

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 (MW-1) 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 NE¼ Section 13, T.36N., R.49E., M.D.B.&M., or at a point from which the NW corner of said Section 13 bears N. 84°24'42" W., a distance of 3,303.71 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: Barrick Goldstrike Mines Inc.
Source: Underground (MW-1)
Manner of Use: Mining, Milling and Dewatering
Amount of appropriation: *1.12 c.f.s., but not to exceed 811.0 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: March 25, 1994

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

Water is developed by means of a drilled well, 2,248 feet deep, 24 inch diameter casing, via a Reda 29 stage pump equipped with a 360 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:

SE¼ SW¼, NE¼ SE¼, S½ SE¼ Section 12; all of Section 13; SW¼ SW¼, NE¼ NE¼, S½ NE¼, SE¼ Section 14; NW¼ SE¼, S½ SE¼ Section 15; SE¼ NW¼, N½ SE¼, NE¼ Section 22; W½ NW¼, S½ SE¼, N½ NE¼, SW¼ NE¼ Section 23; all of Sections 24, 25, and 26, T.36N., R.49E., M.D.B.&M.

S½ SE¼, SW¼ Section 7; S½ S½ Section 8; all of Sections 17, 18, 19, and 20; S½ NW¼ Section 28; N½ Section 29; SE¼ SE¼, W½ E¼, W½ 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, 61407, 62736, 62737, 63126, 63127, and 63767, shall not exceed 11,733.0 acre-feet annually for mining and milling purposes.

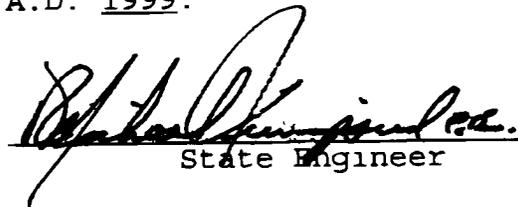
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This certificate is issued subject to the terms of the Settlement Agreement and Withdrawal of Protest dated November 7, 1994, by which this certificate shall terminate upon permanent cessation of mining activity.

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 17th day of February, A.D. 1999.



State Engineer

cms/sb