ASSIGNED

Application No. 42108 Certificate Record No. 12179 Book 41 Page 12179

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 Bird Creek through a dirt dam, concrete head box and pipeline for Industrial and Domestic purposes. The point of diversion of water from the source is as follows: SW¼ SW¼ Section 34, T.19N., R.65E., M.D.B.&M., or at a point from which the N¼ corner of Section 4, T.18N., R.65E., M.D.B.&M., bears S. 87° 25' 12" W., a distance of 3,587.57 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 8.0 c.f.s., but not to exceed 1887.25 million gallons annually

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

* Date of priority of appropriation August 7, 1912

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

Water is diverted by means of a dirt dam and concrete head box via a 19 inch pipe via Duck Creek Reservoir and via the Gallagher Gap 37 inch pipeline, thence conveyed to the place of use for indistrial and domestic purposes to serve a copper reduction plant located within portions of the NE¼, SE¼, E½ SW¼, E½ NW¼ of Section 28, and the SE¼ of Section 21, T.18N., R.64E., M.D.B.&M.

*This certificate changes the point of diversion and manner of use of Permit 2482, Certificate No. 146, therefore the date of priority remains the same as Permit 2482, Certificate No. 146.

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 21st day of JUNE, A.D. 19 89

Peter G. Morros
State Engineer

Compared bc/bk

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