Permit No. 78399T

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:	**SANTA FE PACIFIC GOLD CORPORATION**
Source:	**UNDERGROUND**
Basin:	**KELLY CREEK AREA**
Manner of Use:	**MINING, MILLING AND DEWATERING**
Period of Use:	**January 1st to December 31st**
Priority Date:	**09/03/1992**

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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, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 58042 is issued subject to the terms and conditions imposed in said Permit 58042 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. 1087, Order Adopting Rules For Well Spacing and Modification of Regulations For Water Well and Related Drilling (January, 1990) in the Northern Portion of the Heretofore Designated Kelly Creek Ground Water Basin (4-66), dated December 30, 1993, 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 0.36 cubic feet per second or 260.0 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 **August**, A.D. **2009**

K. Hull P.E.

for State Engineer

llb

TEMPORARY Application No. 78399 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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office APR 30 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 01 2009 under 78386T

The applicant Santa Fe Pacific Gold Corporation

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

Nevada, 89822 (State and Zip Code), hereby make(s) application for permission to change the

☒ 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 58042

1. The source of water is Underground Twin Creeks Mine - DW 49 (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 0.360 cfs (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Mining, milling, domestic, and dewatering (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 Dewatering (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 NE¼, Section 30, T39 N, R43 E, M.D.M., at a point from which the W¼ corner of Section 19, T39N, R43E bears N 41°18'15" W a distance of 4757 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   Twin Creeks Mine - Order 1087 SE19

   within the NE¼ SE¼, Section 19, T39 N, R43 E, M.D.M., at a point from which the NE corner of said section 19 bears N 19°08' E a distance of 4075 feet.

66-HU

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
All Section 5, T38N, R43E; all Sections 24, 25, and 36, T39N, R42E; all Sections 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29, 30, 31, and 32, T39N, R43E; and SE¼ SE¼ Section 31, and S½ Section 32, T40N, R43E, M.D.M.

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.)
All Sections 19, 20, 21, 28, 29, 30, 31, 32, 33, T39N, R43E, M.D.M.

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

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

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 1087, to cover 260 acre-feet of water produced during 2007.

16. Miscellaneous remarks:

RECEIVED
2009 APR 30 AM 10: 52
STATE ENGINEER'S OFFICE

775-778-4318
Phone No.

Bryce.Vorwaller@Newmont.com
E-mail

By Bryce Vorwaller
Print or type name clearly

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

$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION