

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. DEC 05 1989

Returned to applicant for correction.....

Corrected application filed..... Map filed.....

The applicant Newmont Gold Company
Post Office Box 669 of Carlin
Street and No. or P.O. Box No. City or Town

Nevada 89522 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 Permit No. 50567
(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 (Post Well)
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.50 cfs - 13.10 mga
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 within NW 1/4 SE 1/4 Section 19, T36N, R50E,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.M. at a point from which the NW corner of said Section 19 bears N37°39'17"W,
distance to a section corner. If on unsurveyed land, it should be stated.
a distance of 4,747.04 ft.

6. The existing permitted point of diversion is located within NE 1/4 NW 1/4 Section 19, T36N, R50E, M.D.M.
at a point from which the W 1/4 corner of said Section 19 bears S 47°21'W, a distance of 2,476 feet.
If point of diversion is not changed, do not answer

7. Proposed place of use Sections 13, 23, 25, 26, 27, 34 and 35 T36N, R49E, M.D.M. and
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
Sections 18, 19, 20, 28, 29 and 30 T36N, R50E, M.D.M.

8. Existing place of use NW 1/4 Section 19, T36N, R50E, M.D.M.
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, pump and meter
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 \$50,000

13. Estimated time required to construct works 4 weeks

14. Estimated time required to complete the application of water to beneficial use...n/a...temporary.....

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

This application is being filed for a temporary permit to change the point of diversion and place of use of Permit No. 50567

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

Compared db/ jm bp/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 temporary 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 50567 is issued subject to the terms and conditions imposed in said Permit 50567 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 temporary Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This temporary permit is issued subject to the water management plan and water management plan addendum among Barrick Goldstrike Mines, Inc.; Newmont Gold Company; and T S Ranch Joint Venture dated May 1, 1989.

(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 0.5 cubic feet per second, but not to exceed 13.10 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

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

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 14th day of December

A.D. 19 89
Peter G. Morros
State Engineer

TEMPORARY

TEMPORARY

EXPIRED

DATE 13 Dec 90

(PERMIT TERMS CONTINUED)

Any water obtained as a result of the dewatering operation of Barrick Goldstrike Mines, Inc. or Newmont Gold Company shall be used first by the permittee for mining, milling, heap leaching, drilling, road watering and other related mining and milling uses herein after referred to as mining and milling uses within the described place of use and prior to any use of the water authorized under Permits 49960, 50688, 50939, 50940, 51074, 51750, 51963, 52354, 52795, 52797, 52999, 53000, 54156-T, 54212-T and 54213-T. The total amount of water under the above mentioned permits shall not exceed 2,000 million gallons annually.

The parties to the water management plan shall submit a monitoring plan to the State Engineer within three months after the issuance of this permit. This plan must address all aspects of potential impacts resulting from any pumping of water including the dewatering of the pit area. The State Engineer retains the right to require the parties of the plan to cooperate in the funding of a hydrology study to be conducted by an independent third party.

The State Engineer retains the right to regulate the pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount pumped from each well and the amount used for each mining and milling purposes.

This temporary permit is issued pursuant to the provisions of NRS 534.345, Section 2 and will expire on December 13, 1990 at which time all rights herein granted shall revert to the right being changed by this temporary permit.