

TEMPORARY

ASSIGNED

NO. 62741

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 15 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 11 1997

The applicant Santa Fe Pacific Gold Corporation, Lone Tree Mine, hereby make application for permission to change the point of diversion of a portion and place of use of water heretofore appropriated under Permit No. 56578 (Spacing Rule)

1. The source of water is groundwater seepage to in-pit sump
2. The amount of water to be changed 0.5 cfs
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 SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 13, T.34N., R.42E., MDB&M., at a point from which the NW corner of Section 13, T.34N., R.42E., MDB&M., bears N 38°44'41" W at a distance of 2,538.88 feet (Sequoia Pit Sump)
6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13, T.34N., R.42E., MDB&M., at a point from which the West $\frac{1}{4}$ corner of said Section 13 bears S 71°09'01" W at a distance of 2,061.23 feet
7. Proposed place of use Sections 1, 2, 11, 12, 13, 14, 15, 23, and 24 T.34N., R.42E., MDB&M.
8. Existing place of use All of Section 12, 13, and 14 T.34N., R.42E., MDB&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 In-pit sump of varying dimensions depending on need, fitted with Gorman-Rupp flooded suction pump.
12. Estimated cost of works \$45,000
13. Estimated time required to construct works approximately 18 hours per sump per mining level.
14. Estimated time required to complete the application of water to beneficial use five (5) years
15. Remarks:

By s/ Cynthia M. DeWeese
P.O. Box 388
Valmy, NV 89438-0388

Compared cl/jr cl/bk

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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 56578 is issued subject to the terms and conditions imposed in said Permit 56578 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 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.

The issuance of this temporary 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 diversion rate of Permits 54761, 54763, 56406, 56407, 56578, 56951, 57103, 57104, 58385, 58550, 59243, 59244, 59246, 59247, 59248, 59249, 59250, 59251, 59627, 60288, 60289, 60290, 60291, 60292, 60293, 60294, 60295, 60296, 60297, 60298, 60300, 60301, 60302, 60303, 60685, 61285-T, 61286-T, 61630-T, 61839-T, 62739-T, 62740-T and 62741-T will not exceed 41,000.0 gallons per minute or 91.35 cubic feet per second for mining, milling and dewatering purposes.

The total volume of water allowed to be diverted under the above mentioned permits and for the same purposes will not exceed 66,133.0 acre-feet annually.

The total combined consumptive duty for mining and milling purposes under the above permits and any changes of these permits will not exceed 3,144.0 acre-feet annually.

All water diverted but not used for mining or milling purposes will be discharged to the Iron Point Relief Canal via the aqueduct completed in June, 1993.

All water diverted will be measured and reported to the State Engineer on a monthly basis. The report will include the amount of water diverted from each well, the amount of water used for mining and milling purposes, and the amount discharged to the Iron Point Relief Canal. This report shall include the amount of water delivered to the Trenton Canyon Project. This report will be submitted to the State Engineer within 15 days of the last day of the preceding month.

This temporary permit is issued subject to the "Lone Tree Mining, Inc. Unified Monitoring Plan", March 27, 1993.

The State Engineer will retain the right to require additional monitoring over and above the monitoring required in the monitoring plan mentioned and also will retain the right to seek other disposal options of water discharged to the Iron Point Relief Canal.

The permittee, on a schedule acceptable to the State Engineer, will prepare and present an update on the activities of the mine and the monitoring plan on a periodic basis, but not less than two times a year.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

A "Stipulation to Withdraw Protest" was made and entered into by and between Santa Fe Pacific Gold Corporation, Lone Tree Mine and its successors, and Lander County on August 12, 1994. A second "Stipulation to Withdraw Protest" was made and entered into by and between Santa Fe Pacific Gold Corporation, Lone Tree Mine and its successors, and the Humboldt River Basin Water Authority in August, 1994. The State Engineer may not concur with and is not bound by the terms and conditions of these stipulations to withdraw protest, pursuant to NAC 533.150.

This temporary permit also incorporates the provisions of Amended Order No. 1086, issued by the State Engineer on January 21, 1994.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on March 16, 1998 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The issuance of this permit expires Temporary Permit 61285-T.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 362.0 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 filed on or before:

TEMPORARY

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:

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 17th day of March, A.D. 1997

[Handwritten Signature]

State Engineer



