

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office MAY 4 1989

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 4 1989 under 53220

The applicant ECHO BAY MINERALS COMPANY

5250 Neil Road, Suite 300, of Reno,
Street and No. or P.O. Box No. City or Town

Nevada 89502, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Incorporated in the State of Delaware on
October 26, 1986.

1. The source of the proposed appropriation is underground (Well D)
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 4.0 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____

3. The water to be used for mining, milling and domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated _____

(b) Stockwater, state number and kinds of animals to be watered _____

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point within the SW 1/4 Section 36
Describe as being within a 40-acre subdivision of public

Township 29 North, Range 42 East, M.D.B. & M., at a point from which the SE corner
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

of said Sec 36 bears S 69°44'26" E, a distance of 2732.1 feet.

6. Place of use Refer to Exhibit "A" attached hereto. Exhibit "A" place of use is the
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

same as that filed with Application 51710.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

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

9. Estimated cost of works \$100,000

10. Estimated time required to construct works Three years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Seven years

12. 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 both heap leaching and milling of precious metal ore. See letter of Meade Stirland dated April 25, 1988 which sets forth an annual consumptive duty not to exceed 2453 acre-feet annually. Water developed from this source above that needed for mining and milling purposes will be discharged in accordance with applicable approvals. Prior to any discharge, approval will first be obtained from the Nevada State Engineer and other applicable governmental entities.

By s/ Ross E. de Lipkau
P. O. Box 2790
Reno, Nevada 89505

Compared pm/ se bp/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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 place to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. 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.

The issuance of this permit will allow the permittee to dewater the pit area. Maximum use of water for mining, milling and related purposes from all dewatering wells shall be made. All of the water from the dewatering wells not used for mining, milling and related purposes shall be returned to the groundwater source in (CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before May 16, 1991

Proof of completion of work shall be filed on or before June 16, 1991

Application of water to beneficial use shall be made on or before May 16, 1993

Proof of the application of water to beneficial use shall be filed on or before June 16, 1993

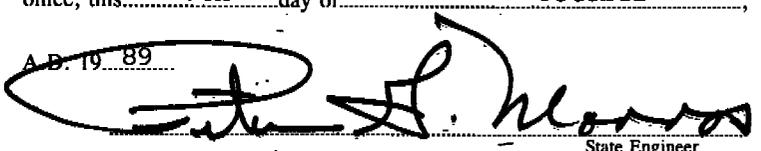
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____ IN TESTIMONY WHEREOF, I PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed _____ office, this 26th day of October

Cultural map filed _____

A.D. 19 89

State Engineer

Certificate No. _____ Issued _____

EXHIBIT "A"

T30N R42E MDM
Sections 26, 27, 34, 35, 36

T30N R43E MDM
Section 30

T29N R43E MDM
Sections 1, 2, 3, 10, 11, 12, 13, 14, S 1/2 15, E 1/2 16,
23, 24, 25, 26, S 1/2 27, S 1/2 28, S 1/2 29,
SE 1/4 30, E 1/2 31, 32, 33, 34, 35, 36

T29N R43E MDM
Sections 4, SW 1/4 5, 6, 7, W 1/2 8, 10, S 1/2 14, E 1/2
16, W 1/2 17, 18, 19, 20, 21, 22, W 1/2 23, 24,
25, 26, 27, S 1/2 28, 29, 30, 31, 32, 33, 34,
W 1/2, SE 1/4, SE 1/4 NE 1/4 35, 36

T28N R42E MDM
Sections 1, 2, 3, 4, 5, N 1/2 8, 9, 10, 11, 12, 13, 14,
15, 22, 23, 24

T28N R43E MDM
Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26,
27

