

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Jack Elliott, Agent 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, milling, and domestic purposes. The point of diversion of water from the source is as follows:

NW¼ SW¼ Section 7, T.34N., R.69E., M.D.B.&M., or at a point from which the SE corner of Section 12, T.34N., R.68E., M.D.B.&M. bears S. 35°50' W., a distance of 2,177.0 feet situated in Elko 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: Continental Lime, Inc.
Source: Underground
Manner of Use: Mining, Milling, and Domestic
Amount of appropriation: *0.22 c.f.s., but not to exceed 11.44 million gallons annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: October 25, 1993

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

Water is developed by means of a drilled well, 130 feet deep, 8 inch diameter casing, via a 30 H.P. submersible pump, thence through a 6 inch pipeline 14,000 feet in length to the place of use within Sections 10, 13, 14, 15, 22, and 23, portions of 24, 25, 26 and 27, all within T.34N., R.68E., M.D.B.&M.

*The total combined rate of diversion and duty of water under this certificate and Permit 42378, Certificate 12883 shall not exceed 0.55 c.f.s., and 12.92 million gallons annually, respectively.

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 13th day of April, A.D. 1998.

[Handwritten signature of R. Michael Turnipseed]
State Engineer