

AMENDED

TEMPORARY

Serial No. 59755 T

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. FEB 4 1994

Returned to applicant for correction.

Corrected application filed. SEP 10 1991 under 56607 Map filed MAR 23 1994 under 56607

The applicant Newmont Gold Company by Charles Zimmerman, agent P. O. Box 669 of Carlin Nevada 89822

hereby make application for permission to change the point of diversion of a portion of water heretofore appropriated under permit 56608

1. The source of water is underground; well GNTW-16

2. The amount of water to be changed .10 cfs (44.88 gpm)

3. The water to be used for mining, milling, and dewatering

4. The water heretofore permitted for mining, milling, and dewatering

5. The water is to be diverted at the following point Within the SE quarter of the NE quarter of section 31 of T36N, R50E, M.D.B.&M., at a point from which the

NE corner of said section 31 bears N 24°16'28" E, a distance of 2793 feet. (see attached Amended map)

6. The existing permitted point of diversion is located within T36N, R50E, M.D.B.&M., at a point from which the SW corner of said section 31 bears S45°51'44"W a distance of 5751.20 feet.

7. Proposed place of use same as existing

8. Existing place of use sections 17, 18, 19, 20, 31 and 32, T36N, R50E, M.D.B.&M., and section 3, 10, T35N, R50E, M.D.B.&M.

9. Use will be from January 01 to December 31 of each year.

10. Use was permitted from January 01 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 pump, motor, totalizing flow meter, and a pipeline to the place of use.

12. Estimated cost of works fifty thousand dollars (\$50,000.00)

13. Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use one year

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 Genesis pit, in accordance with State Engineer's Order 1038.

By: Charles Zimmerman

P. O. Box 669
Carlin, Nevada 89822

Compared jr/vjw jr/vjw

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 of a portion of the waters of an underground source as heretofore granted under Permit 56608 is issued subject to the terms and conditions imposed in said Permit 56608 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. (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 0.1 cubic feet per second, but not to exceed 2.62 million gallons 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 _____

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 13th day of October

A.D. 19 94

State Engineer

by: Hugh Ricci, Deputy State Engineer

WITHDRAWN BY APPLICANT

APR 19 1995

STATE ENGINEER

(PERMIT TERMS CONTINUED)

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 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 (Certificate 13396), 52797 (Certificate 13397), 52999, 53000, 54335, 54337, 55127, 56607, 56608, 56609, 56610, 56611, 56612, 59058, 59750-T, 59751-T, 59752-T, 59753-T, 59754-T and 59755-T.

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 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 also incorporates the provisions of "Order on Rulemaking Concerning Spacing Requirements in the Northern Portion of the Boulder Flat Groundwater Basin" issued by the State Engineer on March 29, 1991 under Order No. 1038.

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 existing 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.

