



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 AND MILLING
Period of Use: January 1st to December 31st
Priority Date: 03/14/1985

NEW PRIORITY DATE:
APR 26 2012

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 of a portion of the waters of an underground source as heretofore granted under Permit 48911, is issued subject to the terms and conditions imposed in said Permit 48911 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 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.

(Continued on Page 2)

Monthly records shall be kept of the following and reported within 30 days after the end of each calendar year in which this temporary permit is in effect.

- 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. The total combined duty of water for consumptive purposes under Permit 40900, Certificate 13392; Permit 47962, Certificate 14015; Permits 48328, 48330, 48910, 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, 76020, 78679 and 78680 shall not exceed 10,660.42 acre feet annually for mining and milling purposes.

The approval of this permit expires Temporary Permit 78681T.

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 2.09 cubic feet per second or 1513.5 acre-feet annually.**

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

February 25, 2011

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, 2011

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. 2010

Tracy Taylor P.E.
 State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

~~CANCELLED APR 05 2012 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~
[Signature] P.E. STATE ENGINEER
 (Can. Rescinded 8-9-2012)

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 <u>JUN 30 2009</u>	NEW PRIORITY DATE: <u>APR 26 2012</u>
Returned to applicant for correction _____	
Corrected application filed _____	Map filed <u>JUN 29 2009</u>

The applicant Newmont Gold Company
Environmental Department, P.O. 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 48911

1. The source of water is Underground - PW-5
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 2.793 cfs, 1513.50 AFA
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining, Milling & 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 & Domestic
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 NE 1/4 SW 1/4 Section 31, T34 N., R52 E., M.D.M., at a point from which the NW corner of said Section 31 bears N 42° 31' 22" W a distance of 3882 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NW 1/4 SE 1/4 Section 31, T. 34 N., R 52 E., MDM, at a point from which the NW corner of said Section 31 bears N 43° 55' W 3,926 feet.

SI-ELJ

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.)

Sections 34, 35, 36, T 34 N, R 51 E, MDM; Sections 1, 2, 3, 10 & 11, T 33 N, R 51 E, MDM; Section 6, T 33 N, R 52 E, MDM

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

10. Existing use permitted from January 1 to December 31 of each year.
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 and cased well equipped with motor, pump and pipeline to place of use.

12. Estimated cost of works \$150,000

Completed; drilled and cased well equipped with

13. Estimated time required to construct works motor, pump and pipeline to place of use.

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 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.)

This application is submitted to move remaining water rights under Permit 48911 to the correct point of diversion location.

16. Miscellaneous remarks:

This application is submitted along with 2 other applications: 1) to temporarily move water rights from 48911 to PW 1 and 2) to permanently move water rights from 48911 to PW 1 to meet current system demands.

775-778-4318

Phone No.

By Bryce Vorwaller

Print or type name clearly

Bryce Vorwaller

Signature, applicant or agent

bryce.vorwaller@newmont.com

E-mail

Newmont Mining Corporation

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**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

RECEIVED
MAY 11 2009
11:53