

# TEMPORARY

## 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:** NEWMONT GOLD COMPANY  
**Source:** UNDERGROUND  
**Basin:** MAGGIE CREEK AREA  
**Manner of Use:** MINING, MILLING AND DEWATERING  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 10/15/1991

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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 68272, is issued subject to the terms and conditions imposed in said Permit 68272 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.

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

The issuance of this temporary 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 temporary permit is issued subject to, and also incorporates the terms and conditions set forth in the State Engineer's Order No. 1055, Order Adopting Rules For Well Spacing and Modification of Regulations For Water Well and Related Drilling (January, 1990) In a Portion Of The Heretofore Designated Maggie Creek Ground Water Basin (4-51), dated April 1, 1992, on file in the office of the State Engineer.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and accounts for pumpage in calendar year 2007, and therefore expires one day after the date of approval, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

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 0.046 cubic feet per second or 33.0 acre-feet annually.**

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

N/A

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

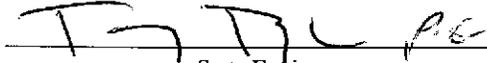
N/A

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 24th day of July, A.D. 2009

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

llb

**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 APR 17 2009

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed APR 17 2009 under **78288T**

The applicant Newmont Gold Company

Environmental Department, PO Box 669 of Carlin  
Street Address or P.O. Box City or Town

Nevada, 89822, 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 68272

1. The source of water is Underground Gold Quarry Mine - LK 43  
Name of stream, lake, underground, spring or other sources. TKG
2. The amount of water to be changed 0.046 cfs  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, milling, dewatering, domestic, irrigation, infiltration, and surface discharge  
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, dewatering, domestic, irrigation, infiltration, and surface discharge  
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)  
within the NW¼ SW¼, Section 2, T33 N, R51 E, M.D.M., at a point from which the NW corner of section 35, T34N, R51E, M.D.M. bears N 08°02'20" W a distance of 9374 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
Gold Quarry Mine - Order 1055 SW02  
within the SW¼, Section 2, T33 N, R51 E, M.D.M., at a point from which the NE corner of section 36, T34N, R51E, M.D.M. bears N 44°53'53" E a distance of 13035 feet.

SI-EU

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

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.)  
See Attachment

9. Proposed use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Existing use permitted from January 1 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.)  
Drilled, cased well with motor and pump, totalizing flowmeter, and pipeline to the place of use.

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

13. Estimated time required to construct works Completed as described above  
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 8 years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)  
This application is submitted according to Well-Spacing Order 1055, to cover 26 acre-feet of water produced during 2007.

*33 AF TKG*

16. Miscellaneous remarks:

775-778-4318  
Phone No.

Bryce.Vorwaller@Newmont.com  
E-mail

By Bryce Vorwaller  
Print or type name clearly

*Bryce Vorwaller*  
Signature, applicant or agent

Newmont Gold Company  
Company Name

Environmental Department, PO Box 669  
Street Address or P.O. Box

Carlin, Nevada 89822  
City, State, Zip Code

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

STATE ENGINEERS OFFICE

2009 APR 17 AM 11:03

RECEIVED

**\$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

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.

**Attachment, item 8.**  
Existing Place of Use

page 2 of 2

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

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