

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Wallace T. Boundy, 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 Mining and Milling purposes. The point of diversion of water from the source is as follows: SW 1/4 Section 36, T. 14N., R. 44E., M.D.B. & M. or at a point from which the SE corner of said Section 36 bears S. 61° 36' 00" E., a distance of 2,678.0 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: Cyprus Northumberland Mining Co.
Post-office address: Englewood, Colorado
Amount of appropriation: 0.50 c.f.s. but not to exceed 9.57 million gallons annually
Period of use, from January 1st to December 31st of each year
* Date of priority of appropriation: March 30, 1979

Description of the works of diversion, manner and place of use:
Water is developed by a drilled well to a depth of 500 feet, thence conveyed through an 8 inch pipeline to a small pond, where the water is used for mining and milling within SE 1/4 Section 36, T. 14N., R. 44E.; SW 1/4 Section 31, T. 14N., R. 45E.; NE 1/4 Section 1, T. 13N., R. 44E.; and Sections 25 and 36, T. 13 1/2 N., R. 44 1/2 E., M.D.B. & M. The total combined duties under this certificate and Permit 41934, Certificate 11263, Permit 41935, Certificate 11264, Permit 41936, Certificate 10996 shall not exceed 75.438 million gallons annually.

*This certificate changes the point of diversion and place of use of Permit 41937 which changed the point of diversion and place of use of Permit 37421, therefore, the date of priority remains the same as Permit 37421. 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 R. MICHAEL TURNIPSEED, P. E., State Engineer

Compared bk/vjw
Recorded _____ Bk _____ Page _____
County Records

of Nevada, have hereunto set my hand and the seal of my office, this 18th day of SEPTEMBER, A.D. 19 90
[Signature]
State Engineer