

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Eric L. Daniels, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (Cove Decline) through a drilled well, pump and distribution system for mining, milling and domestic (dewatering) purposes. The point of diversion of water from the source is as follows:

SW¼ NE¼ Section 1, T.28N., R.42E., M.D.B.&M., or at a point from which the NE corner of said Section 1 bears N. 59° 30' 51" E., a distance of 2877.8 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:

Name of appropriator: Echo Bay Minerals Co.
Source: Underground (Cove Decline)
Manner of Use: Mining, Milling and Domestic (Dewatering)
Amount of appropriation: 2.0 c.f.s., but not to exceed 471.76 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *October 20, 1987

Description of the works of diversion, manner and place of use:
Water is developed by means of four 58 H.P. sump pumps placed within the Cove Mine Decline, thence through a distribution system to the place of use for mining, milling and domestic purposes (dewatering) located within the following:

T.30N., R.42E., M.D.M., Sections 26, 27, 34, 35, 36; T.30N., R.43E., M.D.M., Section 30; T.29N., R.42E., M.D.M., Sections 1, 2, 3, 10, 11, 12, 13, 14, S½ 15, E½ 16, W½ 23, 24, 25, 26, S½ 27, S½ 28, S½ 29, SE¼ 30, E½ 31, 32, 33, 34, 35, 36; T.29N., R.43E., M.D.M., Sections 4, SW¼ 5, 6, 7, W½ 8, 10, S½ 14, E½ 16, W½ 17, 18, 19, 20, 21, 22, W½ 23, 24, 25, 26, 27, S½ 28, 29, 30, 31, 32, 33, 34, W½; SE¼; SE¼ NE¼ 35, 36; T.28N., R.42E., M.D.M., Sections 1, 2, 3, 4, 5, N½ 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24; T.28N., R.43E., M.D.M., Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27.

The total combined consumptive use of water under Permits 49249; 51711, Certificate 12515; 51712, Certificate 12516; 52528; 52529; 52776; 52777; 52778; 53220; 55178; 55179; 55180; 55181; 55183; 55186; 55903; 55904; 55905; 56497; 56498; 56894; 57369; 57370; 57967; 58410; 58411; 58412; 58413; 58414; 58415; 58720 and 58721 shall not exceed 3,000 acre-feet annually.

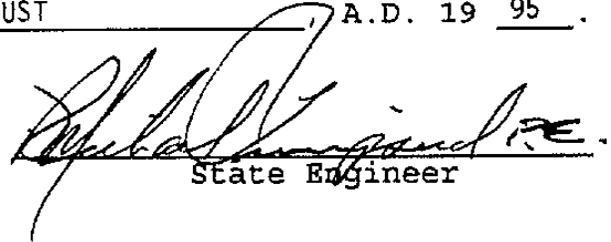
*This certificate changes the point of diversion of Permit 51445, therefore, the date of priority remains the same as Permit 51445.

continued

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 24th day of AUGUST, A.D. 19 95.


State Engineer

bk/sb