

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 15 1982

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed JAN 18 1983 under 46341

The applicant Newmont Exploration Ltd.

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

Nevada 89801 hereby make application for permission to change the  
State and Zip Code No.

Point of Diversion and Place of Use  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application 44055  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Identify right in Decree.) \_\_\_\_\_

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 6.0 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining and Milling  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Mining and Milling  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW 1/4 NE 1/4 Section 5, T 31 N, R 54 E, MDB & M  
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.  
AT A POINT FROM WHICH THE E 1/2 corner of said Section 5 bears S 41° 23' 06" E  
2178.75 feet.

6. The existing permitted point of diversion is located within NE 1/4 SW 1/4 Section 31, T 32 N, R 54 E, MDB & M  
If point of diversion is not changed, do not answer.  
at a point from which the SW corner of Section 34, T 32 N, R 53 E, MDB & M, bears  
S 85° 17' 22" W 18,221.20 feet.

7. Proposed place of use E 1/2 Section 8, All of Sections 1, 3, 10, 12 & 14, T 31 N, R 53 E, MDB & M;  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
All of Sections 34, 35, T 32 N, R 53 E, MDB & M; All of Section 31, T 32 N, R 54 E,  
MDB & M; All of Sections 4, 5, 6 & 18, T 31 N, R 54 E, MDB & M.

8. Existing place of use E 1/2 Section 8: All of Sections 1, 3, 10, 12 & 14, T 31 N, R 53 E, MDB & M;  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  
All of Sections 34, 35, T 32 N, R 53 E, MDB & M; All of Section 31, T 32 N, R 54 E,  
MDB & M; All of Sections 5, 6 & 18, T 31 N, R 54 E, MDB & M.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. 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  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.  
drilling of a mineral deposit.

12. Estimated cost of works \$20,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years.....

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

The 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  
Alan S. Boyack, Agent  
515 South Fifth Street  
Elko, Nevada 89801

Compared sb/bl.....

Protested.....

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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... cubic feet per second.....

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.....

Completion of work filed..... IN TESTIMONY WHEREOF, I.....

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this..... day of.....

Certificate No..... Issued..... A.D. 19.....

WITHDRAWN BY APPLICANT FEB 1-1 1985  
*Peter L. Monroque*  
STATE ENGINEER