

STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, James Marsh, Permittee, 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 commercial (hotel and casino) purposes. The point of diversion of water from the source is as follows:

Government Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 2, T.18S., R.49E., M.D.B.&M., or at a point from which the closing corner of said Section 2 and Section 3 (SW corner Section 3 T.18S., R.49E., M.D.B.&M.), bears N. 67°37'30" W., a distance of 1,438 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:	James R. Marsh
Source:	Underground
Manner of use:	Commercial (hotel and casino)
Amount of appropriation:	*0.039 c.f.s., but not to exceed 10.0 acre-feet annually
Period of use:	January 1st to December 31st of each year
Date of priority of appropriation:	**September 9, 1958

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

Water is developed by means of a drilled well, 400 feet deep, 8-inch diameter casing, equipped with a 5 H.P. Aermotor submersible pump with Franklin motor and totalizing meter to a 15,000 gallon storage tank, thence through a distribution system for commercial purposes to a hotel and casino with a golf course and all other ancillary uses located within Government Lot 7 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) and a portion of SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2; and a portion of Government Lot 1, Section 11; all in T.18S., R.49E., M.D.B.&M., being further described as Assessor's Parcel Number 019-421-03, Nye County, Nevada.

*The total combined duty of water under Permit 63408, Certificate 17525 and any certificates issued under Permits 53181, 53182 and 63407 shall not exceed 160.0 acre-feet annually.

**This certificate changes the point of diversion, manner and place of use of a portion of Permit 60449, which changed the point of diversion and manner of use of a portion of Permit 17657A01, Certificate 6978; therefore, the date of priority remains the same as Permit 17657A01, Certificate 6978.

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, TRACY TAYLOR, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16th day of February, 2010.

for KD. Hull P.E.
STATE ENGINEER

SNC/ml