

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 AUG 14 1985

Returned to applicant for correction

Corrected application filed Map filed AUG 14 1985

The applicant New Dynasty Mines (U. S.) Inc.

400-355 Burrard Street of Vancouver City or Town

B.C. V6C2G8 here by makes application for permission to change the State and Zip Code No.

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

of water heretofore appropriated under Permit 48594 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decrees.)

- 1. The source of water is Underground Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 0.2474 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining & Milling Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Mining & 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 SE 1/4 SW 1/4 of Section 11, T. 23 N., R. 56 E. Describe as being within a 40-acre subdivision of public survey and by course and

MDB & M at a point from which the SW corner of Section 14, T. 23 N., R. 56 E., MDB & M distance to a section corner. If on unsurveyed land, it should be stated. bears S 19° 49' 30" W 5861.69 feet.

- 6. The existing permitted point of diversion is located within SW 1/4 SW 1/4 of Section 1, T. 23 N., R. 56 E. If point of diversion is not changed, do not answer.

MDB & M at a point from which the SE corner of said Section 1 bears S 86° 02' 00" E 4620.00 feet.

7. Proposed place of use Portion of SE 1/4 SW 1/4, E 1/2 SE 1/4 Sec. 21; Portion of SW 1/4 Sec. 22; Portion of NW 1/4 SW 1/4, SW 1/4 NW 1/4 Sec. 26; S 1/2 Portion of NW 1/4 S 1/2 NE 1/4 Sec. 27; SE 1/4, NW 1/4, NE 1/4 SW 1/4, Portion of NW 1/4 SE 1/4 SW 1/4, NE 1/4 NW 1/4, NE 1/4 NE 1/4 Sec. 28; Portion of NE 1/4 Sec. 32; NE 1/4, Portion of NE 1/4 SW 1/4, NW 1/4 SE 1/4 Sec. 33; NW 1/4, W 1/2 NE 1/4, NW 1/4 SW 1/4, Portion of E 1/2 NE 1/4, N 1/2 SE 1/4, E 1/2 SW 1/4, SW 1/4 SW 1/4 Sec. 34; Portion NW 1/4 NW 1/4 Sec. 35, T. 24 N., R. 57 E., MDB & M. Portion of NW 1/4 NW 1/4 Sec. 3, T. 23 N., R. 57 E., MDB & M.

- 8. Existing place of use Same as above 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.

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

- 10. Use was permitted from May 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.) Pipelines & Water trucks to the Place of State manner in which water is to be diverted, i.e. diversion structure, ditches,

Use, Storage Ponds Water to be recirculated from ponds to heap leach pads pipes and flumes, or drilled well, etc.

- 12. Estimated cost of works \$50,000

- 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.

200,000 tons of gold ore will be processed each year by heap leaching requiring 119,904 gallons of water per ton = 23,980,800 gals/yr. 11,990,328 gals/yr will be needed for mining. Total annual consumptive use is 35,971,128 gals. 111,022 gals/min x 60 min x 24 hrs x 225 days/yr equals 35,971,128 gals. Estimated loss of water to be 25%. This annual consumptive use is a combined total for this application and permits 48592, 48593 and 48595.

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

Compared jm/SE js/bc

Protested \_\_\_\_\_

APPROVAL 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:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 48594 is issued subject to the terms and conditions imposed in said Permit 48594 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 48592, 48593 and 49272 shall not exceed 35.971 million gallons seasonally.

(CONTINUED ON Page 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.2474 cubic feet per second, but not to exceed 35.971 million gallons seasonally.

Work must be prosecuted with reasonable diligence and be completed on or before May 13, 1987

Proof of completion of work shall be filed before June 13, 1987

Application of water to beneficial use shall be made on or before May 13, 1990

Proof of the application of water to beneficial use shall be filed on or before June 13, 1990

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

Completion of work filed JUL 10 1987 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed \_\_\_\_\_ State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 12th day of February

Cultural map filed \_\_\_\_\_ A.D. 1986

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

*[Signature]*  
State Engineer

WITHDRAWN BY APPLICANT AUG 27 1998

*[Signature]* STATE ENGINEER

(PERMIT TERMS CONTINUED)

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

