

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Robert E. Morley, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (Well BW-22) through a drilled well, pump, and distribution system for mining, milling and dewatering purposes. The point of diversion of water from the source is as follows:

NW¼ SW¼ Section 24, T.36N., R.49E., M.D.B.&M., or at a point from which the NE corner of Section 19, T.36N., R.50E., M.D.B.&M. bears N. 69°02'12" E., a distance of 10,996.58 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: Barrick Goldstrike Mines, Inc.
Source: Underground (Well BW-22)
Manner of Use: Mining, Milling and Dewatering
Amount of appropriation: *3.00 c.f.s., but not to exceed 707.72 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: **August 3, 1990

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

Water is developed by means of a drilled well, 2,000 feet deep, 24 inch casing, via a 10 stage Byron Jackson pump equipped with a 1,500 HP motor, thence through a distribution system to Barrick's mine and mill site and/or Newmont's mine and mill site (#4 Mill) for mining and milling purposes or to a reservoir permitted under J-320 for storage that has secondary permits. The place of use is located within the following:

SE¼SW¼, NE¼SE¼, S¼SE¼ Section 12; all of Section 13; SW¼SW¼, NE¼NE¼, S¼NE¼, SE¼ Section 14; NW¼SE¼, S¼SE¼ Section 15; SE¼NW¼, N¼SE¼, NE¼ Section 22; W¼NW¼, S¼SE¼, N¼NE¼, SW¼NE¼ Section 23; all of Sections 24, 25, and 26, T.36N., R.49E., M.D.B.&M.

S¼SE¼, SW¼ Section 7; S¼S¼ Section 8; all of Sections 17, 18, 19, and 20; S¼NW¼ Section 28; N¼ Section 29; SE¼SE¼, W¼E¼, W¼ Section 30, T.36N., R.50E., M.D.B.&M.

*The total combined consumptive duty of water under Permits 55138, 55139, 55140, 55141, 55142, 55143, 55145, 55146, 55148, 55149, 55150, 57217, 57218, 57222, 57223, 57224, 57225, 57226, 57227, 57230, 57231, 57233, 58354, 58355, 58470, 58471, 58472, 58473, 58474, 58475, 58476, 58543, 58544, 58545, 58546, 58547, 59685, 59686, 59687, 59688, 59860, 59861, 60565, 60566, 60782, 60783, 60784, 60785, 60786, 60788, and 61407, inclusive, shall not exceed 11,733.0 acre-feet annually for mining and milling purposes.

continued.....

*The total combined rate of diversion under any certificates issued under these Permits 55139, 55140, 55141, 55142, 55143, 55144, 55145, 55146, 55147, 55148, 55149, 55150 and any subsequent changes will not exceed 100.0 cubic feet per second, and the total combined withdrawal under these Permits and any subsequent changes will not exceed 72,000.0 acre-feet annually.

**This certificate changes the point of diversion of a portion of Permit 55143, therefore, the date of priority remains the same as Permit 55143.

This certificate is issued subject to the terms of the Settlement Agreement dated February 6, 1991, by which this certificate shall terminate upon permanent cessation of mining activity.

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 27th day of February, A.D. 1998.



State Engineer

cms/sb