TEMPORARY

No. 66953-T

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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 **NOV 20 2000**

Returned to applicant for correction

Corrected application filed

Map filed **OCT 25 1996 under 62520-T**

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The applicant **Barrick Bullfrog Inc.**, hereby make application for permission to change the **Point of Diversion and Manner of Use of a portion,** of water heretofore appropriated under **Permit No. 51846**

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

2. The amount of water to be changed **0.89 cfs (400 gpm)**

3. The water to be used for **Mining, milling, and domestic (mine closure and reclamation)**

4. The water heretofore permitted for **Mining, milling, and domestic**

5. The water is to be diverted at the following point **within the SE¼ SW¼ Section 10, T12S, R46E, M.D.B.&M. at the point from which the NW corner of Section 15, T12S, R46E, M.D.B.&M. bears S 62° 01' 54" W, at a distance of 1889.40 feet.**

6. The existing permitted point of diversion is located within **SE¼ NW¼ Section 31, T12S, R47E, M.D.B.&M. at a point from which the NW corner of said Section 31, T12S, R47E, M.D.B.&M. bears N 44° 55' 48" W at a distance of 2578.56 feet.**

7. Proposed place of use **Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, T12S, R46E, M.D.B.&M.; Sections 7, 18, 19, 30, 31, T12S, R47E, M.D.B.&M.; Sections 1, 2, and 3 T13S, R46E, M.D.B.&M.**

8. Existing place of use **Section 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, T12S, R46E, M.D.B.&M.; Sections 7, 18, 19, 30, and 31, T12S, R47E, M. D. B &M.; Sections 1, 2, and 3, T14S, R46E, 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 **Drill well, install pump and pipeline**

12. Estimated cost of works **$400,000.00**

13. Estimated time required to construct works **Well completed as 22-inch diameter 1590 feet deep with 16-inch casing to 1000 feet. Screened interval from 1000 to 1520 feet. Centrilift 10-stage Model WJ1000 pump with 500 HP motor.**

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

15. Remarks: **Use of this well in combination with wells specified in Permits #51841-51848 and #51891 will not exceed 4.46 cfs, or 3200 acre feet per year. This application is for a temporary permit to replace Permit 65716-T. A temporary permit under this application will provide time to file and process an application to change Permit #51846 permanently or until termination on January 1, 2002.**

By **s/W. S. Ludwick**
P. O. Box 519
Beatty, NV 89003

Compared **my**/cmf cmf/ds

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 and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 51846, is issued subject to the terms and conditions imposed in said Permit 51846, 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 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.

Pursuant to NRS 534.120, the State Engineer declares mining and milling to be a preferred use of the limited resource within the Amargosa Desert Ground Water Basin as described in the State Engineer's Order No. 724, dated May 14, 1979.

This ***temporary*** permit is issued with the clear understanding that the State Engineer does not waive any right to regulate and restrict groundwater withdrawals under this ***temporary*** permit if withdrawals under the existing rights increase or exceed the perennial yield of the groundwater basin.

The permittee will submit a report to the State Engineer on a semi-annual basis, which contains all surface and groundwater measurements and water use data from each of the permittee's wells and includes the pumping under this ***temporary*** permit.

The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of data submitted as a result of the monitoring program on file with the State Engineer.

This ***temporary*** permit is further issued subject to the understanding between St. Joe Bullfrog, Inc. (Bond Gold) and the National Parks Service dated September 16, 1988, as set forth in the document titled The National Parks Service Position with Respect to the Applications for Water in Amargosa Valley by St. Joe Bullfrog, Inc. (Bond Gold) on file in the office of the State Engineer in file 51841.

This ***temporary*** permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

A monthly report will be submitted to the State Engineer within 10 days from the end of each month which shall include: the volume of water pumped from each well, the volume of water consumptively used for mining and milling uses project wide, and the volume of water injected.

The manner of use of water under this ***temporary*** permit is by nature a temporary use and Permit 66953-T will expire on **January 1, 2002**, and the water right will revert to the groundwater source and not back to the baseright.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

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

This ***temporary*** permit is issued pursuant to the provisions of NRS 533.345, Section 2.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.89** cubic feet per second, **but not to exceed 161.0 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:

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, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **14th** day of **March** A.D. **2001**

Hugh Ricci, P.E.
State Engineer

EXPIRED
DATE JAN 01 2002