(SDW-17) **TEMPORARY** **No. 70558-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 OCT 28 2003

Returned to applicant for correction

Corrected application filed

Map filed DEC 10 2001 under 68292-T

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The applicant **Round Mountain Gold Corp, Homestake Nevada Corp, BaRGold Corp dba Smoky Valley Common Operation**, hereby makes application for permission to change the **point of diversion, place and manner of use of a portion** of water heretofore appropriated under **Certificate 13174 (Permit 44300)**

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1. The source of water is **underground (SDW-17)**

2. The amount of water to be changed **0.007 cfs**

3. The water to be used for **mining activities (including reclamation) milling, and dewatering**

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

5. The water is to be diverted at the following point **within the SE¼ of the NE¼ of Section 30, T.10N., R.44E, M.D.M., or at a point from which the NE corner of Section 29, T.10N., R.44E bears N 71 degrees, 08 minutes, 49 seconds E for a distance of 5952.32 feet**

6. The existing permitted point of diversion is located within **point NE¼ NW¼ Section 30, T10N, R44E, M.D.B.&M. or at a point from which the SW corner of Section 19, T10N, R44E, M.D.B.&M. bears N. 79 degrees 31' W., a distance of 2,331.0 feet situated in Nye County, State of Nevada**

7. Proposed place of use **within Sections 17, 18, 19, 20, 29, 30 & 31, T10N, R44E, M.D.B&M. (portions unsurveyed); Sections 13, 23, 24, 25, 26, 34, 35 & 36, T10N, R43E, M.D.B&M.; Section 6, T9N, R44E; and Sections 1, 2, & 3 T9N, R43E, M.D.B.&M.**

8. Existing place of use **within Sections 17, 18, 19, 20, 29 and 30, T10N, R44E, M.D.B.&M. and Sections 13, 23, 24, 25 and 26, of T10N, R43E, M.D.B.&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 **Existing well.**

12. Estimated cost of works **$11,500**

13. Estimated time required to construct works **Cased well with electric motor and submersible pump.**

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

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15. Remarks: **This well will serve to dewater the mining pit and to ensure highwall stability. The water developed will be co-mingled with other water rights held by the applicant and will primarily be utilized for mining and milling activities, including associated reclamation activities.**

By **Gina Myers**
s/Gina Myers
P.O. Box 480
Round Mountain, NV 89045

Compared ag/ cmf

Protested

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WITHDRAWN BY APPLICANT MAY 11 2004

Jason Ricci, P.E. STATE ENGINEER