

AMENDED  
**TEMPORARY**

Serial No. **60870 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 27 1995

Returned to applicant for correction. FEB 8 1995

JAN 27 1995 under 52795

Corrected application filed \_\_\_\_\_ Map filed \_\_\_\_\_

The applicant Newmont Gold Company by Paul M. Pettit, Agent

PO Box 669 of Carlin

Nevada 89822 Street and No. or P.O. Box No. City or Town

\_\_\_\_\_ hereby make<sup>s</sup> application for permission to change the

point of diversion and manner of use and place of use of a

portion Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under permit 52999

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 FCDW-1  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 4.456 cfs (2000.00 gpm)  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for mining, milling, dewatering and irrigation  
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 NE quarter of the NE  
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. quarter of section 10 of T35N, R50E, M.D.B.&M., at a point from  
which the NE corner of said section 10  
bears N35°36'05"E a distance of 825 feet. (see attached map)

6. The existing permitted point of diversion is located within the NW quarter of the NE  
If point of diversion is not changed, do not answer. quarter of section 19, T36N, R50E, M.D.B.&M., at a point from which the  
NE corner of said section 19 bears N74°45'17"E, a distance of  
1850.55 feet.

7. Proposed place of use (see attached)  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use sections 17, 18, 19 and 20 of T36N, R50E,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or M.D.B.&M. M.D.B.&M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

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, State manner in which water is to be diverted, i.e. diversion structure.  
and a pipeline to the place of use.  
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works One hundred thousand dollars (\$100,000)

13. Estimated time required to construct works one year

one year

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water produced from dewatering will be used first for mining and milling at Newmont NAL/Mill 4 facilities, then at Barrick facilities, then a T.S. Ranch for irrigation under the Water Management Plan and Addendum among Barrick Goldstrike Mines, Inc., Newmont Gold Company, and T.S. Ranch Joint Venture dated May 1, 1989.

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

Compared nsr/ 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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 52999 is issued subject to the terms and conditions imposed in said Permit 52999 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, (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 4.456 cubic feet per second, but not to exceed 1051.62 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 19th day of April

A.D. 19 95  
*[Signature]*  
State Engineer

TEMPORARY

EXPIRED

DATE 4-18-96

## (PERMIT TERMS CONTINUED)

53000, 54335, 54337, 55127, 56607, 56608, 56609, 56610, 56611, 56612, 59750-T, 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.

The manner of use of this permit remains unchanged from what was permitted under the base right.

The place of use of this permit is limited to the Newmont Gold Company Facilities located within Sections 17, 18, 19 and 20, T.36N., R50E. and Sections 3 and 10, T.35N., R.50E., M.D.B.&M.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on April 19, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

