Permit No. **73297** Certificate No. **18521**

STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Philip Nelson, 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 mining and milling (sand and gravel) purposes. The point of diversion of water from the source is as follows:

SE¼ SE¼ Section 13, T.23S., R.60E., M.D.B.&M., or at a point from which the SE¼ corner of said Section 13 bears S. 3°16′35″ E., a distance of 933.29 feet situated in Clark 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:	**Frehner Construction Co., Inc. & Southern Nevada Paving, Inc.**
Source:	**Underground**
Manner of use:	**Mining and Milling (sand and gravel)**
Amount of appropriation:	***0.058 c.f.s., but not to exceed 40.0 acre-feet annually**
Period of use:	**January 1st to December 31st of each year**
Date of priority of appropriation:	****1913**

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

Water is developed by means of a drilled well, 1,100 feet deep, 10-inch diameter casing, equipped with a Crown 9-bowl pump, 75 H.P. Franklin motor, totalizing meter and storage pond, thence through a distribution system to a sand and gravel pit/plant operation located within the SE¼ SW¼ and SW¼ SE¼ Section 12; SE¼ SE¼ SW¼, NE¼ SE¼ SW¼, N½ S½ SE¼, N½ NW¼ SW¼, SE¼ NW¼, SE¼ NW¼ SW¼, NE¼ SW¼, N½ SE¼, S½ SW¼ NW¼, NE¼, NE¼ NE¼ NW¼ and S½ NE¼ NW¼ Section 13 all in T.23S., R.60E., M.D.B.&M., being further described as Assessor's Parcel Numbers 192-12-000-003, 192-13-000-002 and a portion of 192-13-000-003, Clark County, Nevada

***The total combined duty of water under Permit 54172, Permit 61720, Certificate 16067; Permit 70626, Certificate 18514; Permit 71753, Certificate 18515; Permit 71754, Certificate 18516; Permit 71755, Certificate 18517; Permit 72088, Certificate 18518; Permit 72089, Certificate 18519; Permit 72090, Certificate 18520; Permit 73297, Certificate 18521 Permit 73526, Certificate 18522; Permits 74248 and 74250, Permit 74251, Certificate 18523; Permit 74493, Certificate 18524; Permit 75831 and Permit 80211(revocable) shall not exceed 775.99 acre-feet annually.**

****This certificate changes the point of diversion and place of use of a portion of Proof V05814, decreed in the matter of the Determination of the Relative Rights in and to the Waters of the Las Vegas Artesian Basin, Case No. A382950, Eighth Judicial District Court of the State of Nevada, In and for the County of Clark, December 13, 1999. Therefore, the date of priority remains the same as Proof V05814.**

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, JASON KING, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 23rd day of December, **2011**.

for K. Hall P.E.
State Engineer

WHR/gkl