

STATE OF NEVADA**CERTIFICATE OF APPROPRIATION OF WATER**

WHEREAS, Dwight L. Smith, 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 quasi-municipal purposes. The point of diversion of water from the source is as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, T.21S., R.61E., M.D.B.&M., or at a point from which the E $\frac{1}{4}$ corner of said Section 29 bears S. 58°33'28" E., a distance of 1,875.48 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:	New York-New York Hotel LLC
Source:	Underground
Manner of use:	Quasi-Municipal
Amount of appropriation:	0.09 c.f.s., but not to exceed 16.879 acre-feet annually
Period of use:	January 1st through December 31st of each year
Date of priority of appropriation:	*March 27, 2002

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

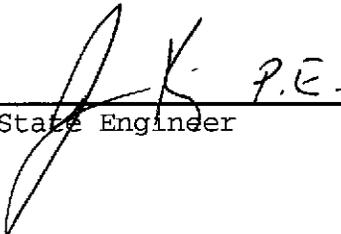
Water is developed by means of a drilled well, 704 feet deep, 8-inch diameter casing, equipped with a pump, totalizing meter, four (4) pressure tanks and a 10,000-gallon storage tank, thence through a distribution system for quasi-municipal water service for casino water features and landscaping, located within a portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 29, T.21S., R.61E., M.D.B.&M., being further described as a portion of Assessor's Parcel Number 162-29-510-003 (formerly 162-29-601-006), Clark County, Nevada.

***This certificate changes the point of diversion and place of use of Permit 61670, which changed the point of diversion and place of use of Permit 60156, which changed the point of diversion, manner and place of use of Permit 16819, Certificate 4785; which changed the point of diversion and manner of use of Permit 11162. The date of priority was established in accordance with NRS 533.395(3) by the cancellation rescission hearing of June 19, 2002 under Permit 61670.**

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 30th day of August, 2013.



State Engineer

WHR/gkl