Application No. 38889 Certificate Record No. 11580 Book 39 Page 11580

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Sandra A. White, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Rocky Mountain Spring through a pond and distribution system for Mining, Milling and Domestic purposes. The point of diversion of water from the source is as follows: NW¼ SE¼ Section 27, T.13N., R.39E., M.D.B.&M. (unsurveyed) or at a point from which the SW corner of Section 31, T.13N., R.39E., M.D.B.&M., bears S. 68° 00' 57" W., a distance of 20,780.65 feet situated in Nye 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 Marshall Earth Resources, Inc.

Post-office address Reno, Nevada

Amount of appropriation 0.0228 c.f.s., but not to exceed 5.38 million gallons annually

Period of use, from January 1st to December 31st of each year

Date of priority of appropriation August 30, 1979

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

Water is diverted by means of a 20,000 gallon pond via 1500 feet of 4 inch diameter perforated collection pipe whence it is conveyed to the place of use located within portions of the NW¼ SE¼, SW¼ SE¼, SE¼ SE¼, SE¼ SW¼ of Section 28; NW¼ NW¼, SW¼ NW¼, NE¼ NW¼, NW¼ NE¼, NE¼ NE¼, SW¼ NE¼, NW¼ SE¼, NE¼ SW¼, SE¼ NW¼ of Section 33; SE¼ NE¼, NE¼ NE¼ of Section 32 all in T.13N., R.39E., M.D.B.&M. (unsurveyed) and there used for mining, milling and domestic purposes.

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 PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of OCTOBER, A.D. 1986

Peter G. Morros
State Engineer

Compared bc/bl

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..... County Records.

1923