

**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**

**Name of applicant:** ROUND MOUNTAIN GOLD CORP  
 HOMESTAKE NEVADA CORP, BARGOLD CORP  
 DBA SMOKY VALLEY COMMON OPERATION

**Source:** UNDERGROUND

**Basin:** BIG SMOKY VALLEY-NORTHERN PART

**Manner of Use:** MINING AND MILLING

**Period of Use:** January 1st to December 31st

**Priority Date:** 08/14/1981

**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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 59218 is issued subject to the terms and conditions imposed in said Permit 59218 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. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

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, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

This permit will allow the permittee to dewater the pit area. It is understood that any water obtained as a result of this dewatering operation shall be used first by the permittee for mining, milling, heap leaching, drilling, road watering, and other related mining and milling uses (hereinafter referred to as mining and milling).

Any water pumped and not used for mining and milling purposes shall be infiltrated back to the Big Smoky Valley Groundwater Basin, Northern Part (137B). The permittee shall discharge water in a manner to achieve maximum conservation of the water resource.

The total combined duty of water for consumptive purposes under Permits 536, 1077, Certificate 267; Permit 2908, Certificate 353; Permit 3898, Certificate 2347; Permit 12442, Certificate 3831; Permit 12445, Certificate 3832; Permit 12768, Certificate 3751; Permit 14119, Certificate 4889; Permit 26650, Certificate 13904; Permit 26652, Certificate 13905; Permits 44297, 44299, 44300, Certificate 13174; Permits 50971, 51577, Certificate 13185; Permit 51578, Certificate 13186; Permits 53365, 55498, 55500 through 55503, 59217, 59218, 60874 through 60876, 70169 through 70185, 76598 through 76602 and Temporary Permits 76716T through 76718T, 77007T, 77041T, 77042T, 77499T through 77507T, 77747T, 77749T through 77754T, 77756T through 77763T, and 77765T through 77776T will not exceed 13,910 acre-feet annually.

(Continued on Page 2)

Monthly records shall be kept of the following and reported within 15 days after the end of each quarter:

- 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.
- E. The amount of water diverted to the infiltration sites in acre-feet.
- F. The amount of water diverted to other consumptive uses, if any, in acre-feet.
- G. The amount of water lost through evaporation or other system losses project wide.
- H. The status and flow rates of various surface water sources in the area that may be impacted by the dewatering.

The State Engineer retains the right to require additional monitoring. 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 once per year.

The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this 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 1.8 cubic feet per second or 1,303.15 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

February 25, 2010

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

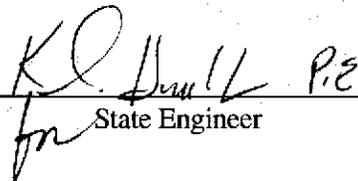
February 25, 2014

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 25th day of February, A.D. 2009

  
 \_\_\_\_\_  
 State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

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 JAN 08 2008
Returned to applicant for correction JAN 16 2008
Corrected application filed FEB 11 2008 Map filed FEB 11 2008

The applicant Round Mountain Gold Corp, Homestake Nevada Corp, BaRGold Corp dba Smoky Valley

Common Operation P.O. Box 480 of Round Mountain
Street Address or P.O. Box City or Town

Nevada 89045, hereby make(s) application for permission to change the
State and Zip Code

- Point of diversion Place of use Manner of use of a portion

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

Permit # 59218

- 1. The source of water is underground (DW-40)
2. The amount of water to be changed 1.8 cfs
3. The water to be used for mining activities (including reclamation), milling, domestic, and dewatering
4. The water heretofore used for mining, milling, domestic and dewatering
5. The water is to be diverted at the following point within the SW1/4 of the SE1/4 of Section 24, T.10N, R. 43E, M.D.M at a point from which the NW corner of Section 24, T.10N, R. 43E, bears N 33 degrees, 46 minutes, 00 seconds W for a distance of 5714.69 feet
6. The existing point of diversion is located within the SW1/4 of the SW1/4 of Section 19, T.10N, R.44E, M.D.M., at a point from which the SE corner of Section 30 T10N, R44E bears S 34 degrees 46 minutes 16 seconds E for a distance of 7138.5 feet

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

~~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.~~ *see Exhibit A*

KE  
per  
Fax of  
3/13/08

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

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. Proposed use will be from January 01 to December 31 of each year.  
Month and Day Month and Day

10. Existing use permitted from January 01 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)  
existing well

12. Estimated cost of works Completed well

13. Estimated time required to construct works N/A, Completed well  
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 5 years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)

The well was completed with 12" LCS casing with electric motor and submersible pump. 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 be primarily utilized in the mining and milling processes as needed, including associated reclamation activities.

16. Miscellaneous remarks:

775-377-3203  
Phone No.

Carrie.Dubray@Kinross.com  
E-mail

By Carrie M. Dubray  
Print or type name clearly

*Carrie M. Dubray*  
Signature, applicant or agent

Round Mountain Gold Corporation  
Company Name

PO Box 480  
Street Address or P.O. Box

Round Mountain, Nevada 89045  
City, State, Zip Code

2008 FEB 11 PM 1:45

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

**\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

**76598****Round Mountain Gold Corporation**

Smoky Valley Common Operation

P.O. Box 480

Round Mountain, NV 89045

Tel: 775-377-2366

Fax: 775-377-3224

**EXHIBIT A**

The following description is provided for *Item 7: Proposed Place of Use* for Permit numbers 76598, 76599, 76600, 76601, and 76602. The description has been modified to include the areas within the Mine expansion boundary as shown on the accompanying Place of Use map for said Permits and the length of the description precluded placement on the application form.

**7. Proposed Place of Use:** within Sections 19, 20, 28, 29, 30, 31, 32 & 33, T11N, R44E, M.D.B.&M. (portions unsurveyed); Sections 25 & 36, T11N, R43E, M.D.B.&M. (portions unsurveyed); Sections 4, 5, 6, 7, 8, 17, 18, 19, 20, 29, 30 & 31, T10N, R44E, M.D.B.&M. (portions unsurveyed); Sections 11, 12, 13, 14, 23, 24, 25, 26, 34, 35, & 36, T10N, R43E, M.D.B.&M. (portions unsurveyed); Section 6, T9N, R44E, M.D.B.&M. (portions unsurveyed); and Sections 1, 2, 3, 10, 11, 12, 14 & 15, T9N, R43E, M.D.B.&M. (portions unsurveyed).

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