THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Douglas Noland and Russell Avery, Agents, 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 mining and milling purposes. The point of diversion of water from the source is as follows:

> **SE¼ SE¼ Section 30, T.28S., R.63E., M.D.B.&M., or at a point from which the SE corner of said Section 30, bears S. 60°27′18″ E., a distance of 518.87 feet situated in Clark 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:	**Gem Enterprises**
Source:	**Underground**
Manner of Use:	**Mining and Milling**
Amount of appropriation:	***0.060 c.f.s., but not to exceed 1.49 million gallons annually**
Period of use:	**January 1st to December 31st of each year**
Date of priority of appropriation:	****October 14, 1999**

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

Water is developed by means of a drilled well, 520 feet deep, 8 5/8 inch diameter casing, equipped with submersible pump, thence to holding tanks and ponds for use within S½ of Section 29, S½, S½ N½ and the NW¼ NW¼ of Section 30, all in T.28S., R.63E., M.D.B.&M.

***The total combined duty of water under this Certificate and Permit 49651, Certificate 14515 shall not exceed 2.70 million gallons annually.**

****This certificate changes the point of diversion of Permit 47654. The date of priority was established in accordance with NRS 533.395(3) by the cancellation rescission hearing of April 12, 2000.**

This certificate is issued subject to the terms of the permit.

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, **HUGH RICCI, P.E.**, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this **21st** day of **August**, A.D., **2002**.

Hugh Ricci, P.E.
State Engineer

cmf/cb/sam