

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

~ ~ ~ ~ ~

WHEREAS, Charles Zimmerman, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (Genesis #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:

NW¼ SW¼ Section 32, T.36N., R.50E., M.D.B.&M., or at a point from which the SW corner of said Section 32 bears S. 27° 27' 10" W., a distance of 2,550.02 feet situated in Eureka 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: Newmont Gold Company

Source: Underground (Genesis #3)

Manner of Use: Mining, Milling and Domestic

Amount of appropriation: 0.936 c.f.s., but not to exceed 39.83 million gallons annually

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

Date of priority of appropriation: \*July 2, 1986

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

Water is developed by means of a drilled well, 807 feet deep, 10 3/4 inch casing via a submersible pump, thence through a 6 inch pipe 3,250 feet in length to the Genesis/North Area Leach located in Section 32, T.36N., R.50E., M.D.B.&M., for mining, milling and domestic purposes.

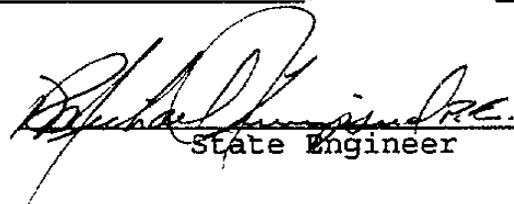
The total combined duty of water under this certificate and Permit 49960, 50688, 51074, 51750, 51963, 52354, 52795, Certificate 13396, 52797, Certificate 13397, 52999, 53000, 54335, 54337, 55127, 56607, 56608, 56609, 56610, 56611, 56612, 57965-T and 59059-T shall not exceed 2,000 million gallons annually.

\*This certificate changes the point of diversion of a portion of Permit 50688 which changed the point of diversion of Permit 49961, therefore, the date of priority remains the same as Permit 49961.

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 13th day of MAY, A.D. 19 94.

  
State Engineer

bk/sb