

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 MAY 17 1990

Returned to applicant for correction

Corrected application filed JUN 29 1990 under 36020 Map filed

The applicant Elko Land & Livestock Company, a Nevada Corporation

P.O. Box 220 of Battle Mountain Nevada 89820

hereby make application for permission to change the point of diversion and place of use of a portion

of water heretofore appropriated under Permit No. 36022

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 2.53 c.f.s.

3. The water to be used for irrigation

4. The water heretofore permitted for irrigation

5. The water is to be diverted at the following point SW 1/4 NW 1/4 Section 36, T.35N., R.48E., MDM at

a point from which the NE Corner of Section 2, T.34N., R.48E., MDM bears S 5 21'11" W,

2,938.09 feet

6. The existing permitted point of diversion is located within SE 1/4 NE 1/4 Section 8 T.34N., R.49E, MDM at

a point from which the NW Corner of Section 6, T.34N., R.49E., MDM bears N 52 2'38" W,

12,951.56 feet

7. Proposed place of use All of Sections 24,25,26,35,36 of T.35N., R.48E., MDM; all of

Sections 19,20,21,28,29,30,31,32 of T.35N., R.49E., MDM; all of Sections 1,2,3,10,

11,12,13,14,15,16,21,22,23,26,27 of T.34N., R.48E., MDM - 450.07 acres within proposed place of use

8. Existing place of use W 1/2 W 1/2 Section 9; E 1/2 E 1/2 Section 8; 8.86 ac. NW 1/4 NE 1/4, 8.82 ac. SW 1/4 NE 1/4,

9.34 ac. NW 1/4 SE 1/4, 9.91 ac. SW 1/4 SE 1/4, 6.58 ac. NE 1/4 NW 1/4, 6.75 ac. SE 1/4 NW 1/4, 9.95 ac. SW 1/4 NW 1/4, 8.75 ac. NW 1/4 NW 1/4,

SW 1/4 SW 1/4, 7.04 ac. NW 1/4 SW 1/4 all in Section 8; 7.21 ac. NE 1/4 NE 1/4, 8.69 ac. SE 1/4 NE 1/4, 6.58 ac. NE 1/4 SE 1/4, 8.56 ac. SE 1/4 SE 1/4 all in Section 7, all within T.34N., R.49E., MDM - 450.07

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.)

a drilled and cased well equipped with a

motor pump and pipeline to place of use

12. Estimated cost of works \$60,000.00

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use..... 7 years

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

Send copies to: Elko Land & Livestock Co. Use maps filed under Permits 28966
c/o Newmont Gold Company & 36020 for existing point of
P.O. Box 669 diversion and place of use
Carlin, Nevada 89822

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

Compared bp/ap pm/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 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 36022 is issued subject to the terms and conditions imposed in said Permit 36022 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this 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 54827, 54828, 54829, 54830, 54831, 54832, 54833, 54834, 54835, 54836, 54837, 54838 and 54839, shall not exceed 14,600.28 acre-feet annually.

This permit is issued subject to the Water Management Plan and Addendum among Barrick Goldstrike Mines, Inc.; Newmont Gold Company; and the TS Ranch Joint Venture dated May 1, 1989.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.53 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before March 4, 1992

Proof of completion of work shall be filed before April 4, 1992

Application of water to beneficial use shall be made on or before March 4, 1993

Proof of the application of water to beneficial use shall be filed on or before April 4, 1993

Map in support of proof of beneficial use shall be filed on or before April 4, 1993

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

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 6th day of May

A.D. 19. 91

[Signature]
State Engineer