Application No. **36872** Certificate No. **13748** Book 49 Page 13748

# THE STATE OF NEVADA

## CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Richard W. Arden, 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 No. M-3) 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:

> **Lot 4 (SE¼ SE¼) Section 9, T.30N., R.43E., M.D.B.&M., or at a point from which the SE corner of said Section 9 bears S. 22° 57' E., a distance of 959.0 feet situated in Lander 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:

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|---|---|
| Name of appropriator: | **Battle Mountain Gold Company** |
| Source: | **Underground (Well No. M-3)** |
| Manner of Use: | **Mining, Milling and Domestic** |
| Amount of appropriation: | **0.082 c.f.s., but not to exceed 1.812 million gallons annually** |
| Period of use: | **January 1st to December 31st of each year** |
| Date of priority of appropriation: | **March 2, 1979** |

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

**Water is developed from a drilled well, 260 feet deep, 6 inch casing via a 30 H.P. Franklin submersible pump located near the toe of the tailings dam, thence through a distribution system back to the tailings pond located within Section 9 and 10, T.30N., R.43E., M.D.B.&M. for mining, milling and domestic purposes.**

**The total combined duty of water under Permit 11876, Certificate 3503, Permit 22884, Certificate 7630, Permit 36870, Certificate 12923 and any certificates issued under Permits 36871, 36872, 36873, 49459, 49460, 49461, 52036, 52037 and 54214 shall not exceed 825.65 million gallons 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, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of SEPTEMBER, A.D. 19 93.

R. Michael Turnipseed P.E.
State Engineer

bk/sb