AMENDED

TEMPORARY

NO. 65478-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 SEP 07 1999

Returned to applicant for correction

Corrected application filed SEP 16 1999

Map filed SEP 16 1999

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The applicant **Placer Dome U.S., Inc., by Paul M. Pettit, Agent,** hereby makes application for permission to change the **point of diversion, manner of use & place of use of a portion** of water heretofore appropriated under **permit 62342**

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1. The source of water is **Underground; Dunphy Off-load Well**

2. The amount of water to be changed **0.45 cfs (202 gpm); 325.78 AF (106.16 milliion gallons)**

3. The water to be used for **Industrial**

4. The water heretofore permitted for **Mining & Milling**

5. The water is to be diverted at the following point **Within the NW quarter of the SE quarter of section 32 of T33N, R48E, M.D.M. at a point from which the SE corner of said section 32 bears S28°26'E a distance of 3,000 feet. (See attached map)**

6. The existing permitted point of diversion is located within **the SW quarter of the NW quarter of Section 33 of T30N, R46E, M.D.M., at a point from which the SE corner of said Section 33 bears S52°53'09"E a distance of 6,643.63 feet.**

7. Proposed place of use **a portion of Section 32, T33N, R48E, M.D.M. lying between the Humboldt River and Interstate-80**

8. Existing place of use **Sections 2-5, 9, 10, 15 and portions of Section 8, 11, 12 and 14, T29N, R46E, M.D.M. and Sections 27, 33, and portions of Sections 32, 34 and 35, T30N, R46E, M.D.M.**

9. Use will be from **January 01** to **December 31** of each year.

10. Use was permitted from **January 01** to **December 31** of each year.

11. Description of proposed works **A drilled and cased well equipped with a pump, motor, totalizing flowmeter, and a pipeline to the place of use.**

12. Estimated cost of works **$10,000**

13. Estimated time required to construct works **6 months**

14. Estimated time required to complete the application of water to beneficial use **6 months**

15. Remarks: **Per agreement with Placer Dome U.S., Inc. (attached), this application is submitted on behalf of Newmont Mining Corporation to support a current construction project for which existing water supply is too distant. Permanent water rights will be sought upon completion of the facility. Since construction is taking place now under dusty conditions caused by the distant water supply, we request expedited consideration of the application.**

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

Compared dl/cmf

Protested

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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, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 62342 is issued subject to the terms and conditions imposed in said Permit 62342 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **September 27, 2000** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.45** cubic feet per second, **but not to exceed 325.78 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:

Water must be placed to beneficial use 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:

TEMPORARY

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 **28th** day of **September**, A.D. **1999**

R. Michael Turnipseed P.E.
State Engineer

EXPIRED
DATE SEP 27 2000