26' W., 3,615.20 feet. situated in Lander County, State of Nevada.

Now KNOW YE, That the State Engineer, under the provisions of Section 72, Chapter 46, Statutes of 1937 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator F. M. Schmittlein and L. E. Schmittlein
Post-office address Austin, Nevada
Amount of appropriation 2,361.5 c.f.s.
Period of use, from January 1 to December 31 of each year
Date of priority of appropriation September 27, 1949

Description of land to which water is appurtenant:

23.03 acres in the SW 1/4 NW 1/4 Section 24, T. 16 N., R. 44 E., M.D.B.&M.
34.11 acres in the SE 1/4 NW 1/4 Section 24, " " "
49.58 acres in the N 1/2 SW 1/4 Section 24, " " "
24.09 acres in the SE 1/4 SW 1/4 Section 24, " " "
47.52 acres in the N 1/2 SE 1/4 Section 24, " " "
57.82 acres in the S 1/2 SE 1/4 Section 24, " " "
236.15 acres total

All the water of Rock Creek is comingled with the waters of Sheep and Big Smokey Creeks and a portion of Frenchman Creek water not diverted by the Upper Frenchman Creek ditch to irrigate the above described 236.15 acres and the combined use from all four creeks shall not exceed four acre feet per acre or 944.60 acre feet per year.

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 where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I ALFRED MERRITT SMITH, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this

3rd day of April, A. D. 19 50.

Alfred Merritt Smith
State Engineer.

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Compared HM-LM