

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Travis E. Terras, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (West Well aka Norris Well) 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:

NE¼ NE¼ Section 20, T.10N., R.43E., M.D.B.&M.,
or at a point from which the NE corner of said
Section 20 bears N. 66° 04' 55" E., a distance
of 858.86 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: Smoky Valley Mining Company
Source: Underground (West Well aka Norris Well)
Manner of Use: Mining, Milling and Domestic
Amount of appropriation: *0.798 c.f.s., but not to exceed 183.11 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: April 5, 1972

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

Water is developed by means of a drilled well, 592 feet deep, 16 inch casing via a submersible pump equipped with a 75 H.P. motor, thence through 8,447 feet of 22 inch pipe, 6,524 feet of 20 inch pipe, 4,354 feet of 18 inch pipe and 333 feet of 12 inch pipe to the place of use located in the NE¼ SE¼ of Section 24, T.10N., R.43E., M.D.B.&M. for mining, milling and domestic purposes.

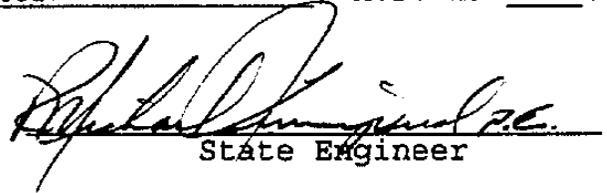
*The total combined diversion rate and duty of water under this certificate and Permit 12445 Certificate 3832, and Permit 12768 Certificate 3751, shall not exceed 0.798 c.f.s. and 183.11 million gallons annually, respectively.

The total combined duty of water under Permit 536; 1077 Certificate 267; 2908 Certificate 353; 3898 Certificate 2347; 12442 Certificate 3831; 12445 Certificate 3832; 12768 Certificate 3751; 14119 Certificate 4889; 26650; 26652; 44297; 44298; 44299; 44300 Certificate 13174; 50971; 51577 Certificate 13185; 51578 Certificate 13186; 52083; 53365; 55498; 55499; 55500; 55501; 55502; 55503; 59125T and 59365T shall not exceed 13,910.0 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, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 11th day of JULY, A.D. 19 94.


State Engineer

bk/sb