# THE STATE OF NEVADA

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

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| **Name of Permittee:** | **BARRICK GOLD US, INC** |
| **Source:** | **UNDERGROUND (PAN MINE WELL 2 REVISED LOCATION)** |
| **Basin:** | **NEWARK VALLEY** |
| **Manner of Use:** | **MINING AND MILLING** |
| **Period of Use:** | **JANUARY 1ST THROUGH DECEMBER 31ST** |
| **Priority Date:** | **04/23/1963** |

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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 permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 81672 is issued subject to the terms and conditions imposed in said Permit 81672 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. The State retains the right to regulate the use of the water herein granted at any and all times.

This 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 81667, 81668, 81669, 81670, 81671, 82672, 82673 and 82674 shall not exceed 1,520.1 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of 1,200.69 acre-feet, can be diverted annually.

Additional diversion up to the total 1,520.1 acre-feet may be allowed if it can be shown that the additional diversion will not cause the consumptive use to be exceeded.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The State Engineer may require additional monitoring should conditions warrant such modification.

The State Engineer retains the right to regulate the appropriation and use of the public waters herein granted at any and all times.

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.

(Continued on Page 2)

Monthly records shall be kept of the following and reported within 15 days after the end of each quarter:

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.

E. The amount of water diverted to the infiltration or injection sites, if any, in acre-feet.

F. The amount of water lost through evaporation or other system losses project wide.

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

A total of 240.0 acre-feet annually is approved under this permit and is abrogated from the base right. However, pursuant to NRS 533.3703 initially **only 162.0 acre-feet (the net consumptive use amount) at 1.012 cubic feet per second can be diverted annually. Additional duty up to the total of 240.0 acre-feet may be allowed if it can be shown that this additional duty will not cause the consumptive use amount to be exceeded.**

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| Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: | **November 4 2015** |
| Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: | **November 4 2018** |
| 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 4th day of **November, 2013**

J. K. P.E.

State Engineer

AMENDED

Application No. 82672

# 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 29 2013

Returned to applicant for correction

Corrected application filed

Map filed MAR 29 2013

The applicant BARRICK GOLD U.S. INC.

460 West 50 North, Suite 500 (Street Address or PO Box) of Salt Lake City (City or Town)

Utah 84101 (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 81672

1. The source of water is Underground - Pan Mine Well 2
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 1.012 c.f.s., 240.0 AFA
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Mining and Milling
   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 and Milling
   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 NW¼SW¼ Section 35, T. 17N., R. 55E., M.D.M. or at a point from which the NW Corner of Section 17, T.17N., R. 55E., M.D.M. bears N. 42° 40' 26" W., a distance of 25,131 feet. (PM Well 2 - revised location)
   Please refer to supporting map on file under Application 82672.

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

   Within the SW¼NW¼ Section 26, T. 17N, R. 55E., M.D.M. or at a point from which the NW Corner of Section 17, T.17N., R. 55E., M.D.M. bears N. 54° 39' W., a distance of 20,954 feet. (PM Well 2 - original location )
   PPlease refer to supporting map on file under Application 82672.

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

No Change

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.)

T. 16N., R. 55E., M.D.M.: All of Sections 1, 2, 3, 11, 12, N½ Section 13 and N½ Section 14;
T. 17N., R. 55E, M.D.M.: All of Sections 3, 10, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, & 36;
T. 18N., R. 55E., M.D.M.: Portion of Section 27, All of Section 34.
Please refer to supporting map on file under Application 82672.

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 and cased well, pump, motor, and distribution system. Water will be conveyed by pipeline or truck hauling as needed.

12. Estimated cost of works in excess of $1,000,000.

13. Estimated time required to construct works 2 years
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.)

These water rights are under lease to Midway Gold US Inc for their Pan Mine Project, as outlined in lease agreements on file with the Division of Water Resources under Applications 81667-81674. This water will be used for mine exploration and open pit mining and milling of gold ores. The Mining Appropriation Data for the Pan Gold Mine is on file under Applications 81667-81674. This Application seeks to change mining Permit 81672 which changed a portion of Irrigation Permit 23508, Certificate 6838. It is anticipated that the right will eventually be changed back to its base right irrigation use after completion of this limited term mining project.

16. Miscellaneous remarks:

This Application seeks to establish a second proposed production well at the Pan Mine.
Please send copies of all correspondence to the attention of: Richard Moritz, Senior Vice President of Operations, Midway Gold US Inc., 8310 South Valley Highway, Suite 280, Englewood, CO 80112.


Bruce R. Scott
Type or print name clearly

Signature, applicant or agent

Resource Concepts, Inc.
Company Name

340 N. Minnesota Street
Street Address or PO Box

Carson City, Nevada 89703
City, State, ZIP Code

rciwater@rci-nv.com
E-mail Address

775-883-1600
Phone No.



STATE ENGINEER'S OFFICE
2013 JUL -9 PM 12:13
RECEIVED
APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT