Serial No. 50665

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 MAR 6 1987

Returned to applicant for correction APR 9 1987

Corrected application filed _____ Map filed APR 15 1987 under 50664

The applicant Newmont Gold Company (successor to Carlin Gold Mining Company)
Box 669 (Street and No. or P.O. Box No.) of Carlin (City or Town)
Nevada 89822 (State and Zip Code No.) hereby makes application for permission to change the point of diversion and place of use of a portion (Point of diversion, manner of use, and/or place of use)
of water heretofore appropriated under permit no. 45210 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground (Raine road well no.3) (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.25 (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 within the SW1/4 SE1/4 Section 19, T. (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.) 32N., R.53E., M.D.M., from which the NE corner of said Sec.19 bears N.24°35'E., 5,390 ft. dist.
6. The existing permitted point of diversion is located within NW1/4 SE1/4 Section 34, T.33N., (If point of diversion is not changed, do not answer.) R.52E., M.D.M. from which the NE corner of said section 34 bears N.34°07'E., 3,744 ft. dist.
7. Proposed place of use T.32N., R.52E.: Sec 3, and portion of NE1/4 Sec. 4, (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) E1/2 NE1/4 Sec. 10, Secs. 11 and 13(all), Sec.14: N1/2, SE1/4 Sec. 24: N1/2; T.31N., R.53E.: Section 4: N1/2; Sec. 5: N1/2; T.32N., R.53E.: Sec. 19: W1/2, SE1/4; Sec.20: Sec.20: SW1/4; Sec.29(all); Sec. 30: NE1/4; Sec. 32: N1/2, SE1/4: Sec. 33 (all)
8. Existing place of use portions of the following: Sec. 34, T.33N., R.52E; (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.) Sections 1,2,3,11,12, T.32N., R52E. Sections 7, 16,17,18,21,27,28,33 & 34, T.32N, R.53E., M.D.M.
9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.
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, equipped with pump and motor and storage tank (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $25,000.00
13. Estimated time required to construct works two years

14. Estimated time required to complete the application of water to beneficial use four 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 from this and two other change applications being submitted at this same time is to be used during the construction of the Raine Mine access road, and, after completion, to be used for dust suppression, equipment washing, and incidental uses pertaining to road maintenance. Total consumption from all 3 sources will not exceed 55.24 ac-ft

s/William A. Nisbet

By William A. Nisbet
421 Court
Elko, Nevada 89801

Compared cc/se pm/se

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 a portion of the waters of an underground source as heretofore granted under Permit 45210 is issued subject to the terms and conditions imposed in said Permit 45210 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.

The total combined duty of water under Permits 50664, 50665 and 50666 shall not exceed 18.0 million gallons annually.

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.

(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 0.25 cubic feet per second, but not to exceed 18.0 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 16, 1988

Proof of completion of work shall be filed before April 16, 1988

Application of water to beneficial use shall be made on or before March 16, 1989

Proof of the application of water to beneficial use shall be filed on or before April 16, 1989

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of January, A.D. 19 88

State Engineer

2407 (Rev. 6-81)

WITHDRAWN BY APPLICANT FEB 2 1 2002

STATE ENGINEER

(PERMIT TERMS CONTINUED)

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