

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

MAY 17 1990

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed JUN 29 1990 under 54827

The applicant Elko Land & Livestock Company, a Nevada Corporation

P.O. Box 220 of Battle Mountain
Street and No. or P.O. Box No. City or Town

Nevada 89820 hereby make... application for permission to change the
State and Zip Code No.

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. 34766
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 2.21 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation and domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation & 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11, T.34N., R.48E., MDM at
Describe as being within a 40-acre subdivision of public survey and by course and
a point from which the NE Corner of Section 2, T.34N., R.48E., MDM bears N
distance to a section corner. If on unsurveyed land, it should be stated.
1° 45' 2" E 10,219.14 feet.

6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 1, T.33N., R.49E., MDM
If point of diversion is not changed, do not answer.
at a point from which the W $\frac{1}{2}$ Corner of said Section 1 bears S 89° 33' 45" W,
2,620.08 feet

7. Proposed place of use All of Sections 24,25,26,35,36 of T.35N., R.48E., MDM; all of
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
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; 1920 acres within proposed place of use

8. Existing place of use Lots 3 & 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 1; N $\frac{1}{2}$ Section 2; SW $\frac{1}{4}$ Section 3; E $\frac{1}{2}$
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
Section 9; W $\frac{1}{2}$ Section 10; W $\frac{1}{2}$ Section 15; E $\frac{1}{2}$ Section 16; all in T.33N., R.49E.,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
MDM; 1920 acres within existing place of use

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.) a drilled & cased well equipped with a motor,
State manner in which water is to be diverted, i.e. diversion structure,
pump & pipeline to place of use
ditches, pipes and flumes, or drilled well, etc.

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 Company Use map filed under
c/o Newmont Gold Company Permit No. 34766
P.O. Box 669 for existing place of use
Carlin, Nevada 89822 and point of diversion

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

Compared bc/ am 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 34766 is issued subject to the terms and conditions imposed in said Permit 34766 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 2.21 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, 1992

Proof of the application of water to beneficial use shall be filed on or before April 4, 1992

Map in support of proof of beneficial use shall be filed on or before April 4, 1992

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


State Engineer

Abrogated By 57704 T 0.009 exp 1-30-93
54056 T 0.0094 exp 1-23-95