

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Margaret J. Herman and Richard E. Spence, Permittees have 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:

SW¼ SW¼ Section 12, T.13N., R.20E., M.D.B.&M., or at a point from which the SW corner of said Section 12 bears S. 73°19' W., a distance of 1,272.0 feet situated in Douglas 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: Richard E. Spence and Margaret J. Herman, Trustees of the Herman/Spence 1996 Trust
Source: Underground
Manner of Use: Irrigation
Amount of appropriation: *0.007 c.f.s., but not to exceed 1.79 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: **September 7, 1972

Description of land to which the water is appurtenant:

3.41 acres in the SW¼ SW¼ of Section 12, T.13N., R.20E., M.D.B.&M.

*The water under this certificate and any certificate issued under Permits 60228 and 62169 is commingled and the total combined duty of water is limited to 13.64 acre-feet annually for the irrigation of 3.41 acres total.

**This certificate changes the point of diversion and place of use of a portion of Permit 56288, which changed the place of use of a portion of Permit 26955, Certificate 10061, therefore, the date of priority remains the same as Permit 26955, Certificate 10061.

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/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, R. MICHAEL TURNIPSEED, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of April, A.D. 1998.

[Handwritten signature of R. Michael Turnipseed]
State Engineer