Permit No. 81888T

TEMPORARY

THE STATE OF NEVADA

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

Name of Permittee:	**BATTLE MOUNTAIN GOLD COMPANY**
Source:	**PW 15 (UNDERGROUND)**
Basin:	**BUFFALO VALLEY**
Manner of Use:	**MINING AND MILLING**
Period of Use:	**ONE YEAR FROM DATE OF ISSUANCE**
Priority Date:	**06/16/1947**

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, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 11876, Certificate 3503 is issued subject to the terms and conditions imposed in said Permit 11876, Certificate 3503 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 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 Permit 11876, Certificate 3503; Permit 36870, Certificate 12923; Permit 36871, Certificate 13747; Permit 36872, Certificate 13748; Permit 49459, Certificate 14023; Permit 49461, Certificate 14025; Permit 52036, Certificate 14018; Permit 54214, Certificate 13754; Permits 65411, 65412, 65415 through 65427, 65428E, 65429E, 68408, 76196, 76283, 80306 and 81888T shall not exceed 12,905 acre-feet annually.

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 this well in acre-feet.

B. The maximum flow rate from this well in cubic feet per second.

C. The volume of water consumptively used for mining and milling in acre-feet.

D. The amount of water diverted to other consumptive uses, if any, in acre-feet.

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

(Continued on Page 2)

The State Engineer retains the right 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. The State Engineer retains the right to regulate pumping 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 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 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 1.268 cubic feet per second or 917.994 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 15th day of **June**, A.D. **2012**

P.E.

State Engineer

TEMPORARY Application No. 81888 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 MAY 15 2012

Returned to applicant for correction

Corrected application filed Map filed MAY 15 2012

The applicant Battle Mountain Gold Company

1655 Mountain City Hwy. (Street Address or PO Box) of Elko (City or Town)

Nevada 89801 (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

per email SOM 5/16/2012

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 11876 (Certificate 3503)

---

1. The source of water is Underground - PW 15
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 917.994 acre-feet (1.268 cfs)
   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~~ PLACER MINING AND DOMESTIC
   If for stock, state number and kind of animals.

   EMAIL SOM 5/16/2012

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 of the NW¼, of Section 8, T30 N., R43 E., M.D.M. at a point from which the West quarter corner of Section 28, T31 N., R43 E., M.D.M. bears N 27°07'47.1" E a distance of 15,443 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   within the SW¼ of the SE¼, of Section 8, T30 N., R43 E., M.D.M. at a point from which the South quarter corner of Section 33, T31 N., R43 E., M.D.M. bears N 31°00'40" E a distance of 10,912.90 feet.

131-LA

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

Sections 14, 15, 16, 21, 22, 23, 26, 27, 28, 32, 33 and 34, T.31N., R.43E. and Sections 2, 3, 4, 8, 9, 10, 16, and 21, T.30N., R.43E., M.D.M.

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 28, 32, 33, 34 T.31N., R.43E., M.D.M. and Sections 3 and 4 T.30N., R.43E.

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.)

A drilled and cased well with pump, motor and totalizing water meter and pipeline to the place of use.

12. Estimated cost of works $750,000 (seven hundred fifty thousand dollars)

13. Estimated time required to construct works 1 year

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 temporary application is being submitted for the Copper Leach Project at the Phoenix Mine. This project is in the advanced stages of permitting. The well will initially be used for construction activities associated with the project. Upon approval and completion of the Copper Leach Facilities, the well will be used primarily for processing.

16. Miscellaneous remarks:

A change application will follow this application to permanently move all water under #11876 (certificate 3503) to PW-15.

RECEIVED
2012 MAY 15 AM 11:05
STATE ENGINEERS OFFICE

Bryce Vorwaller
Type or print name clearly

Bryce Vorwaller
Signature, applicant or agent

Newmont USA Limited
Company Name

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

Elko, Nevada, 89801
City, State, ZIP Code

Bryce.Vorwaller@Newmont.com
E-mail Address

775-778-4318
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09 $150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION