

**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**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office NOV 07 1996 11-18-2008

Returned to applicant for correction _____

Corrected application filed NOV 26 1996Map filed Dec 19 1996

The applicant **Restoration Minerals Company**, hereby make application for permission to change the **Point of Diversion and place of use** of water heretofore appropriated under **Permit 59027**

1. The source of water is **Underground (PW-1)**
2. The amount of water to be changed **1.5 CFS, not to exceed 672 acre-feet annual.**
3. The water to be used for **mining, milling, domestic purposes**
4. The water heretofore permitted for **mining, milling, domestic purposes**
5. The water is to be diverted at the following point **NW¹/₄ NW¹/₄, Section 23, T.30N., R.38E., M.D.B. & M., or at a point from which the NW corner of said Section 23, bears N. 31° W., a distance of 495 feet.**
6. The existing permitted point of diversion is located within **NW ¹/₄ NW ¹/₄ Section 23, T.30N., R.38E., M.D.B. & M., or at a point from which the NW corner of said Section 23 bears N. 65° 52' W., a distance of 872.0 feet**
7. Proposed place of use **Sections 2,3,10, 11, 14, 15, E¹/₂ Section 21 E¹/₂ Section 28, N¹/₂ Section 34, Sections 22, 23, 26 & 27, all within T.30N., R.38E., M.D.B. & M.**
8. Existing place of use **All of Section 10, 11, 14, 15, 22 & 23 in T.30N., R.38E., M.D.B.&M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **a drilled and cased well, equipped with motor, pump & meter.**
12. Estimated cost of works **approximately \$50,000.00**
13. Estimated time required to construct works **30 days**
14. Estimated time required to complete the application of water to beneficial use **one (1) year**
15. Remarks: **See Attachment "A"**

By **s/Gregory M Bilyeu**
Gregory M. Bilyeu - Agent
3579 Highway 50 East, #309
Carson City, NV. 89701

Compared nsr/cl jr/cmsProtested March 11, 1997 USDI Bureau of Land Management; w/d 04-23-98

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 the waters of an underground source as heretofore granted under Permit 59027 is issued subject to the terms and conditions imposed in said Permit 59027 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.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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 upon the cessation of mining and milling all rights granted herein shall revert back to the source from which it was appropriated except for any water requirements that may be needed for any closure plan.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.5 cubic feet per second, **but not to exceed 672.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

August 23, 1999

Proof of completion of work shall be filed before:

September 23, 1999

Application of water to beneficial use shall be filed on or before:

August 23, 2000

Proof of the application of water to beneficial use shall be filed on or before:

September 23, 2000

Map in support of proof of beneficial use shall be filed on or before:

N/A

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 5th day of June, A.D. 1998

Michael Turnipseed P.E.

State Engineer

Completion of work filed OCT 12 1999

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

~~CANCELLED~~ ~~BECAUSE OF~~
~~FAILURE OF APPLICANT TO COMPLY WITH THE~~
~~PROVISIONS OF PERMIT~~ *Can. Rescinded 1-30-2009*

~~Tommy T. [Signature] P.E. STATE ENGINEER~~

ATTACHMENT "A"**Question 15 - Remarks:**

This amended application is being filed in order to permanently move the point of diversion and place of use of Permit 59027. Test pumping will be conducted to provide hydrological data to help determine the potential impact of pumping on the groundwater basin and information on the characteristics of the aquifer in general. In addition, water chemistry monitoring will be performed throughout the duration of the pumping test.

This testing will be performed as a part of the B.L.M. required environmental impact studies for the Kinross Goldbanks Mining Company project. A waiver request was submitted on November 15, 1996 by Water Management Consultants in conjunction with this application (modified from the temporary application).

Upon completion of the testing and studies, and after the issuance of permanent water right permit, this water will be used in conjunction with the Kinross Goldbanks Mining Company project for mining milling and domestic purposes.

Please utilize the maps on file under Permit 59027 for the existing point of diversion and place of use. Please utilize the maps on file under Application 61646 for the proposed place of use.