

TEMPORARY

Serial No. 543107

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 9 1990

Returned to applicant for correction.

Corrected application filed. Map filed.

The applicant. Newmont Gold Company

P.O. Box 669 of Carlin Nevada 89822

hereby make S. application for permission to change the

point of diversion of a portion of water heretofore appropriated under Permit No. 52330

(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

2. The amount of water to be changed. 0.5 cfs - 105.0 mga

3. The water to be used for. Mining, Milling, and Domestic

4. The water heretofore permitted for. Mining, Milling, and Domestic

5. The water is to be diverted at the following point. NW 1/4 SW 1/4 Section 35 T34N, R51E, MDM at a point from which the NE corner of said Section 35 bears N54° 25'01"E, a distance of 5,733 feet.

6. The existing permitted point of diversion is located within NW 1/4 NE 1/4 Section 35 T34N, R51E, MDM, at a point from which the NE corner of said Section 35 bears N60°47'E, a distance of 2,304 feet.

7. Proposed place of use. same as existing

8. Existing place of use. Sections 34, 35, 36 T34N, R51E, MDM; Sections, 1, 2, 3, 10 and 11 T33N, R51E, MDM. and Section 6 T33N, R52E, MDM.

9. Use will be from. January 1 to December 31 of each year.

10. Use was permitted from. January 1 to December 31 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, 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.

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

Compared jm/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 of a portion of the waters of an underground source as heretofore granted under Permit 52330 is issued subject to the terms and conditions imposed in said Permit 52330 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.

No perforations shall be put in the production casing from ground level to 100 feet.

This temporary 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. (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 322.23 acre feet 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 7th day of February,

A.D. 19 90
Peter G. Morros
State Engineer

TEMPORARY

EXPIRED

DATE 2-6-91 gr

(PERMIT TERMS CONTINUED)

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

The total combined duty of water under Permits 40900, 47962, 48257, 48328, 48330, 48910, 48911, 48912, 49550, 49916, 49962, 51962, 52330, 52331, 52332, 52883, 52884, 53384, 53385, 54308-T, 54309-T and 54310-T shall not exceed 10,582 acre feet annually.

Any water obtained under Permits 52883, 52884, 53384, 53385, 54308-T, 54309-T and 54310-T as a result of the dewatering program by the permittee shall be used first for mining, milling, heap leaching, drilling, road water and other related mining and milling uses within the places of use as described.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount of water pumped from each well and the amount of water used for 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 charged by this temporary permit.