



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

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

This temporary 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 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 pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

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.

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, 48911, 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 and 78681T shall not exceed 10,660.42 acre-feet annually for mining and milling purposes. The total combined diversion rate under all permits associated with the dewatering program and all related mining and milling purposes will not exceed 110 cubic feet per second on an instantaneous basis.

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 0.785 cubic feet per second or 568.0 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:

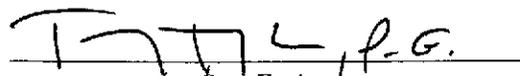
N/A

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 9th day of **October**, A.D. **2009**

  
State Engineer

**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 JUN 30 2009

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

Corrected application filed \_\_\_\_\_ Map filed JUN 29 2009 under 78679

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-1  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.082 cfs, 568 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.)  
Previous Govt. Lot 2 (NW¼ NE¼), Section 6, T33 N., R52 E., M.D.M., at a point from which the NW corner of Section 31, T34 N., R52 E., M.D.M., bears N 24° 42' 43" W a distance of 7135 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
NW¼ SE¼ 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-EW

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 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 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). 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.)

PW-1 will be the primary water supply well for the Gold Quarry Operations. The requested amounts will be necessary to meet the demands of the existing system.

16. Miscellaneous remarks:

This application is submitted along with 2 other applications; 1) to permanently move water rights from 48911 to PW 1 to meet current system demands and 2) to move the remaining water rights to the correct location.

775-778-4318

Phone No.

bryce.vorwaller@newmont.com

E-mail

By Bryce Vorwaller

Print or type name clearly



Signature, applicant or agent

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**

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

RECEIVED  
FEB 11 2011 11:33  
ENVIRONMENTAL DEPARTMENT