

**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 1 1988

Returned to applicant for correction SEP 14 1988

Corrected application filed NOV 3 1988 Map filed NOV 3 1988 proposed POU under 51464; Existing POU under 46341

The applicant Newmont Exploration Ltd.

Post Office 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 of a Portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 46346  
(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  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 1.0 cfs  
Second feet, acre feet. One second foot equals 448.3 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 NE 1/4 NW 1/4 Section 16 T31N, R54E, MDM at a point  
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.  
from which the NE corner of Section 9 T31N, R54E, MDM bears N31° 48' 32"E, 6.705.31  
feet distance.

6. The existing permitted point of diversion is located within SE 1/4 SE 1/4 Section 4 T31N, R54E, MDM at  
If point of diversion is not changed, do not answer  
a point from which the SE corner of said Section 4 bears S27° 08' 53"E, 556.05  
feet distance.

7. Proposed place of use E 1/2 Section 8, all of Sections 1, 2, 3, 10, 11, 12, and 14 T31N,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
R53E MDM; all of Sections 34 and 35 T32N, R53E MDM; all of Section 31 T32N, R54E,  
MDM; all of Sections 4, 5, 6, and 18 T31N, R54E, MDM.

8. Existing place of use E 1/2 Section 8, all of Sections 1, 3, 10, 12 and 14 T31N, R53E MDM;  
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 and 35 T32N, R53E, MDM; all of Section 31 T32N, R54E, MDM;  
all of Sections 4, 5, 6, and 18 T31N, R54E, MDM.

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 equipped with motor  
State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.  
pump and pipeline to place of use

12. Estimated cost of works \$50,000

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 10 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 total combined duty will not exceed 587.8 million gallons annually.

Please refer to map filed under Application 51464 which illustrates the existing and proposed place of use and existing point of diversion to support this application.

By s/ Michael D. Buschelman Agent  
5405 Mae Anne Avenue  
Reno, Nevada 89523

Compared pm/jjs pm/se

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify 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 46346, is issued subject to the terms and conditions imposed in said Permit 46346, 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 44052, 44056, 46346, 47341, 50078, 50079, 50080, 50243, 51809, 51810, 52253, and 52355 shall not exceed 587.8 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 1.0 cubic feet per second but not to exceed 235,906 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 23, 1989

Proof of completion of work shall be filed before November 23, 1989

Application of water to beneficial use shall be made on or before October 23, 1992

Proof of the application of water to beneficial use shall be filed on or before November 23, 1992

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 13th day of March,

A.D. 19 89

Peter G. Morros  
State Engineer

**EXPIRED**

**DATE MAY 03 1996**

(PERMIT TERMS CONTINUED)

The total combined diversion rates of permits 44052, 44056, 46346, 47341, 50078, 50079, 50080, 50243, 51809, 51810, 52253 and 52355 shall not exceed 6.0 cubic feet per second.

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

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 Permittee shall submit a report to the State Engineer on a monthly basis which contains all surface water and groundwater measurements and water use data from each well.

The State Engineer retains the right to impose further conditions as necessary upon review and evaluation of data submitted as a result of the monitoring program.

This permit will expire at the termination of the Rain Project or May 3, 1996, whichever comes first.

