ASSIGNED

Application No. 26284 Certificate Record No. 8878 Book 29 Page 8878

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Richard W. Forman, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Kingston Creek (aka Big Smoky Creek) through diversion dam and ditches for irrigation and domestic purposes. The point of diversion of water from the source is as follows: NW¼ NW¼ Sec. 23, T.16N., R.44E., MDB&M, or at a point from which the NW corner of said Sec. 23 bears N. 88° 06' 45" W., a distance of 1312.0' situated in Lander County, State of Nevada.

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

Name of appropriator: Young Brothers Livestock Inc.

Post-office address: Austin, Nevada

Amount of appropriation: 2.1 cfs. but not to exceed 515.4 acre feet per annum

Period of use, from: January 1 to December 31 of each year

Date of priority of appropriation: August 31, 1971

Description of land to which the water is appurtenant:

37.20 acres in the NE¼ NE¼ of Sec. 23, T.16N., R.44E., MDB&M
36.12 " " " NW¼ NW¼ " " 24, " " " "
16.86 " " " SW¼ NW¼ " " " " " " "
38.67 " " " NW¼ SW¼ " " " " " " "
128.85 Acres Total

This certificate is issued subject to the terms of the permit and with the understanding that the total duty of water shall not exceed 4.0 acre-feet per acre per annum from any and/or all sources. The 16.86 acres located within the SW¼ NW¼ Sec. 24, as described above, is that acreage within the 40-acre legal subdivision which is not covered by the 23.03 acres described under the Kingston Creek Decree.

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, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of December, A. D. 19 76

Compared lk/sk

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State Engineer

1923