

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, David Naccarati, 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:

SW¼ NW¼ Section 28, T.29N., R.43E., M.D.B.&M., or at a point from which the W¼ corner of said Section 28 bears S. 51°51'04" W., a distance of 61.1 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 Exploration Inc.
Source: Underground
Manner of Use: Mining, Milling and Domestic
Amount of appropriation: \*1.78 c.f.s., but not to exceed 500.0 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: August 6, 1985

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

Water is developed by means of a drilled well, 282 feet deep, 16 inch diameter casing, via a 10 stage submersible pump equipped with a 150 H.P. motor, thence through a 10 inch diameter steel pipeline 3.5 miles to the place of use located within all or portions of Sections 24, 34, 35, and 36, T.29N., R.42E., M.D.B.&M.; Sections 1, 2, 3, 10, 11, and 12, T.28N., R.42E., M.D.B.&M.; Section 31, T.29N., R.43E., M.D.B.&M.; Sections 6 & 7, T.28N., R.43E., M.D.B.&M., for mining, milling and domestic purposes.

\*The total combined rate of diversion and duty of water under this certificate and Permit 51711, Certificate 12515, shall not exceed 1.78 c.f.s., or 577.4 acre-feet annually.

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 16th day of August, A.D. 1999.

[Handwritten signature of R. Michael Turnipseed, P.E.]
State Engineer