Permit No. 79710T

TEMPORARY

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**HOMESTAKE MINING COMPANY, RUBY HILL MINE**
Source:	**UNDERGROUND**
Basin:	**DIAMOND VALLEY**
Manner of Use:	**MINING, MILLING AND DEWATERING**
Period of Use:	**January 1st to December 31st**
Priority Date:	**10/19/1964**

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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 and manner of use of the waters of an underground source as heretofore granted under Permit 72917 is issued subject to the terms and conditions imposed in said Permit 72917 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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. 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.

The total combined duty of water under Permits 73204, 73431, 73432, 74679, 75105, 75107, 77515, 77516, 79708T, 79709T and 79710T shall not exceed 1065.452 acre-feet annually.

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.

Monthly records will be kept of the following: the amount of water pumped from the mine; the amount of water used for mining, milling and domestic purposes; the amount of water sent to the Rapid Infiltration Basin discharge system or other authorized discharge system; and the estimated amount of water recharged to the groundwater system. These records must be submitted to the State Engineer on a quarterly basis, within 15 days after the end of each calendar quarter. A method that estimates the amount of evaporative losses from the discharge system will be submitted with this report. The evaporative losses will be considered as a part of the duty for consumptive purposes.

(Continued on Page 2)

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 State Engineer retains the right at any time to require the permittee cooperate in the funding of additional monitoring and modeling by an independent third party. The State Engineer retains the right to impose future conditions as necessary upon review and evaluation of all data submitted and reported on the quarterly report. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and existing rights.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from the State, Federal and local agencies and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering discharge project.

All of the above stated conditions are issued subject to having no adverse impacts on existing rights.

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 0.7 cubic feet per second or 42.0 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, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of **May**, A.D. **2010**

P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

AMENDED TEMPORARY Application No. 79710 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 MAR 19 2010

Returned to applicant for correction

Corrected application filed Map filed MAR 26 2010 under 79707

The applicant Homestake Mining Company, Ruby Hill Mine

P.O. Box 676 (Street Address or PO Box) of Eureka (City or Town)

Nevada 89316 (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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 72917

1. The source of water is Underground (Ruby Hill Mine, PW11)
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.7 c.f.s., 42 AFA
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining, Milling 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 mining, milling and domestic, and 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.)

NE¼SE¼ Section 10, T.19 N., R.53 E., MDM, or at a point from which the NW corner of said Section 10 bears North 49°53' West, a distance of 5309 feet (PW11)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

SE¼SE¼ Section 10, T.19 N., R.53 E., MDM, or at a point from which the S¼ corner of said Section 10 bears South 76°24' West, a distance of 2172 feet (PW4).

Use map on file at the Division of Water Resources under Application 72917 to support the existing point of diversion.

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

within the W½ Section 2; Section 3; E½ Section 4; NE¼ Section 9; Section 10; W½ Section 11; NW¼ Section 14; and the N½ Section 15; all in T.19 N., R.53 E., MDM

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.)

within the W½ Section 2; Section 3; E½ Section 4; NE¼ Section 9; Section 10; W½ Section 11; NW¼ Section 14; and the N½ Section 15; all in T.19 N., R.53 E., MDM

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.)

Well, pump and motor, meter and pipeline to the Mine's existing water system.

12. Estimated cost of works in excess of $250,000

13. Estimated time required to construct works 6 months

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 5 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 well is being drilled to supplement the existing well system for the Ruby Hill Mine dewatering needs.

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16. Miscellaneous remarks:

See new map being filed to support Amended Applications 79707 and 79710T.

Bruce R. Scott
Type or print name clearly

Signature, applicant or agent

Resource Concepts, Inc.
Company Name

340 North Minnesota Street
Street Address or PO Box

Carson City, NV 89703
City, State, ZIP Code

rciwater@rci-nv.com
E-mail Address

775-883-1600
Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION