Permit No. 80461T

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:	**BOULDER FLAT**
Manner of Use:	**MINING, MILLING AND DEWATERING**
Period of Use:	**EXPIRES ONE DAY AFTER DATE OF ISSUANCE**
Priority Date:	**03/27/1998**

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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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 63987 is issued subject to the terms and conditions imposed in said Permit 63987 and with the understanding that no other rights on the source will be affected by the change proposed herein. 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. 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 pursuant to the provisions of NRS 533.345 Section 2 and will expire one day from the date of approval at which time all rights herein granted shall revert to the right being changed by this temporary permit. This permit accounts for water used during calendar year 2010.

This temporary permit is issued subject to, and also incorporates the terms and conditions set forth in the State Engineer's Order No. 1038, Order Adopting Rules For Well Spacing and Modification of Regulations For Water Well and Related Drilling (January, 1990) in the Northern Area of the Heretofore Designated Boulder Flat Ground Water Basin (4-61), dated March 29, 1991, on file in the office of the State Engineer.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 1.015 cubic feet per second or 735.0 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 21st day of **April**, A.D. **2011**

P.E.

State Engineer

TEMPORARY Application No. 80461 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 JAN 13 2011

Returned to applicant for correction

Corrected application filed

Map filed JAN 13 2011 under 80460T

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 63987

1. The source of water is Underground Leeville Mine - HDDW 5
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 1.015 cfs
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 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 SW¼, Section 2, T35 N, R50 E, M.D.M., at a point from which the SW corner of said Section 02 bears S 29°55'07" W a distance of 1822 feet.

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

Leeville Mine - Order 1038 SW02

within the SW¼, Section 2, T35 N, R50 E, M.D.M., at a point from which the SW corner of said section 02 bears S 45° 05'49" W a distance of 1871.89 feet.

61-EU

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

See Attachment

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 (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 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 1038, to cover 735 acre-feet of water produced during 2010.

16. Miscellaneous remarks:

Bryce Vorwaller
Type or print name clearly

Bryce.Vorwaller@Newmont.com
E-mail Address

Bryce Vorwaller
Signature, applicant or agent

775-778-4318
Phone No.

Newmont Mining Corporation
Company Name

Environmental Department, 1655 Mountain City Hwy.
Street Address or PO Box

Elko, Nevada, 89801
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

RECEIVED
2011 JAN 13 AM 11:09
STATE ENGINEER'S OFFICE

Revised 07/09

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment, item 7.
Proposed Place of Use

Section 01, T34 N, R48 E, M.D.M.
Section 02, T34 N, R48 E, M.D.M.
Section 03, T34 N, R48 E, M.D.M.
Section 10, T34 N, R48 E, M.D.M.
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N½, Section 34, T34 N, R49 E, M.D.M.
N½, Section 35, T34 N, R49 E, M.D.M.
W½, Section 04, T34 N, R51 E, M.D.M.
E½, Section 05, T34 N, R51 E, M.D.M.
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	Section 33, T36 N, R50 E, M.D.M.

END

Attachment, item 8.
Existing Place of Use under
63984-63989

Section 01, T34 N, R48 E, M.D.M.
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