

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Wesley F. Buller, 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 milling purposes. The point of diversion of water from the source is as follows:

NE¼ NE¼ Section 33, T.4S., R.43E., M.D.B.&M., or at a point from which the SE corner of said Section 33 bears S. 1° 49' E., a distance of 4,530.0 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: Nevada Western Silica Corporation

Source: Underground

Manner of Use: Milling

Amount of appropriation: 0.067 c.f.s., but not to exceed 0.047 million gallons annually

Period of use: January 1st to December 31st of each year

Date of priority of appropriation: August 28, 1981

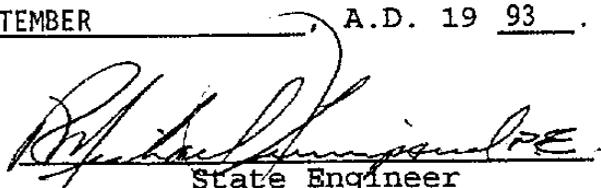
Description of the works of diversion, manner and place of use:

Water is developed by means of a drilled well, 600 feet deep, 10 inch casing via a 3 H.P. submersible pump to a 10,600 gallon storage tank, thence a water truck hauls the water to the place of use for milling purposes located in the NE¼ of Section 33, T4S., R.43E., M.D.B.&M.

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.



State Engineer

bk/sb