TEMPORARY

Serial No. 60841 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 JAN 25 1995

Returned to applicant for correction

Corrected application filed JAN 25 1995 Map filed SEP 10 1991 under 56607

The applicant Newmont Gold Company by Paul M Pettit, agent

PO 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 56610 (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 DSDW-1 (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.1337 cfs (60.0 gpm) (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for mining, milling, and dewatering (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for mining, milling, and dewatering (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 NE quarter (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.) of section 31 of T36N, R50E, M.D.B.&M., at a point from which the NE corner of said section 31 bears N82°08'56"E a distance of 1480 feet. (see attached map) (see also #15)
6. The existing permitted point of diversion is located within the SE quarter of section 31 of (If point of diversion is not changed, do not answer.) T36N, R50E, M.D.B.&M., at a point from which the SW corner of said section 31 bears S71°35'28"W a distance of 4284.71 feet.
7. Proposed place of use same as existing (see map filed under 56608) (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use sections 17, 18, 19, 20, 31 and 32, T36N, R50E, M.D.B.&M., and sections 3, 10, T35N, 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.): A drilled and cased well equipped with a pump, motor, totalizing flow meter, and a 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 fifty thousand dollars ($50,000)
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 in accordance with well spacing Order 1038.

By s/Paul M Pettit
PO Box 669
Carlin, Nevada 89822

Compared jr/bk 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 56610 is issued subject to the terms and conditions imposed in said Permit 56610 and with the understanding that no other rights on the source will be affected by the change proposed herein. 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. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.
This permit will allow the permittee to dewater the pit area. In the interests of the best and most efficient management of the resource, any water obtained as a result of the dewatering operation of Barrick Goldstrike Mines, Inc., or Newmont Gold Company will be used first by the permittee for mining, milling, heap leaching, drilling, road watering and other related mining and milling uses (hereafter referred to as mining and milling uses within the described place of use of the water authorized under permits) before usage from water supply wells.
The total combined consumptive duty of water under Permits 49960, 50688, Certificate 13878, Permit 50939, Certificate 13880, Permits 51074, 51750, 51963, 52354, 52795, Certificate 13396, Permit 52797, Certificate 13397, Permits 52999, 53000, 54335, 54337, 55127, 56607, 56608, 56609, 56610, 56611, 56612, 59750-T,
(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 0.1337 cubic feet per second, but not to exceed 31.55 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

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Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

EXPIRED

DATE 4-18-96

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 19th day of April, A.D. 19 95

R. Michael Turnipseed P.E.
State Engineer

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

(PERMIT TERMS CONTINUED)

59751-T, 59752-T, 59753-T, 59754-T, 59755-T, 60836-T through 60844-T, inclusive, 60869-T and 60870-T will not exceed 2,000 Million Gallons Annually (MGA).

This permit does not extend the permittee the right of ingress and egress on public, private or corporate land.

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

This permit is issued subject to the water management plan and water management plan addendum among Barrick Goldstrike Mines, Inc.; Newmont Gold Company; and TS Ranch Joint Venture dated May 1, 1989, on file in the office of the State Engineer.

This permit is issued subject to, and also incorporates the terms and conditions set forth in the State Engineer's Order No. 1038, Order Adopting Rules For Well Spacing and Modification of Regulations For Water Well and Related Drilling (January, 1990) in the Northern Area of the Heretofore Designated Boulder Flat Ground Water Basin (4-61), dated March 29, 1991, on file in the office of the State Engineer.

A monthly report will be submitted to the State Engineer within 10 days after the end of each month which shall include measurement of the volume of water pumped from each well and the volume of water consumptively used for mining and milling uses projectwide.

A year-end report will be submitted to the State Engineer no later than 45 days after the end of each calendar year. The report will state: (1) the number of wells drilled under the permits, (2) the number of abandoned wells, (3) the exact location of each well drilled or abandoned, and (4) a supporting map illustrating well locations.

The State Engineer retains the right at any time to require the permittee to cooperate in the funding of additional monitoring and modeling by an independent third party. The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of all data submitted reporting on the dewatering program, water use and the monitoring plan. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

Upon permanent cessation of all mining, milling and dewatering purposes, all water granted under the permits will revert back to the source from which it was appropriated, except for any water requirements needed for any mine closure plan and/or to mitigate any adverse effects caused by dewatering.

All of the above stated conditions are issued subject to having no adverse impacts on existing rights.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on April 18, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.