THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Michael D. Buschelman, 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 #2), through a drilled well, pump and distribution system for mining and milling purposes. The point of diversion of water from the source is as follows:

SW¼ SW¼ Section 33, T.34N., R.43E., M.D.B.&M., or at a point from which the SW corner of said Section 33, bears S. 62°55′49″ W., a distance of 1,455.07 feet situated in Humboldt 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:	**Glamis Marigold Mining Company**
Source:	**Underground (Well #2)**
Manner of Use:	**Mining and Milling**
Amount of appropriation:	***0.45 c.f.s., but not to exceed 76.65 million gallons annually**
Period of use:	**January 1st to December 31st of each year**
Date of priority of appropriation:	**March 2, 1988**

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

Water is developed by means of a drilled well, 600 feet deep, 12 inch diameter casing, equipped with Peabody Floway Turbine Pump and a High Thrust U.S. Electrical Motor, thence through a distribution system to the Marigold Mine located within the following:

All of Section 11; SE¼ Section 12; and all of Sections 13, 14, 24, 25, and 36, T.34N., R.42E., M.D.B.&M.

All of Sections 1, 12, 13, 24, 25 and 36, T.33N., R.42E., M.D.B.&M.

All of Section 1, T.32N., R.42E., M.D.B.&M.

All of Section 17; W½, W½ SE¼, SE¼ SE¼, Section 18; Section 19; W½, W½ SE¼, SE¼ SE¼, Section 20; and all of Sections 28, 29, 30, 31, 32 and 33, T.34N., R.43E., M.D.B.&M.

All of Sections 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 29, 30, 31 and 32; T.33N., R.43E., M.D.B.&M.

Section 5; W½ W½, NE¼ NW¼, NE¼, N½ SE¼, SE¼ SE¼, Section 6, T.32N., R.43E., M.D.B.&M.

***The total combined duty of water under this certificate and any certificates issued under Permits 51463, 51886, 58020, 58021 and 58022 shall not exceed 250 million gallons annually.**

***The total combined duty of water under this certificate and any certificates issued under Permits 51463, 51886, 58020, 58021, 58022, 58023 and 58024 shall not exceed 828.64 million gallons annually.**

This certificate is issued subject to the terms of the permit.

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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, **HUGH RICCI, P.E.**, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this **13th** day of **May**, A.D., **2002**.

Hugh Ricci, P.E.
State Engineer

cmf/sb