Serial No. 56612

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 JUL 3 1 1991

Returned to applicant for correction SEP 1 7 1991

Corrected application filed _____ Map filed SEP 1 0 1991 proposed pod

The applicant: Newmont Gold Company by Charles Zimmerman, Agent

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 number 51750; Well PPW-1, Mill 4. (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; Wells "1-2" and "M-1", Mill 1 remediation (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed: .02 cfs (9.0 gpm); 14.5 Acre Ft/Yr (4.73 MgA). (Second feet, acre feet. One second foot equals 448.83 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 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 Within the NE¼ NE¼, of Section 15, T 35N, R50E, M.D.B.&M., at points as shown on the supporting map from which the SE corner of said Section 15 bears S 07°46'45" E, a distance of 4972.26 feet, and from which the SE corner of said Section 15 bears S 09°14'11" E, a distance of 5057.51 feet. (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.)
6. The existing permitted point of diversion is located within SE¼ SW¼, Section 17, T36N, R50E, M.D.B.&M., at a point from which the E¼ corner of Section 19, T36N, R50E, M.D.B.&M. bears S 42°33'52" W, a distance of 3758.58 feet. (If point of diversion is not changed, do not answer.)
7. Proposed place of use: Sections 14 and the S½ of 11, T35N, R50E, M.D.B.&M. (see map filed under 49728). (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use: Sections 17, 20, T36N, R50E, 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 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.) Two cased 4 inch diameter wells equiped with motor, pump, meter, and pipeline to the place of use. (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: thirty-thousand dollars ($30,000.00)
13. Estimated time required to construct works: one year

14. Estimated time required to complete the application of water to beneficial use: 10 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 application is submitted to replace temporary permits 55030-T and 55129-T, for remediation of the Mill 1 tails dam area. Consumptive use is based on: .01 cfs x 2 wells = 9 gpm; 9 gpm x 60 minutes x 24 hours x 365.25 days = 4,730,000 gallons = 14.5 Acre Ft/Yr.

By s/Charles Zimmerman, Agent
P.O. Box 669
Carlin, Nevada 89822

Compared cc/nsr ap/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 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 permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This 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 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 (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 0.02 cubic feet per second, but not to exceed 4.72 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before July 10, 1993

Proof of completion of work shall be filed before August 10, 1993

Application of water to beneficial use shall be made on or before July 10, 1994

Proof of the application of water to beneficial use shall be filed on or before August 10, 1994

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed AUG 2 6 1993

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 7th day of October, A.D. 19 92.

State Engineer

(PERMIT TERMS CONTINUED)

uses hereinafter 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, 51074, 51750, 51963, 52354, 52795, 52797, 52999, 53000, 54335, 54336, 54337, 54338, 55127, 55128, 55795-T, 55796-T, 56757-T, 56758-T, 56759-T, 56607, 56608, 56609, 56610, 56611 and 56612.

The total amount of water under the above mentioned permits shall not exceed 2,000 million gallons annually.

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 purpose.

This permit is subject to the "Boulder Valley Monitoring Plan" previously approved by the State Engineer on April 10, 1991.

This 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 exisiting rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.