

**ASSIGNED**

Application No. 42104

Certificate Record No. 12175

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

WHEREAS, Richard E. Fonger, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from South Fork Berry Creek through a collection box and pipeline for Industrial and Domestic purposes. The point of diversion of water from the source is as follows: NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 23, T.17N., R.65E., M.D.B.&M., or at a point from which the NW corner of Section 31, T.18N., R.65E., M.D.B.&M., bears N. 44<sup>o</sup> 22' 13" W., a distance of 31,866.25 feet situated in White Pine 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 Kennecott Corporation  
Post-office address McGill, Nevada  
Amount of appropriation 3.0 c.f.s., but not to exceed 707.72 million gallons annually  
Period of use, from January 1st to December 31st of each year  
\* Date of priority of appropriation July 20, 1910

Description of works of diversion, manner and place of use:  
Water is developed by means of a metal head box via an 8 inch pipeline and via the Berry Creek pipeline, thence conveyed to the place of use for industrial and domestic purposes to serve a copper reduction plant located within portions of the NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 28, and the SE $\frac{1}{4}$  of Section 21, T.18N., R.64E., M.D.B.&M.

\*This certificate changes the point of diversion and manner of use of Permit 1761, Certificate No. 114, therefore the date of priority remains the same as Permit 1761, Certificate No. 114.

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

Compared bc/bk  
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of Nevada, have hereunto set my hand and the seal of my office, this 21st day of JUNE, A.D. 1989  
Peter G. Morros  
State Engineer