Permit No. **63191** Certificate No. **16117** Book **71** Page **16117**

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Gregory J. Walch, 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 industrial and domestic purposes. The point of diversion of water from the source is as follows:

> **NW¼ NE¼ Section 26, T.22S., R.60E., M.D.B.&M., or at a point from which the NE corner of said Section 26 bears N. 63°30'54" E., a distance of 2,863.18 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:	**Blue Diamond Materials, Inc.**
Source:	**Underground**
Manner of Use:	**Industrial and Domestic**
Amount of appropriation:	**0.00555 c.f.s., but not to exceed 3.0 acre-feet annually**
Period of use:	**January 1st to December 31st of each year**
Date of priority of appropriation:	***May 23, 2001**

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

Water is developed by means of a drilled well, 670 feet deep, 10 3/4 inch diameter casing, equipped with a five stage submersible pump with a 100 H.P. motor, thence through a distribution system to a 70,000 gallon storage tank for a sand and gravel operation, and a 30,000 gallon storage tank for a concrete batch plant located within all the land lying East of the Union Pacific Railroad right of way, within the SE¼ of Section 23, T.22S., R.60E., M.D.B.&M., and the N½ NE¼ of Section 26, T.22S., R.60E., M.D.B.&M.

***This certificate changes the point of diversion, place of use and manner of use of Permit 60542, which changed the point of diversion and place of use of a portion of Permit 36759, Certificate 12526, which changed the place of use and manner of use of Permit 12981, Certificate 4321. The date of priority was established in accordance with NRS 533.395(3) by the cancellation rescission hearing of May 1, 2001 for Permit 63191.**

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