

AMENDED

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 JAN 15 1986
Returned to applicant for correction JAN 27 1986
Corrected application filed JAN 30 1986 Map filed JAN 30 1986

The applicant Gold Fields Operating Co. - Chimney Creek
200 Union Blvd., Suite 500 of Lakewood
Street and No. or P.O. Box No. City or Town
Colorado 80228 hereby make^s 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 Amended application for permit to appropriate
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
the public water of the State of Nevada, Serial No. 49152
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 3 second feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for mining, milling and domestic
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 The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32 T39N R43E
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B. & M. at a point which bears N71 $^{\circ}$ 19'E a distance of 141 feet from the
distance to a section corner. If on unsurveyed land, it should be stated.
southwest corner of said Section 32.

6. The existing permitted point of diversion is located within The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 28
If point of diversion is not changed, do not answer.
T39N R43E M.D.B. & M. at a point which bears S31 $^{\circ}$ 33'E a distance of 5,760
feet from the northwest corner of said Section 28.

7. Proposed place of use See Attached Sheet Exhibit A
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Attached Sheet Exhibit A
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 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.) Drilled and cased well, submersible pump,
State manner in which water is to be diverted, i.e. diversion structure, ditches,
electric motor, storage reservoir and distribution system.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$50,000.00

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use..... 7 years

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

Water will be used for mining and milling purposes. A conventional milling cycle and leaching cycle will be utilized. Annual consumption will not exceed 1,000 acre-feet per year. Reclamation practices will be utilized to conserve water.

By..... s/ Ross E. de Lipkau
Ross E. de Lipkau Agent
1 East Liberty Street, P.O. Box 2790
Reno, NV 89509

Compared..... js/ jm..... 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 and place of use of the waters of an underground source as heretofore granted under Permit 49152 is issued subject to the terms and conditions imposed in said Permit 49152 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. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. 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 49151, 49633 and 49634 shall not exceed 815 million gallons annually.

(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..... 3.0..... cubic feet per second, but not to exceed 707.715 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... May 19, 1987

Proof of completion of work shall be filed before..... June 19, 1987

Application of water to beneficial use shall be made on or before..... May 19, 1989

Proof of the application of water to beneficial use shall be filed on or before..... June 19, 1989

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

Completion of work filed..... MAY 18 1988

IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed.....

my office, this 19th day of May

Cultural map filed.....

A.D. 19 86

Certificate No..... Issued.....

Peter G. Morros
State Engineer

Abrogated By port. 60679-T 2-86 EXP. 2-14-96
62218-T 2-77 #p 9/11/97
63435-T 2-77

(PERMIT TERMS CONTINUED)

This permit is issued under the preferred use provisions of NRS Chapter 534. 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.

EXHIBIT A

7. Proposed place of use within T40N R43E: Sections 5-8, 14-23, 26-34 and portions of Sections 4, 9-11 and 35; within T39N R43E: Sections 3-10, 15, 16, 20, 30, 32 and portions of Sections 2, 11, 14, 17, 18, 21, 22 and 28; within T39N R42E: Section 24 and portions of Sections 1, 2 and 12; within T40N R42E: Sections 13, 24, 25, 36 and portions of Sections 1, 12, 14, 23, 26 and 35; within T41N R42E: Portions of Sections 35 and 36; within T41N R43E: Portions of Sections 31 and 32 all based on the Mount Diablo Base and Meridian.

8. Existing place of use within T40N R43E: Sections 5-8, 14-23, 26-34 and portions of Sections 4, 9-11 and 35; within T39N R43E: Sections 3-10, 15, 16, 20, 30 and portions of Sections 2, 11, 14, 17, 18, 21, 22 and 28; within T39N R42E: Section 24 and portions of Sections 1, 2 and 12; within T40N R42E: Sections 13, 24, 25, 36 and portions of Sections 1, 12, 14, 23, 26 and 35; within T41N R42E: Portions of Sections 35 and 36; within T41N R43E: Portions of Sections 31 and 32 all based on the Mount Diablo Base and Meridian.