TEMPORARY

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee: NEW YORK - NEW YORK HOTEL LLC

Source: UNDERGROUND

Basin: LAS VEGAS VALLEY

Manner of Use: QUASI-MUNICIPAL

Period of Use: ONE YEAR FROM DATE OF ISSUANCE.

Priority Date: 03/27/2002

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit, to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 76254, Certificate 19115, is issued subject to the terms and conditions imposed in said Permit 76254, Certificate 19115 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed prior to any diversion of the water. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The permittee shall keep monthly records of the amount of water pumped from this well and the records submitted to the State Engineer on an annual basis by February 15th of each year.

The total combined duty of water under Permit 61932, Certificate 15806; Permit 62821, Certificate 15807; Permit 63768, Certificate 15808; Permit 63769, Certificate 15809; Permit 67043, Certificate 16888; Permit 67846, Certificate 16889; Permit 67847, Certificate 16890; Permit 70100, Certificate 18184; Permit 70101, Certificate 18185; Permit 82523, Certificate 20789; and Temporary Permit 89151T shall not exceed 685.299 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **not to exceed 0.09 cubic feet per second and 16.879 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **N/A**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **N/A**

Map in support of proof of beneficial use shall be filed on or before: **N/A**

IN TESTIMONY WHEREOF, I, TIM WILSON, P.E.,

Acting State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of **November, 2019**

Tim Wilson, P.E.

Acting State Engineer

STATE ENGINEER STATE OF NEVADA

TEMPORARY Application No. **89151** T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office SEP 2 3 2019

Returned to applicant for correction

Corrected application filed

Map filed June 10, 2003 70100 UNDER

The applicant New York - New York Hotel LLC, c/o MGM Resorts International

3730 Las Vegas Blvd. (Street Address or PO Box) of Las Vegas (City or Town)

Nevada 89158 (State and ZIP Code) MCampbell@mgmresorts.com (E-mail Address)

hereby make(s) application for permission to change the

☑ Point of diversion ☑ Place of use ☐ Manner of use ☐ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 76254, Certificate 19115

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1. The source of water is underground
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.10 cfs, not to exceed 16.879 AFA 0.09cfs JR 9/26/19
   Give diversion rate in cubic feet per second (CFS) AND duty in acre-feet annually (AFA).

3. The water to be used for Quasi-Municipal
   Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use

4. The water heretofore used for Quasi-Municipal
   If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

   in the SW1/4 NW1/4 Section 36, T19S, R61E, MDM, or at a point from which the W1/4 corner of said Section 36 bears S 80 degrees 44' 00" W, a distance of 1205.87 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

   SW1/4 NE1/4 Section 29, T21S, R61E, MDM, or at a point from which the E1/4 corner of said Section 29 bears S58 degrees, 33' 28" E, a distance of 1,875.48 feet.

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89151T

7. Proposed place of use (Describe by legal subdivisions If for irrigation, state number of acres to be irrigated.)
the N1/2 of Section 36, T19S, R61E, MDM.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation)
a portion of the SE1/4 NE1/4 and a portion of the SW1/4 NE1/4 of Section 29, T21S, R61E, MDM, Clark County, Nevada

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9. Proposed use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Existing use permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e , diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc)
Existing Shadow Creek Golf Course Well #5, and existing pump and pipeline system to convey water to the Shadow Creek Golf Course irrigation water storage pond at Hole No. 4.

12. Estimated cost of works NA

13. Estimated time required to construct works NA
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)
This application seeks a temporary transfer of water rights currently at the Luxor Hotel & Casino to Shadow Creek Golf Course Well #5.

16. Miscellaneous remarks:
Refer to supporting map on file for application 76254 for existing point of diversion and place of use. Refer to supporting map on file for application 70100 for proposed point of diversion and place of use.

Dwight L. Smith, PE, WRS
Type or print name clearly

Signature, applicant or agent

dwight.smith@interflowhydro.com
E-mail Address

(530) 582-1622
Phone No. Ext.

Interflow Hydrology, Inc.
Company Name

P.O. Box 1482
Street Address or PO Box

Truckee CA, 96160
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 06/17 $180 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION