

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 15 1991
 Returned to applicant for correction NOV 06 1991
 Corrected application filed NOV 27 1991
 Map filed NOV 27 1991 under 56831

The applicant Newmont Gold Company by its agent, Charles Zimmerman
P.O. Box 669 of Carlin
Street and No. or P.O. Box No. City or Town
Nevada 89822, hereby make application for permission to appropriate the public
State and Zip Code No.
 waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a
 copartnership or association, give names of members.) Incorporated May, 1986
Incorporated in Delaware, USA

1. The source of the proposed appropriation is underground, within Gold Quarry pit dewatering
Name of stream, lake, spring, underground or other source
operations, as specified under the
proposed point of diversion (5), from one or more production wells

2. The amount of water applied for is 5.00 (2244.15 gpm; 3622.32 Acre Ft/Yr; 1180.3 MGA)
One second-foot equals 448.83 gals. per min. second-feet

(a) If stored in reservoir give number of acre-feet 6000 Acre Ft (1,955,100,000 gallons)
Mining, milling, irrigation, infiltration, surface discharge,

3. The water to be used for domestic, and/or dewatering
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:
 (a) Irrigation, state number of acres to be irrigated _____
 (b) Stockwater, state number and kinds of animals to be watered _____
 (c) Other use (describe fully under "No. 12. Remarks") See 3. above
 (d) Power:
 (1) Horsepower developed _____
 (2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point within the NE quarter of section 34,
Describe as being within a 40-acre subdivision of public
T34N, R51E, M.D.B.&M., at a point from which the NE corner of section 36, T34N,
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
R51E, M.D.B.&M., an extant brass cap, bears N83°57'E, a distance of 12,026 feet.

6. Place of use sections 21,22,23,24,25,26,27,28,33,34,35, and 36 of T34N, R51E, M.D.B.&M.;
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
sections 19,20,28,29,30,31,32,33, and 34 of T34N, R52E, M.D.B.&M.; sections 1,2,3,4,
10,11,12,13,14,23, and 24 of T33N, R51E, M.D.B.&M.; sections 3,4,5,6,7,8,9,10,15,16,
17,18,19,20,21,22,27,28,29,30,31,32, that portion of sections 2,11,14,23,26,34,
and 35 lying within the natural drainage basin of Maggie Creek, and that portion
of sections 33 and 34 lying within the natural drainage basin of Mary's Creek of
T33N, R52E, M.D.B.&M.

7. Use will begin about January 1 and end about December 31 of each year.
Month and Day Month and Day

8. 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.) Multiple dewatering wells equipped with pumps,
State manner in which water is to be diverted. I.e. diversion structure, ditches and
motors, totalizing flowmeters, and pipelines to the place of use.
tunnels, drilled well with pump and motor, etc.

9. Estimated cost of works thirty-two million dollars (\$32,000,000.00)

10. Estimated time required to construct works twelve years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use twelve years

12. 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 hereby submitted for a permit for water rights to dewater Newmont Gold Company's Gold Quarry minesite. It is understood that approving an application of this kind may require an order from the State Engineer similar to Order 1038, which allows for the appropriation of water from unspecified, multiple points of diversion within a specified quarter section for mine dewatering purposes. The amount of water applied for is derived from preliminary studies of future mine dewatering requirements.

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

Compared bc/bc ab/se

Protested 01/9/92 by; Pershing County Water Conservation District. 2/4/92 by Lander County:
2/7/92 by Ronald E. Schrempp; 2/10/92 by Boyd Ranch; (Continued on Page 2)
Pro. wdr. 12/7/93

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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance for the life of the mining operation associated with applications subject hereof. 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 water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030.

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 and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second, but not to exceed 3619.85 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before December 14, 1994

Proof of completion of work shall be filed on or before January 14, 1995

Application of water to beneficial use shall be made on or before December 14, 1996

Proof of the application of water to beneficial use shall be filed on or before January 14, 1997

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

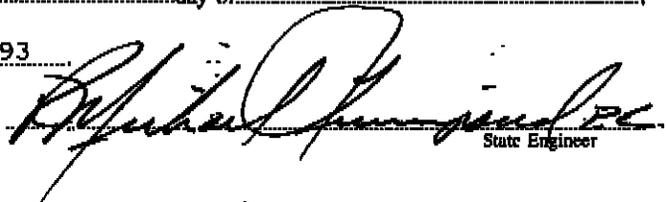
Completion of work filed _____ IN TESTIMONY WHEREOF, I.R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed _____ State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of December

Cultural map filed _____

A.D. 1993

Certificate No. _____ Issued _____


State Engineer

Protest

2/12/92 by; City of Lovelock: 2/12/92 by; USDI Bureau of Land Management: 2/13/92 by;
Board of Commissioners of the County of Pershing, Nevada: 2/14/92 by; Sam Layton/
Adobe Hills Ranch: 2/14/92 by; Eureka County:

Pro. wdr. 12/7/93

