TEMPORARY

Serial No. 54307-T

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 JAN 09 1990

Returned to applicant for correction

Corrected application filed Map filed

The applicant Newmont Gold Company

P.O. 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. 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 (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.5 cfs - 35.04 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 Dometic (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 SE¼ NE¼ Section 31 T36N, R50E 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 SE corner of said Section 31 bears S11°36'01"E, a distance of 3,357 feet.
6. The existing permitted point of diversion is located within SE¼ SW¼ Section 17 T36N, R50E, MDM at a (If point of diversion is not changed, do not answer) point from which the E¼ corner of Section 19 T36N, R50E, MDM bears S42°33'52"W, a distance of 3,758.58 feet.
7. Proposed place of use Sections 31 and 32 T36N R50E, MDM (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 (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 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 $30,000.00
13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use 1 year

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 a request for a temporary permit to be utilized by the applicant for dewatering purposes.

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

Compared bp/se 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 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 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.

Any water obtained as a result of the dewatering operation of Barrick Goldstrike

(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 35.04 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

TEMPORARY

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

TEMPORARY

EXPIRED

DATE 2-6-91

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 7th day of February, A.D. 19 90

State Engineer

(Rev. 6-81)

(O)-1108

(PERMIT TERMS CONTINUED)

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, 51750, 51963, 52795, 52797, 52999, 53000, 53778-T, 53779-T, 54156-T, 54212-T, 54213-T, 54304-T, 54305-T, 54306-T and 54307-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 temporary 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 533.345, Section 2 and will expire on February 6, 1991 at which time all rights herein granted shall revert to the right being changed by this temporary permit.