TEMPORARY Serial No. 57477T

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 APR 21 1992

Returned to applicant for correction

Corrected application filed Map filed MAY 04 1992 under 54767T

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 make s 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 54340; well GQTW-3 (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; well GQTW-5 (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 3.0 cfs (1346.5 gpm); 2172.0 Acre feet/yr (707.8 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 NW quarter of the SW quarter of section 35 of T34N, R51E, M.D.B.&M., at point from which the NE corner of said section 35, a found GLO brass cap, bears N 54°25' E a distance of 5,733 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 SW quarter of the SW quarter of section 35 of T34N, R51E, M.D.B.&M., at a point from which the NE corner of said section 35 bears N 44°52' E a distance of 6,600 feet. (If point of diversion is not changed, do not answer.)
7. Proposed place of use sections 34, 35, and 36, T34N, R51E, M.D.B.& M., sections 1, 2, 3, 10, and 11, T33N, R51E, M.D.B.&M., and section 6 T33N, R52E, M.D.B.& M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use same as existing. (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 01 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 01 (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.) A drilled and cased well equipped with a pump, motor, totalizing flowmeter, 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 not applicable - well completed under permit, number 54341.
13. Estimated time required to construct works A 17.5" borehole drilled to 1322', cased to total depth with 14" steel casing, screened from 250'-1300', equipped as described above (11.).

14. Estimated time required to complete the application of water to beneficial use ten 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 hereby submitted for a temporary (one year) permit for the purpose of dewatering the Gold Quarry pit while applications, 56831 through 56839, are under consideration for the same purpose. Water produced would be alternately distributed for use in various mining processes as well as dust suppression. Mine plans require an immediate increase of pit dewatering to ensure pit stability.

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

Compared gkl/jv 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 temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 54340 is issued subject to the terms and conditions imposed in said Permit 54340 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.

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 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.

(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 3.0 cubic feet per second, but not to exceed 2172 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

EXPIRED

DATE SEP 24 1993

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 25th day of September, A.D. 19 92.

By: Hugh Ricci, P.E.
Deputy State Engineer

State Engineer

(O)-1108 (Rev. 6-81)

(PERMIT TERMS CONTINUED)

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.

The total combined duty of water under Permits 40900, Certificate 13392, 47962, 48328, 48330, 48910, 48911, 48912, 49550, 49916, 49962, 51962, 52330, 52331, 52332, 52883, Certificate 13398, 52884, 53384, 53385, 54339, 54340, 54341, 55616, 55617, 55618, 55619, 57117-T, 57468-T, 57469-T, 57470-T, 57473-T, 57474-T, 57475-T, 57476-T, 57477-T, 57500-T, 57501-T and 57968-T shall not exceed 10,660.42 acre feet annually.

Any water obtained under Permits 52883, Certificate 13398, 52884, 53384, 53385, 54339, 54340, 54341, 55616, 55617, 55618, 55619, 57117-T, 57468-T, 57469-T, 57470-T, 57473-T, 57474-T, 57475-T, 57476-T, 57477-T, 57500-T, 57501-T and 57968-T as a result of the dewatering program by the permittee shall be used first for mining, milling, heap leaching, drilling, road water and other related mining and milling uses within the place of use as described.

A monthly report shall be submitted to the State Engineer within 10 days from the end of the month which shall include the amount of water pumped from each well and the amount of water used for mining and milling purposes.

This permit is issued subject to the provisions of State Engineer Order No. 1055 dated April 1, 1992, concerning rules for well spacing and modification of well drilling regulations in Maggie Creek Groundwater Basin.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on September 24, 1993 at which time all rights herein granted shall revert to the right being changed by this temporary permit.