



TEMPORARY

THE STATE OF NEVADA

PERMIT TO CHANGE 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, MILLING AND DEWATERING
Period of Use: ONE DAY AFTER DATE OF ISSUANCE
Priority Date: 10/15/1991

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 56837 is issued subject to the terms and conditions imposed in said Permit 56837 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.

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. 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.

A year-end report must be submitted to the State Engineer no later than 45 days after the end of each calendar year. The report will state: (1) the number of wells drilled under the permits, (2) the number of abandoned wells, (3) the exact location of each well drilled or abandoned, and (4) a supporting map illustrating well locations.

(Continued on Page 2)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and accounts for pumpage in calendar year 2010, 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.

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 5.616 cubic feet per second or 4066.00 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:

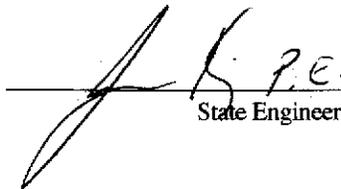
N/A

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 7th day of April, A.D. 2011



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 JAN 12 2011
Returned to applicant for correction _____
Corrected application filed _____ Map filed JAN 12 2011 under 80405T

The applicant Newmont Gold Company
Environmental Department, 1655 Mountain City Hwy. of Elko
Street Address or PO Box City or Town
Nevada 89801 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 56837

1. The source of water is Underground Gold Quarry Mine - GQDW 22
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 5.616 cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining, milling, dewatering, domestic, irrigation, infiltration, and surface discharge
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, dewatering, domestic, irrigation, infiltration, and surface discharge
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 SW¼ NE¼, Section 35, T34 N, R51 E, M.D.M., at a point from which the NW corner of section 35, T34N, R51E, M.D.M. bears N 60°01'21" W a distance of 3307 feet.

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

Gold Quarry Mine - Order 1055 SW35

within the SW¼, Section 35, T34 N, R51 E, M.D.M., at a point from which the NE corner of section 36, T34N, R51E, M. D.M. bears N 66°52' E a distance of 10008 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.)

See Attachment

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, cased well with motor and pump, totalizing flowmeter, and pipeline to the place of use.

12. Estimated cost of works \$2,500,000 (two million five hundred thousand dollars)

13. Estimated time required to construct works Completed as described in item #11
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 application is submitted according to Well-Spacing Order 1055, to cover 4066 acre-feet of water produced during 2010.

16. Miscellaneous remarks:

Bryce.Vorwaller@Newmont.com
E-mail Address
775-778-4318
Phone Number

Bryce Vorwaller
Type or print name clearly
Bryce Vorwaller
Signature, applicant or agent
Newmont Mining Corporation
Company Name

Environmental Department, 1655 Mountain City Hwy.
Street Address or PO Box
Elko, Nevada, 89801
City, State, ZIP Code

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STATE ENGINEERS OFFICE

Section 21, T34 N, R51 E, M.D.M.
Section 22, T34 N, R51 E, M.D.M.
Section 23, T34 N, R51 E, M.D.M.
Section 24, T34 N, R51 E, M.D.M.
Section 25, T34 N, R51 E, M.D.M.
Section 26, T34 N, R51 E, M.D.M.
Section 27, T34 N, R51 E, M.D.M.
Section 28, T34 N, R51 E, M.D.M.
Section 33, T34 N, R51 E, M.D.M.
Section 34, T34 N, R51 E, M.D.M.
Section 35, T34 N, R51 E, M.D.M.
Section 36, T34 N, R51 E, M.D.M.
Section 19, T34 N, R52 E, M.D.M.
Section 20, T34 N, R52 E, M.D.M.
Section 28, T34 N, R52 E, M.D.M.
Section 29, T34 N, R52 E, M.D.M.
Section 30, T34 N, R52 E, M.D.M.
Section 31, T34 N, R52 E, M.D.M.
Section 32, T34 N, R52 E, M.D.M.
Section 33, T34 N, R52 E, M.D.M.
Section 34, T34 N, R52 E, M.D.M.
Section 01, T33 N, R51 E, M.D.M.
Section 02, T33 N, R51 E, M.D.M.
Section 03, T33 N, R51 E, M.D.M.
Section 04, T33 N, R51 E, M.D.M.
Section 10, T33 N, R51 E, M.D.M.
Section 11, T33 N, R51 E, M.D.M.
Section 12, T33 N, R51 E, M.D.M.
Section 13, T33 N, R51 E, M.D.M.
Section 14, T33 N, R51 E, M.D.M.
Section 23, T33 N, R51 E, M.D.M.
Section 24, T33 N, R51 E, M.D.M.
Section 03, T33 N, R52 E, M.D.M.
Section 04, T33 N, R52 E, M.D.M.
Section 05, T33 N, R52 E, M.D.M.
Section 06, T33 N, R52 E, M.D.M.
Section 07, T33 N, R52 E, M.D.M.
Section 08, T33 N, R52 E, M.D.M.
Section 09, T33 N, R52 E, M.D.M.
Section 10, T33 N, R52 E, M.D.M.
Section 15, T33 N, R52 E, M.D.M.
Section 16, T33 N, R52 E, M.D.M.
Section 17, T33 N, R52 E, M.D.M.
Section 18, T33 N, R52 E, M.D.M.
Section 19, T33 N, R52 E, M.D.M.
Section 20, T33 N, R52 E, M.D.M.
Section 21, T33 N, R52 E, M.D.M.
Section 22, T33 N, R52 E, M.D.M.
Section 27, T33 N, R52 E, M.D.M.
Section 28, T33 N, R52 E, M.D.M.
Section 29, T33 N, R52 E, M.D.M.
Section 30, T33 N, R52 E, M.D.M.
Section 31, T33 N, R52 E, M.D.M.

Section 02, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 11, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 14, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 23, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 26, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 34, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 35, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Maggie Creek
Section 33, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Mary's Creek
Section 34, T33 N, R52 E, M.D.M. portion within the natural drainage basin of Mary's Creek

END

REC'D
COUNTY CLERK'S OFFICE