

STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, David Richards, Agent, has 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:

NE¹/₄ NE¹/₄ Section 16, T.20S., R.53E., M.D.B.&M., or at a point from which the NE corner of said Section 16 bears N. 48°07' 58" E., a distance of 149.38 feet situated in Nye 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:	Kellogg 10, LLC
Source:	Underground
Manner of use:	Irrigation
Amount of appropriation:	*0.064 c.f.s., but not to exceed 17.94 acre-feet annually
Period of use:	January 1st through December 31st of each year
Date of priority of appropriation:	**May 22, 1961

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

Water is developed by means of a drilled well, 422 feet deep, 12-inch diameter casing, equipped with a 10 H.P. Franklin motor, Berkeley pump and totalizing meter, thence through a distribution system for wheel line sprinkler irrigation of 5 acres of alfalfa located within a portion of the NE¹/₄ NE¹/₄ Section 16, T.20S., R.53E., M.D.B.&M., being further described as within portions of Assessor's Parcel Numbers 35-331-68 and 35-331-70, Nye County, Nevada.

*The water under Permit 75561, Certificate 18830; Permit 75562, Certificate 18831 and Permit 75563, Certificate 18832 is commingled and the total combined duty shall not exceed 25 acre-feet annually for the irrigation of 5 acres within the above described place of use.

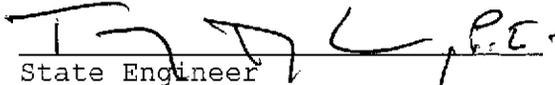
*The total combined duty of water under Permit 20673, Certificate 7264, Permit 75561, Certificate 18830; Permit 75562, Certificate 18831 and Permit 75563, Certificate 18832 shall not exceed 125.5 acre-feet annually.

**This certificate changes the point of diversion and place of use of a portion of Permit 49716, Certificate 15005; which changed the place of use of Permit 19863, Certificate 6405; therefore, the date of priority remains the same as Permit 19863, Certificate 6405.

This certificate is issued subject to the terms of the permit with the understanding that the total annual duty of water shall not exceed 5.0 acre-feet per acre of land irrigated from 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, JASON KING, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of August, 2012.

for  P.E.
State Engineer

WHR/gkl