



TEMPORARY

THE STATE OF NEVADA

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

Name of Permittee: NEWMONT GOLD COMPANY
Source: UNDERGROUND
Basin: MAGGIE CREEK AREA
Manner of Use: MINING, MILLING AND DEWATERING
Period of Use: ONE YEAR FROM DATE OF ISSUANCE
Priority Date: 03/14/1985

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 48912 is issued subject to the terms and conditions imposed in said Permit 48912 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 issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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.

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, 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, 78679, 78680 and Temporary Permits 82577T, 82578T, 82579T, 82580T and 82797T shall not exceed 10,660.42 acre feet annually for mining and milling purposes.

(Continued on Page 2)

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.
- E. The amount of water diverted to other consumptive uses, if any, in acre-feet.
- F. The amount of water lost through evaporation or other system diversions and losses project wide in acre-feet.

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 0.78 cubic feet per second or 100.0 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:

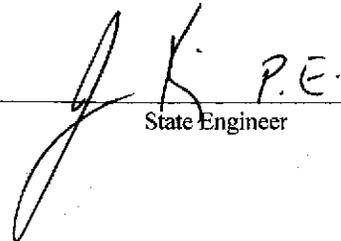
N/A

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 17th day of June, 2013



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 MAY 09 2013
Returned to applicant for correction
Corrected application filed Map filed MAY 09 2013

The applicant Newmont Gold Company

1655 Mountain City Hwy.

of Elko

Street Address or PO Box

City or Town

Nevada 89801

State and ZIP Code

hereby make(s) application for permission to change the

[x] Point of diversion

[x] Place of use

[] Manner of use

[x] 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.)

48912

1. The source of water is underground

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.78 cfs (100 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.)

Lot 2 (NW 1/4 NE 1/4) Section 2, T 34 N, R 51 E, MDM, at a point from which the NE corner of Section 2, T 34 N, R 51 E, MDM, bears N 86° 30' E 1,874 feet.

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

SW 1/4 SE 1/4 Section 10, T 34 N, R 51 E, MDM, at a point from which the NE corner of Section 36, T 34 N, R 51 E, MDM, bears S 37° 07' E 21,265 feet.

Maggie Creek Area
4-51
9.0

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

Lot 2, Lot 3, Lot 4, SW¼ NE¼ and S½ NW¼ of Section 2, T34N, R51E, MDM and the unpaved portion of Eureka County Road M-117 lying in Sections 2, 10 and 11, T34N, R51E, 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.)

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

12. Estimated cost of works \$75,000

13. Estimated time required to construct works one year

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use five 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 water will be used to process barite ore using a jig plant. The water will be piped to lined ponds for use in the jig plant. The water will also be used for dust abatement.

16. Miscellaneous remarks:

Reclamation Permit No. 0338 became final on April 30, 2013.
Construction is scheduled to begin in May of 2013.

RECEIVED
MAY 10 9 AM 2013
STATE ENGINEERS OFFICE

bryce.vorwaller@newmont.com
E-mail Address
775-778-4318
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Bryce Vorwaller
Type or print name clearly
Bryce Vorwaller
Signature, applicant or agent
Newmont USA Limited
Company Name
1655 Mountain City Hwy.
Street Address or PO Box
Elko, Nevada, 89801
City, State, ZIP Code