

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, William A. Nisbet, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an Underground Source (Well #4) through a drilled well, pump and distribution system for Mining, Milling and Domestic purposes. The point of diversion of water from the source is as follows:

NW1/4 SW1/4 Section 34, T.41N., R.54E.,
M.D.B.&M. or at a point from which the SW
corner of said Section 34 bears S. 39° 30' W.,
a distance of 2,036.0 feet situated in Elko
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: Independence Mining Company, Inc.
Source: Underground (Well #4)
Manner of Use: Mining, Milling and Domestic
Amount of appropriation: 0.954 c.f.s. but not to exceed
108.51 million gallons annually
Period of use: January 1st to December 31st of each
year
Date of priority of
appropriation: *October 20, 1980

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

Water is developed by means of a drilled well 1,064 feet deep, thence conveyed to a 600,000 gallon storage tank by an 8 inch pipe 500 feet in length to the mill site for mining, milling and domestic purposes located in the NE1/4 NE1/4, Section 4, T.40N, R.54E.; S1/2, NW1/4, W1/2 NE1/4 and SE1/4 NE1/4 of Section 33, T.41N., R.54E.; and approximately 6 miles of ore haul road through portions of Sections 25, 26 and 35 in T.41N., R.53E., and Sections 29, 30, 32 and 33 in T.41N., R.54E., M.D.B.&M.

The total combined duty under this certificate and any certificates issued under Permits 39881, Certificate 11893, 47148, 47413, 47414, 50026, 50027, 50028, 54617, 55265, 56171-T, 56172-T, 56173-T, 56174-T, 56175-T, 56176-T, 56177-T, 56178-T, 56179-T, 56180-T, 56181-T, 56182-T, 56183-T, 56184-T, 56201-T and 56202-T shall not exceed 5,834.9 acre-feet annually.

*This certificate changes the point of diversion of a portion of Permit 42687, therefore, the date of priority remains the same as Permit 42687.

The total combined rate of diversion granted under this certificate and any certificate granted under Permit 47148 is limited to 3.34 c.f.s.

This certificate is issued subject to the terms of the permit.

continued

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, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of NOVEMBER, A.D. 19 91.


State Engineer

bk/vjw