



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: UNDERGROUND (PHOENIX MINE PPW2)
Basin: BUFFALO VALLEY
Manner of Use: MINING, MILLING, DEWATERING, AND DOMESTIC
Period of Use: ONE DAY FROM DATE OF ISSUANCE.
Priority Date: 08/18/1999

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 65419, is issued subject to the terms and conditions imposed in said Permit 65419 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 is issued pursuant to the provisions of NRS 533.345 Section 2 and accounts for pumpage in calendar year 2014, 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.

This temporary permit also incorporates the provisions of Order No. 1162, issued by the State Engineer on June 13, 2000.

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.

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 0.192 cubic feet per second or 139.0 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:

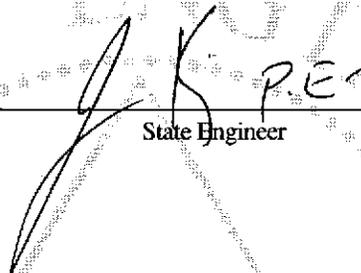
N/A

Map in support of proof of beneficial use shall be filed on or before:

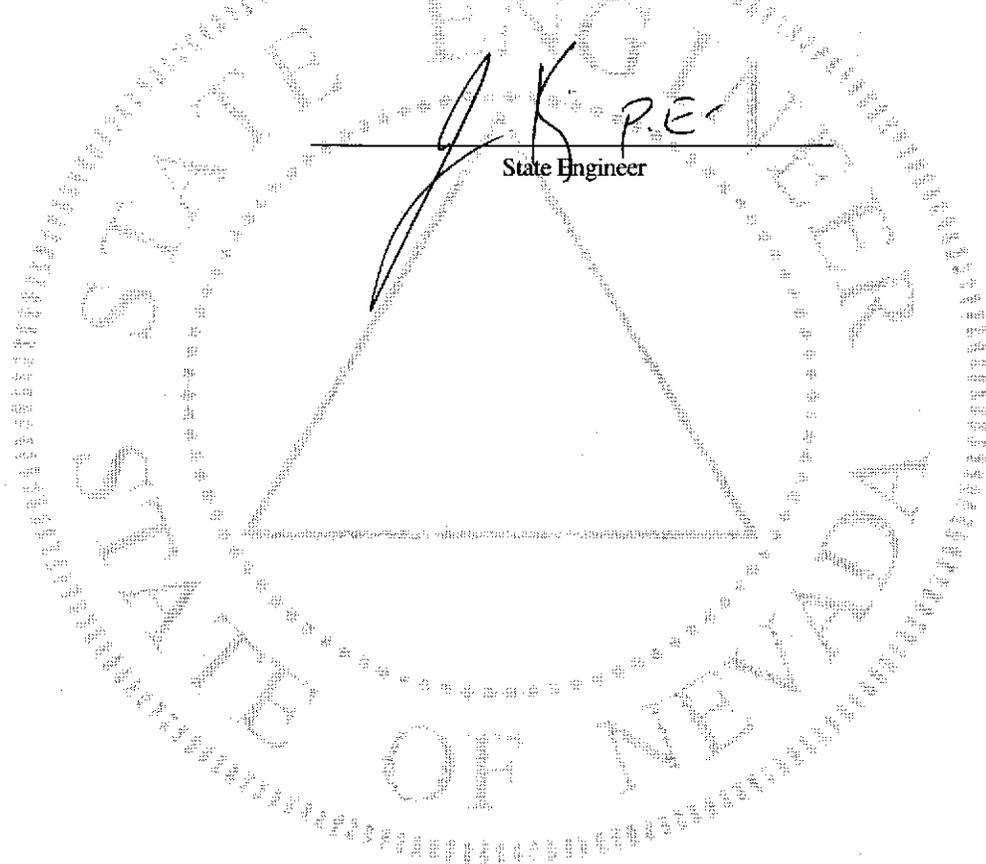
N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 25th day of February, 2015



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 13 2015
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>Jan 13 2015 under 84703T</u>

The applicant Battle Mountain Gold Company
S&ER 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 65419

1. The source of water is Phoenix Mine - PPW 2
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.192 cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Dewatering, Mining, Milling and 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 Dewatering, Mining, Milling and 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.)
within the SE¼ SW¼, of Section 22, T31 N., R43 E., M.D.M., at a point from which the W¼ corner of Section 21, T31 N., R43 E., M.D.M. bears N 71°05'57" W a distance of 7810 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
Phoenix Mine - Order 1162 SW22
within the SW¼, Section 22, T31 N, R43 E, M.D.M., at a point from which the S¼ corner of Section 21, T31N, R43E bears S 71°47'42" W a distance of 4210.09 feet.

10-231
La

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.)

Sections 14, 15, 16, 21, 22, 23, 26, 27, 28, 32, 33, and 34 of Township 31 North, Range 43 East, and Sections 2, 3, 4, 8, 9, 10, 16 and 21 of Township 30 North, Range 43 East MDB&M.

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 Est. \$800,000 (eight hundred 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 1 year

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 1162, to cover 139 acre-feet of water produced during 2014.

16. Miscellaneous remarks:

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 Mining Corporation

Company Name

S&ER Department, 1655 Mountain City Hwy.

Street Address or PO Box

Elko, Nevada, 89801

City, State, ZIP Code

RECEIVED
2015 JAN 13 PM 2:14
STATE ENGINEERS OFFICE