

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Ross E. de Lipkau, 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:

NE¼ SE¼ Section 15, T.37N., R.49E., M.D.B.&M., or at a point from which the SE corner of said Section 15 bears S. 37°33'00" E., a distance of 2,031.0 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: Baroid Drilling Fluids, Inc.
Source: Underground
Manner of Use: Mining, Milling and Domestic
Amount of appropriation: \*0.122 c.f.s., but not to exceed 88.18 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: December 9, 1980

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

Water is developed by means of a drilled well, 400 feet deep, 8 inch diameter casing, via a submersible pump, thence through a distribution system to the Rossi Mine located within Section 15; E¼ Section 21; all of Sections 22, 26, 27, 34, and 35, T.37N., R.49E., M.D.B.&M.

\*The total combined duty of water under this certificate and any certificates issued under Permits 42931, 42932 and 61410, shall not exceed 196.42 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 4th day of January, A.D., 2000.

[Signature]
State Engineer

cmf/sb

61410 certificate 15359 issued 01/04/00