

AMENDED

Serial No. **52795**

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

DEC 21 1988

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... **DEC 27 1988** Map filed..... **DEC 27 1988**

The applicant..... **Newmont Gold Company**

P.O. Box **669** of **Carlin**
Street and No. or P.O. Box No. City or Town

Nevada 89822 hereby make application for permission to change the
State and Zip Code No.

point of diversion of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under..... **Permit No. 51750**
(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 - PPW #3**
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed..... **1.00 cfs**
Second feet, acre feet. One second foot equals 448.3 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..... **NW 1/4 NE 1/4 Section 19 T36N, R50E, MDM at a point**
Describe as being within a 40-acre subdivision of public survey and by course and
from which the NE corner of said Section 19 bears N 74°45'17"E a distance of
distance to a section corner. If on unsurveyed land, it should be stated.
1850.55 feet.

6. The existing permitted point of diversion is located within..... **SE 1/4 SW 1/4 Section 17 T36N, R50E, MDM**
If point of diversion is not changed, do not answer
at a point from which the E 1/4 corner of Section 19 T 36N, R50E, MDM bears S 42°
33'52" W a distance of 3758.58 feet.

7. Proposed place of use..... **same as existing**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use..... **Sections 17 and 20 T36N, R50E, 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.

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,
pump and pipeline to place of use
pipes and flumes, or drilled well, etc.

12. Estimated cost of works..... **\$60,000**

13. Estimated time required to construct works..... **2 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 total combined duty of water under this application and Permit No's 50688, 50939, 50940, 51074 and 51750 will not exceed 420.48 mga.

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

Compared..... kh/ se 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 of a portion of the waters of an underground source as heretofore granted under Permit 51750 is issued subject to the terms and conditions imposed in said Permit 51750 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 50688, 50939, 51074, 51750, 51963, 52354, 52795, 52796 and 52797 shall not exceed 420.28 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 70.08 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 10, 1989

Proof of completion of work shall be filed before August 10, 1989

Application of water to beneficial use shall be made on or before July 10, 1991

Proof of the application of water to beneficial use shall be filed on or before August 10, 1991

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

Completion of work filed AUG 22 1989 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed AUG 29 1991 State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed office, this 6th day of April

Certificate No. 13396 Issued JUL 27 1992 A.D. 19 89

[Signature]
State Engineer

(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.