

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office JUNE 15 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUNE 15 1998

The applicant **Newmont Gold Company**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Underground; Mine Dewatering See applications for permits to appropriate under 63984-63989**

2. The amount of water applied for is **78 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet **20,000 a.f. capacity; 72,000 a.f. fill/refill**

3. The water to be used for **storage (see remarks, item 12)**

4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **N/A**
 - (b) Stockwater, state number and kinds of animals to be watered **N/A**
 - (c) Other use (describe fully under No. 12. "Remarks") **N/A**
 - (d) Power:
 - (1) Horsepower developed **N/A**
 - (2) Point of return of water to stream **N/A**

5. The water is to be diverted from its source at the following point **NE¹/₄ NW¹/₄ Section 3 (lot 3), T35N, R49E, M.D.M. at a point from which the W¹/₄ corner of Section 33, T36N, R49E, M.D.M. bears N50°52'21"W a distance 5,103.89 feet.**

6. Place of Use **To be specified by Secondary permits**

7. Use will begin about **January 1** and end about **December 31**, of each year.

8. Description of proposed works **Dam (see dam permit J-320), reservoir, and works to be specified by secondary permits.**

9. Estimated cost of works **\$500,000**

10. Estimated time required to construct works **Completed under dam permit J-320**

11. Estimated time required to complete the application of water to beneficial use **To be specified by secondary permits.**

12. Remarks: This application is hereby submitted, related to applications 63984-63989, for dewatering of the Leeville Project to facilitate efficient use and disposal of water according to the terms of those applications and permits issued thereunder. Applications for secondary use shall be filed for any use not permitted under the above referenced permits.

By s/Paul M. Pettit
Hydrology Dept. P.O. Box 669
Carlin, Nevada 89822

Compared nsr/jr cmf/ds

Protested 08/13/98 Barrick Goldstrike Mines Inc.; 08/13/98 Eureka County; 08/21/98 Humboldt River Basin Water Authority; Pro. Overruled See Ruling #5011

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 primary permit is issued under the authority of and subject to the provisions of NRS 533.440, and further is issued subject to existing rights. Water pumped during mine dewatering is the source of the water to be stored. This permit authorizes the fill and refill of the reservoir constructed under Dam Permit J-320.

The Proof of Completion of Work must be submitted and include a schematic plan of the water management system and a physical description of the works of diversion. The filing of beneficial use is not required under Primary Storage Permit 64229, however, proof of beneficial use will be required under any Secondary Permits.

The total quantity of water diverted to storage shall not exceed 55.7 cubic feet per second.

A monthly report will be submitted to the State Engineer within 10 days after the end of each month that will include the rate and volume of water diverted to storage and/or discharge from storage.

The State retains the right to regulate the diversion and storage of the water herein granted at any and all times.

Upon cessation of all mining, milling and dewatering purposes, all water granted under this permit will revert back to the source.

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.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 55.7 cubic feet per second, **but not to exceed 40,325 acre-feet annually.**

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

January 3, 2003

Proof of completion of work shall be filed before:

February 3, 2003

Water must be placed to beneficial use on or before:

N/A

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

N/A

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

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 19th day of, June A.D. 2001

Hugh Ricci, P.E.

State Engineer

Completion of work filed FEB 03 2003

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

Permit 64229 S01 Issued 8/28/02
Permit 64229 S02 Issued 8/28/02