

ASSIGNED

Application No. 44270

Certificate Record No. 12782 Book 44 Page 12782

THE STATE OF NEVADA
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, E. J. Christopherson, 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 Domestic purposes. The point of diversion of water from the source is as follows: SW 1/4 NE 1/4 Section 20, T.2S., R.40E., M.D.B.&M. or at a point from which the SW corner of Section 22, T.2S., R.39E., M.D.B.&M. bears S. 82° 26' 09" W., a distance of 24,486.0 feet situated in Esmeralda 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 Foote Mineral Company
Post-office address Silver Peak, Nevada
Amount of appropriation 1.0 c.f.s but not to exceed 723.97 acre-feet annually
Period of use, from January 1st to December 31st of each year
Date of priority of appropriation August 10, 1981

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

Water is developed by means of a drilled well 395 feet deep, 13 3/8 inch casing to 303 feet and 9 5/8 inch casing to 395 feet via a 40 H.P. motor and 11-stage pump, thence through a 6 inch steel pipe 100 feet in length to the mine site for mining and domestic purposes within the S 1/2 of Section 35 and all of Section 36, both in T.1S., R.39E., M.D.M., the E 1/2 of Section 10, the E 1/2 of Section 15, the SE 1/4 of Section 21, the E 1/2 of Section 28 and all of Sections 1, 2, 3, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35, and 36 all in T.2S., R.39E., M.D.M., the SE 1/4 of Section 19, the S 1/2 of Section 20, the E 1/2 and Lots 23 and 24 of Section 30 and all of Sections 21, 22, 23, 26, 27, 28, 29, 31, 32, 33, 34, and 35 all in T.1S., R.40E., M.D.M., the NW 1/4 of Section 11, the N 1/2 and the SW 1/4 of Section 10, the NW 1/4 of Section 15, the N 1/2 and the SW 1/4 of Section 16 and all of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 29, 30, and 31 all in T.2S., R.40E., M.D.M., Clayton Valley, Esmeralda County, Nevada.

The total combined duty of water under this certificate and any certificates issued under Permits 44251, 44252, 44253, 44254, 44255, 44256, 44257, 44258, 44260, 44261, 44267, 44268, 44269, 49989, 49990, 49991, 49992, 49993, 49994, 49995 and 49996 shall not exceed 15.0 million gallons per day or 16,800.0 acre-feet annually.

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/se of Nevada, have hereunto set my hand and the seal of my office, this

Recorded 19th day of APRIL, A.D. 19 91

County Records. [Signature] State Engineer