Permit No. 76020

# THE STATE OF NEVADA

## PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

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|---|---|
| **Name of applicant:** | **NEWMONT GOLD COMPANY** |
| **Source:** | **UNDERGROUND** |
| **Basin:** | **MAGGIE CREEK AREA** |
| **Manner of Use:** | **MINING AND MILLING** |
| **Period of Use:** | **January 1st to December 31st** |
| **Priority Date:** | **07/30/1984** |

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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 the waters of an underground source as heretofore granted under Permit 49550 is issued subject to the terms and conditions imposed in said Permit 49550 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and 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. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the following and reported within 30 days after the end of each calendar year.

A. The total volume of water pumped from each diversion in acre-feet.

B. The maximum flow rate from each diversion in cubic feet per second.

C. The pumping water level from each well in feet above mean sea level.

D. The volume of water consumptively used for mining and milling in acre-feet.

The State Engineer may require additional monitoring should conditions warrant such modification.

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

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.

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

The total combined duty of water for consumptive purposes under Permit 40900, Certificate 13392; Permit 47962, Certificate 14015; Permits 48328, 48330, 48910, 48911, 48912, 49916, 51962, 52330, 52331, 52332, Certificate 14019; Permit 52883, Certificate 13398; Permits 52884, 53384, 53385, 54339, 54340, 54341, 54510, 55616, 55617, 55618, 55619, 56831 through 56839, inclusive, 62532, 68272, 72764 and 76020 shall not exceed 10,660.42 acre-feet annually for mining and milling purposes. The total combined diversion rate under all permits associated with the dewatering program and all related mining and milling purposes will not exceed 110 cubic feet per second on an instantaneous basis.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 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 0.1 cubic feet per second or 72.4 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **June 20, 2009**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **June 20, 2013**
Map in support of proof of beneficial use shall be filed on or before: **N/A**

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of **June**, A.D. **2008**

Tracy Taylor P.E
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

MKW1

Serial No. 76020

# 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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUL 0 2 2007

Returned to applicant for correction

Corrected application filed Map filed JUL 0 2 2007

The applicant Newmont Gold Company

Environmental Department, PO Box 669 of Carlin
Street and No. or P.O. Box No. City or Town

Nevada, 89822, hereby make.s. application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use

of water heretofore appropriated under Permit 49550
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.1 cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, milling, and domestic
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.
4. The water heretofore used for Mining, milling, and domestic
If for stock state number and kind of animals.
5. The water is to be diverted at the following point Gold Quarry Mine - MKW 1

within the SE¼ SW¼, Section 21, T34 N, R51 E, M.D.M., at a point from which the S¼ corner of said section 21 bears S 62°21'33" E a distance of 296 feet.

Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within Gold Quarry Mine - PW 8
If point of diversion is not changed, do not answer.

within the NE¼ SE¼, Section 26, T34 N, R51 E, M.D.M., at a point from which the SE corner of said Section 26 bears S 24°52' E a distance of 2373 feet.

S1-EW

MKW1

7. Proposed place of use *See Attachment*
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated.

*Sections 34, 35, and 36, T34N, R51E; Sections 1, 2, 3, 10, and 11, T33N, R51E; and Section 6, T 33N, R52N, M.D.M.*

If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from *January 1* (Month and Day) to *December 31* (Month and Day) of each year.

10. Use permitted from *January 1* (Month and Day) to *December 31* (Month and Day) of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) *Drilled, cased well with motor and pump, totalizing flow meter, and pipeline to the place of use.*
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works *$25,000 (twenty-five thousand dollars)*

13. Estimated time required to construct works *one year*
If well completed, describe well.

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

*Well MKW1 was drilled pursuant to waiver MM-138B. This application is submitted for a long-term permit to use water from the well, initially for intermittent exploration activity.*

2007 JUN -2 AM 2:33

*775-778-4318*
Phone No.

*June 26, 2007*

By *Scott Paine, Water Rights Administrator*
Print or type name clearly

Signature, applicant or agent

*Environmental Department, PO Box 669*
Street and No., or P.O. Box No.

*Carlin, Nevada 89822*
City, State, Zip Code No.

**APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT**

**$150 FILING FEE MUST ACCOMPANY APPLICATION**

(O)-1583A (Rev. 11-99)

**Attachment, item 7.**
Proposed Place of Use



Section 21, T34 N, R51 E, M.D.M.
Section 22, T34 N, R51 E, M.D.M.
Section 23, T34 N, R51 E, M.D.M.
Section 24, T34 N, R51 E, M.D.M.
Section 25, T34 N, R51 E, M.D.M.
Section 26, T34 N, R51 E, M.D.M.
Section 27, T34 N, R51 E, M.D.M.
Section 28, T34 N, R51 E, M.D.M.
Section 33, T34 N, R51 E, M.D.M.
Section 34, T34 N, R51 E, M.D.M.
Section 35, T34 N, R51 E, M.D.M.
Section 36, T34 N, R51 E, M.D.M.
Section 19, T34 N, R52 E, M.D.M.
Section 20, T34 N, R52 E, M.D.M.
Section 28, T34 N, R52 E, M.D.M.
Section 29, T34 N, R52 E, M.D.M.
Section 30, T34 N, R52 E, M.D.M.
Section 31, T34 N, R52 E, M.D.M.
Section 32, T34 N, R52 E, M.D.M.
Section 33, T34 N, R52 E, M.D.M.
Section 34, T34 N, R52 E, M.D.M.
Section 01, T33 N, R51 E, M.D.M.
Section 02, T33 N, R51 E, M.D.M.
Section 03, T33 N, R51 E, M.D.M.
Section 04, T33 N, R51 E, M.D.M.
Section 10, T33 N, R51 E, M.D.M.
Section 11, T33 N, R51 E, M.D.M.
Section 12, T33 N, R51 E, M.D.M.
Section 13, T33 N, R51 E, M.D.M.
Section 14, T33 N, R51 E, M.D.M.
Section 23, T33 N, R51 E, M.D.M.
Section 24, T33 N, R51 E, M.D.M.
Section 03, T33 N, R52 E, M.D.M.
Section 04, T33 N, R52 E, M.D.M.
Section 05, T33 N, R52 E, M.D.M.
Section 06, T33 N, R52 E, M.D.M.
Section 07, T33 N, R52 E, M.D.M.
Section 08, T33 N, R52 E, M.D.M.
Section 09, T33 N, R52 E, M.D.M.
Section 10, T33 N, R52 E, M.D.M.
Section 15, T33 N, R52 E, M.D.M.
Section 16, T33 N, R52 E, M.D.M.
Section 17, T33 N, R52 E, M.D.M.
Section 18, T33 N, R52 E, M.D.M.
Section 19, T33 N, R52 E, M.D.M.
Section 20, T33 N, R52 E, M.D.M.
Section 21, T33 N, R52 E, M.D.M.
Section 22, T33 N, R52 E, M.D.M.
Section 27, T33 N, R52 E, M.D.M.
Section 28, T33 N, R52 E, M.D.M.
Section 29, T33 N, R52 E, M.D.M.
Section 30, T33 N, R52 E, M.D.M.
Section 31, T33 N, R52 E, M.D.M.

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Section 32, T33 N, R52 E, M.D.M.
Section 02, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 11, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 14, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 23, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 26, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 34, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 35, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 33, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Mary's Creek
Section 34, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Mary's Creek

END