

(DW-49)

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 APR 03 2003 under 69668-T

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 **Permit # 50971**

1. The source of water is **underground (DW-49)**
2. The amount of water to be changed **0.67 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 NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, T.10N, R.44E, M.D.M at a point from which the NW corner of Section 24, T.10N, R.43E. bears N 55 degrees, 48 minutes, 10 seconds W for a distance of 11037.80 feet**
6. The existing permitted point of diversion is located **within the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, T.10N., R.43E, M.D.M., at a point from which the N $\frac{1}{4}$ corner of Section 36 T10N, R43E bears N 60 degrees 05 minutes W for a distance of 1489.15 feet**
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 & 30 of T10N, R44E, MDM (portions unsurveyed), and in Sections 13, 23, 24, 25, & 26 of T10N, R43E, MDM**
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 **10" diameter well with electric motor and submersible pump**
12. Estimated cost of works **\$250,000**
13. Estimated time required to construct works **8 months**
14. Estimated time required to complete the application of water to beneficial use **5 years**

70563-T

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 _____

WITHDRAWN BY APPLICANT MAY 11 2004
Justicci, P.E. ^{CMF}
STATE ENGINEER