TEMPORARY

ASSIGNED

Serial No. 54544 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 MAR 19 1990

Returned to applicant for correction

Corrected application filed Map filed MAY 17 1988 under 52046

The applicant Santa Fe Pacific Mining, Inc.

P.O. Box 27019 (Street and No. or P.O. Box No.) of Albuquerque (City or Town)

New Mexico 87125 (State and Zip Code No.) hereby makes application for permission to change the

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

of water heretofore appropriated under permit 52046 (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 0.33 cfs (239 AFA) (Second feet, acre feet. One second foot equals 448.3 gallons per minute.)
3. The water to be used for mining, milling and domestic purposes (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for mining, milling and domestic purposes (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 SW¼ NE¼, section 19, T.39N., R.43E., M.D.B.&M. (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.) and from which the NE¼ corner of said section 19 bears N.57°54'56"E., 3068.7 feet.
6. The existing permitted point of diversion is located within NE¼ NW¼, section 33, T.39N., R.43E., M.D.B.&M. and from which the N¼ corner of section 33, T.39N., R.43E., M.D.B.&M. bears N.25°28'E., 1394.2 feet. (Said point referred to as RW well #5) (If point of diversion is not changed, do not answer)
7. Proposed place of use sections 19, 20, 21, 28, 29, 30, 32, 33, T.39N., R.43E., M.D.B.&M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use sections 19, 20, 21, 28, 29, 30, 32, 33, T.39N., R.43E., M.D.B.&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 Janaury 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.) well, pump, and distribution system (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 $80,000
13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use 3 years

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

This is an application for a temporary permit, the well is to be used for dewatering of pit. Consumptive use is 239 AFA. Water is to be commingled with water from other Santa Fe Pacific Mining, Inc. permits (52046 thru 52051) for a total combined duty of 3620 AFA. Water to be used in a milling, heap leaching mining complex.

s/Forrest L. Fox
By Forrest L. Fox, agent, Hydro-Search, Inc.
5250 S. Virginia St., suite 280
Reno, NV 89502

Compared pm/ se bp/vw

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 52046 is issued subject to the terms and conditions imposed in said Permit 52046 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 total combined duty of water under Permits 52046, 52047, 52048, 52049, 52050, 52051, 53339, 53340, 53341, 54541-T, 54542-T, 54543-T, 54544-T, 54545-T, 54546-T, 54547-T, 54548-T, 54549-T, 54550-T, 54551-T and 54552-T shall not exceed 3620 acre-feet annually.

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

(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 0.33 cubic feet per second, but not to exceed 239 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

TEMPORARY

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

TEMPORARY

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of April, A.D. 19 90.

R. Michael Turnipseed P.E.
State Engineer

(Rev. 6-81) EXPIRED

DATE APR 17 1991

(O)-1108

(PERMIT TERMS CONTINUED)

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.

This temporary permit is issued pursuant to the provisions of NRS 533.345, Section 2 and will expire on April 17, 1991 at which time all rights herein granted shall revert to the base right being changed by this permit.

This temporary permit is issued subject to the terms and conditions set forth in the State Engineer's Ruling No. 3606 dated May 19, 1989.