AMENDED

№ 44053

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 29 1981

Returned to applicant for correction SEP 8 1981

Corrected application filed OCT 23 1981

Map filed OCT 23 1981 under 44052

The applicant Newmont Exploration Ltd.

P. O. Box 368 (Street and No. or P.O. Box No.), of Elko (City or Town),

Nevada 89801 (State and Zip Code No.), hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) April 30, 1946, Delaware

1. The source of the proposed appropriation is Underground (Name of stream, lake or other source.)

2. The amount of water applied for is 6 cfs second-feet (One second-foot equals 448.83 gals. per min.)

   (a) If stored in reservoir give number of acre-feet ..... acre-feet

3. The water to be used for Mining and Milling (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated) .....

   (b) Stockwater (state number and kinds of animals to be watered) .....

   (c) Other use (describe fully under "No. 12. Remarks") .....

   (d) Power:

      (1) Horsepower developed .....

      (2) Point of return of water to stream .....

5. The water is to be diverted from its source at the following point: NE¼ SE¼ Section 34, T32N, R53E, MDB & M., at a point from which the SW corner of said Section 34 bears S 64° 55' 00" W 5150.00 feet.
   (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

6. Place of use E½ Section 8, All of Sections 1, 3, 10, 12 & 14, T31N, R53E, MDB & M; All of Sections 34 & 35, T32N, R53E, MDB & M; All of Section 31, T32N, R54E, MDB & M; All of Sections 5, 6 & 18, T31N, R54E, MDB & M.
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) This water is to be used for exploration drilling of a mineral deposit.
   (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $20,000

10. Estimated time required to construct works 3 years
If well completed, describe works.

11. Estimated time required to complete the application to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Annual consumptive use is 1,415,000,000 gallons per year. If the exploration drilling proves out an ore body, then this water would be used for mining and milling of the ore body.

By s/Alan S. Boyack
Signature, applicant or agent
Alan S. Boyack, Agent, 515 South Fifth Street
Elko, Nevada 89801

Compared bc/bl

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued FEB 4 1985 A.D. 19

IN TESTIMONY WHEREOF, I
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of,

State Engineer

218 (Rev. 9-80)