TEMPORARY

INJ-3 TEMPORARY **No. 67738-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 **JUL 05 2001**

Returned to applicant for correction

Corrected application filed

Map filed **JUL 05 2001 under 67736-T**

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The applicant **Santa Fe Pacific Gold Corporation,** hereby makes application for permission to change the **point of diversion of a portion** of water heretofore appropriated under **permit 61142**

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1. The source of water is **Underground; Well INJ-3**

2. The amount of water to be changed **0.25 cfs**

3. The water to be used for **Mining, Milling & Domestic**

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

5. The water is to be diverted at the following point **Within the SW quarter of the NW quarter of section 9 of T38N, R43E, M.D.M. at a point from which the NE corner of said section 9 bears N 72° 39' 39" E a distance of 5,387.00 feet. (INJ-3)**

6. The existing permitted point of diversion is located within **the SE quarter of the NW quarter of Section 19 of T39N, R43E, M.D.M., at a point from which the NE corner of said Section 19, T39N, R43E, M.D.M. bears N 48° 52' 21" E a distance of 3,817.79 feet.**

7. Proposed place of use **(See Attachment "A")**

8. Existing place of use **(See attachment A)**

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 **Existing well with totalizing flowmeter, pump and motor.**

12. Estimated cost of works **N/A (existing well)**

13. Estimated time required to construct works **N/A (existing well)**

14. Estimated time required to complete the application of water to beneficial use **2 years**

15. Remarks: **Application is made for a permit to avoid abandoning existing injection wells, which are very valuable assets that may be useful as future supply or dewatering wells.**

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

Compared **my/** cmf ds/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 of a portion of the waters of an underground source as heretofore granted under Permit 61142 is issued subject to the terms and conditions imposed in said Permit 61142 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 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 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 pumped and not used for mining and milling purposes shall be injected back to the Kelley Creek Groundwater Basin.

The design of major changes to the infiltration system or other disposal method and the delivery system to the site shall be submitted to the State Engineer for approval prior to any diversion of water. The permittee shall discharge water in a manner to achieve maximum conservation of the water resource. It is understood that this right must allow for a reasonable lowering of the static water level.

The State Engineer will retain the right to require additional monitoring including water levels in observation and monitor wells and of the flow rates of surface sources. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis, but not less than two times per year.

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

When no valid water right or injection permit from Nevada Division of Environmental Protection exist in this well, the well must be plugged within 30 days from that point in time pursuant to NAC 534.420.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from the 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 duty of water for consumptive purposes under Permits 49633, 49634, 50853, 50854, 52046, 52048, 52049, 52050, 52051, 58042, 58043, 58044, 58045, 60048, 60049, 60050, 60051, 60052, 60053, 60054, 60055, 60056, 60057, 61132, 61133, 61134, 61135, 61136, 61137, 61138, 61140, 61141, 61142, 61143, 61144, 61798, 61799, 61800, 61801, 61802, 61803, 61804, 61956 through 61962, inclusive, Environmental Permit 62364-E, Temporary Permits 67287-T through 67294-T, inclusive, Temporary Environmental 67306-TE, and Temporary Permits 67736-T, 67737-T, and 67738-T shall not exceed 10,125 acre-feet annually. The total combined diversion rate of the above referenced permits shall not exceed 30.75 cubic feet per second on an instantaneous basis.

Monthly records will be kept of the following: (a) the volume of water pumped from each well: (b) the measurement of pumping water level (drawdown) from each production well and each monitoring well; (c) the volume of water consumptively used for mining and milling uses projectwide; and (d) the amount of water discharged for infiltration. These records will be submitted

(CONTINUED ON PAGE 3)

within 15 days after the end of each calendar quarter. A method that estimates the amount of evaporative losses from the discharge system shall be submitted with the monthly report. The evaporative losses will be considered as part of the combined duty for consumptive purposes.

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 and will expire on **September 12, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.25** cubic feet per second, **but not to exceed 180.99 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.,

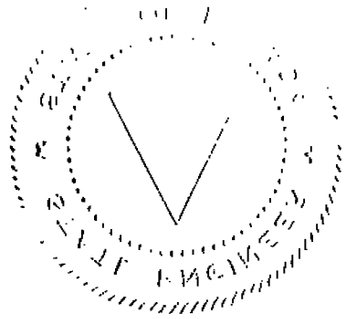
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **13th** day of **September** A.D. **2001**

By: Christine Thiel, P.E. Deputy State Engineer

EXPIRED
DATE SEP 12 2002



ATTACHMENT A

7. **Proposed place of use;**

T.38 N., R.43 E.: Sections 4, 5, 9 and 15;

T.39 N., R.42 E.: Section 24, part Sections 1, 2, 13, 12;

T.39 N., R.43 E.: Sections 3-10, 15-21, 28-33, part Sections 2, 11, 14, 22;

T.40 N., R.42 E.: Sections 13, 24, 25, 36, part Sections 1, 12, 14, 23, 26, 35;

T.40 N., R.43 E.: Sections 5-8, 14-23, 26-34, part Sections 4, 9-11, 35;

T.41 N., R.42 E.: part Sections 35, 36;

T.41 N., R.43 E.: part Sections 31 and 32 all M.D.B.& M.

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