

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Sanford A. Shuler, Jr., Permittee 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 mining and milling purposes. The point of diversion of water from the source is as follows:

NE 1/4 SE 1/4 Section 22, T.28S., R.63E., M.D.B.&M., or at a point from which the SE corner of said Section 22 bears S. 30°04'38" E., a distance of 2,144.11 feet situated in Clark 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: Sanford A. Shuler, Jr.
Source: Underground
Manner of Use: Mining and Milling
Amount of appropriation: 0.1225 c.f.s., but not to exceed 2.0 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *August 22, 1985

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

Water is developed by means of a drilled well, 350 feet deep, 6 5/8 inch diameter casing, via a 1 1/2 H.P. Berkley pump to two storage tanks, thence through a distribution system to the place of use for mining and milling purposes located within the following:

- Portion of SE 1/4 NW 1/4 SW 1/4 Section 22, portion within WHIST MS #4578 NW corner boundaries.
Portion of NE 1/4 SW 1/4 SW 1/4 Section 22, portion within WHIST MS #4578 SW corner boundaries.
S 1/2 NE 1/4 SW 1/4 Section 22, portion within WHIST MS #4578 Northerly and Easterly boundaries.
N 1/2 SE 1/4 SW 1/4 Section 22 except SW corner of New Diamond MS #4578.
Portion of E 1/2 NW 1/4 SE 1/4 Section 22, portion within NW and Westerly boundaries of Coyote MS #2060, *2 John and Sanford MS #4578 and *3 Coyote Mill Site #1.
Portion of N 1/2 SW 1/4 SE 1/4 Section 22, portion outside of the New Diamond MS #4578 South boundary M&R #1 Northerly boundary.
Portion of SE 1/4 NE 1/4 Section 22, portion outside Independence MS #2094 East and SE boundaries.
All of NE 1/4 SE 1/4 Section 22 except portion of Independence MS #2094 and portion of E 1/2 SE 1/4 NE 1/4 SE 1/4 Section 22.
N 1/2 SE 1/4 SE 1/4 Section 22 except Northerly and Easterly boundaries of M&R #1 Claim except portion of E 1/2 SE 1/4 SE 1/4 Section 22.

continued.....

Portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23.

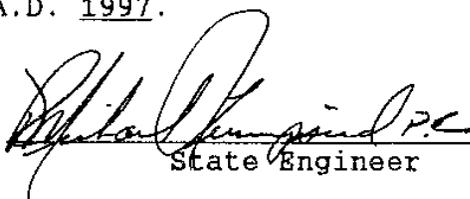
Portion of W $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

*This certificate changes the place of use of Permit 49300, therefore, the date of priority remains the same as Permit 49300.

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 October, A.D. 1997.



State Engineer

cms/sb