Permit No. 78495T

# 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

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| **Name of applicant:** | **SANTA FE PACIFIC GOLD CORPORATION** |
| **Source:** | **UNDERGROUND** |
| **Basin:** | **PUMPERNICKEL VALLEY** |
| **Manner of Use:** | **MINING AND MILLING** |
| **Period of Use:** | **January 1st to December 31st** |
| **Priority Date:** | **07/25/1991** |

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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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 59243 is issued subject to the terms and conditions imposed in said Permit 59243 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. The State retains the right to regulate the use of the water herein granted at any and all times.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and accounts for pumpage in calendar year 2008, and therefore expires one day following the date of approval at which time all rights herein granted shall revert to the rights being changed by this temporary permit.

This temporary permit also incorporates the provisions of Amended Order Nos. 1085 and 1086, issued by the State Engineer on January 21, 1994.

(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 0.016 cubic feet per second or 11.0 acre-feet annually.**

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| 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 11th day of **September**, A.D. **2009**

Tracy Taylor, P.E.
State Engineer

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TEMPORARY Application No. 78495 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 MAY 14 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 19 2009 under 78494T

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 59243

1. The source of water is Underground Lone Tree Mine - SS 14 (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 0.016 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 11, T34 N, R42 E, M.D.M., at a point from which the SE corner of said section 11 bears S 25°45'50" E a distance of 4764 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   Lone Tree Mine - Order 1086 NWNE14

   within the NW¼ NE¼, Section 14, T34 N, R42 E, M.D.M., at a point from which the NE corner of said section 14 bears N 71°28'34" E a distance of 2058.52 feet.

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
All sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 16, 17, 22, 23, 27, T34N, R42E, 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.)
E½ section 11, all sections 12, 13, 14, 23, 24, T34N, R42E, 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 1 year

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 1086, to cover 11 acre-feet of water produced during 2008.

RECEIVED
2009 MAY 14 AM 11:25
STATE ENGINEER'S OFFICE

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***

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