NO. 65901 ASSIGNED

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 20 2000**

Returned to applicant for correction

Corrected application filed

Map filed **FEB 01 2000 under 65885T**

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The applicant **Getchell Gold Corporation** hereby makes application for permission to change the **Point of diversion and place of use of a portion** of water heretofore appropriated under **Permit 58406 (Pit Perimeter Well PW-2) (Replaces Temporary Application 65886T)**

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1. The source of water is **underground**

2. The amount of water to be changed **0.155 CFS; 36.565 MGA**

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 **within SE¼ SW¼ section 33, T39N, R42E, MDM at a point from which the SW corner of said section 33 bears S 70° 36' 11" W, 2229.19 feet distant, from a pumping station known as the Getchell Main Pit Pumping Station.**

6. The existing permitted point of diversion is located within **SW¼ SE¼ section 33, T39N, R42E, M.D.B.&M.; or at a point from which the SE corner of said section 33 bears S 68° 32' 55" E., a distance of 2272 feet, from a pit perimeter well known as PW-2.**

7. Proposed place of use **within sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36 in T39N, R42E, MDM; and sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, and 22 in T38N, R42E, MDM**

8. Existing place of use **within sections 21, 22, 23, 26, 27, 28, 29, 32, 33 and 34 in T39N, R42E, and within sections 3, 4, 9, and 10 in T38N, R42E, 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 **See attached.**

12. Estimated cost of works **$0; the works are existing.**

13. Estimated time required to construct works **0 years; the works are existing.**

14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: **This water is to be pumped from the Getchell Main Pit Pumping Station. The pumpage will serve to dewater the Getchell Mine underground workings. The water will be used for miscellaneous mining purposes including mining, milling, dust control, and drilling. Unused water will be treated and reinfiltrated to the ground water basin.**

s/ Michael S. Smith
By **MICHAEL S. SMITH, AGENT**
SAGE ENGINEERING
885 Lyman Ave., Reno, NV 89509

Compared **gkl/** cmf dl/ct

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 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 58406 is issued subject to the terms and conditions imposed in said Permit 58406 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 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.

This permit will allow the permittee to dewater the pit area and underground mining operations. It is understood that any water pumped as a result of this dewatering operation will be used first by the permittee for surface and underground mining, milling, leaching, drilling, road watering and other related mining uses hereinafter referred to as mining and milling uses within the described place of use of this permit.

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. Any water produced from this dewatering operation and not used for mining and milling purposes must be injected or infiltrated back to the Kelley Creek Groundwater Basin. Any injection or infiltration of water must have the necessary permits issued by the Nevada Division of Environmental Protection.

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 State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection relating to the dewatering project.

The total combined duty of water under Permits 28758, Certificate 13803; 45731, Certificate 13806; 45732, Certificate 13807; 49815, Certificate 13809; 58406; 58408; 61546; 61602; 61686; 61688; 62689; 62839; 62840; 63109; 65900 through 65910, inclusive, shall not exceed 1,034.0 (MGA) million gallons annually.

The total combined diversion rate under the above referenced permits and any subsequent changes to these permits shall not exceed 15.6 (CFS) cubic feet per second (7,000 gallons per minute).

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

Monthly records will be kept and submitted quarterly for the following: the volume of water pumped from each well, the volume of water consumptively used for mining and milling uses projectwide, the amount of water discharged to infiltration or injection and the water level (static or pumping) of each permitted well and monitoring wells HL-1, DM-3, MW-16, MW-17 and MW-18. These records will be submitted within 15 days after the end of each quarter. A method that estimates the amount of evaporative losses from the discharge system will be submitted with the quarterly report. The evaporative losses will be considered as part of the combined duty for consumptive purposes.

All flow measurements taken at those locations described in Covenant 2.3 (flow measurement) of the Water Resources Agreement between FirstMiss Gold, Inc. and LaVar Murdock, dba Adams Peak Properties dated February 27, 1996, shall be reported in the above quarterly report.

All of the above stated conditions are issued subject to having no adverse impacts on existing rights.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.155** cubic feet per second, **but not to exceed 36.56 million gallons annually.**

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

February 28, 2001

Proof of completion of work shall be filed before:

March 30, 2001

Water must be placed to beneficial use on or before:

February 28, 2002

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

March 30, 2002

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 **24th** day of, **May** A.D. **2000**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed MAR 30 2001

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

Getchell Main Pit Pump Station

Description of proposed works: The Getchell Main Pit Pump Station is an existing pumping station housed in a metal building, located in the bottom of the Getchell Main Pit, consisting of two sets of dual stage Warman centrifugal pumps. Flow measuring devices are located on the discharge lines. The intakes for these pumps pull water from a concrete sump and settling basin that gathers mine drainage and runoff water from within the Getchell Main Pit and the Getchell Main Underground Mine. The pumps deliver water to a valve manifold which can be adjusted to direct the water into three 12-inch HDPE discharge pipes. These pipes carry the pumped water up and out of the pit to a saddle on the south side of the pit, for further distribution and use, or infiltration.

To accompany Getchell Gold Corporation's 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 for the following parent application numbers:

52476
58406
61601
61602
61603
61604
61605
62686
62688
62689

PUMPDESC.wpd