



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 (PW 15)
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 and place 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 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.

Temporary Permit 83872T will expire with the issuance of this temporary permit.

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; and Permits 65411, 65412, 65415 through 65427, 65428E, 65429E, 68408, 76196, 76283, 80306 and 85095T shall not exceed 12,905 acre-feet annually.

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.

(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 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.

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 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 150.0 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 10th day of **July, 2015**

K.L. King P.E.
for 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 APR 21 2015

Returned to applicant for correction _____

Corrected application filed _____ Map filed May 15 2012 under 81888T

The applicant Battle Mountain Gold Company
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 11876 (Certificate 3503)

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 2015 APR 21 AM 10:35
 STATE ENGINEERS OFFICE

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 150 acre-feet
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 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.

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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 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.)

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 Completed as described in item #11

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 2 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.)

The well is used for processing at the Phoenix Mine Copper Leach Project.

16. Miscellaneous remarks:

Please refer to map filed under 81888T for Point of Diversion and Place of Use Details.

Bryce.Vorwaller@Newmont.com

E-mail Address

775-778-4318

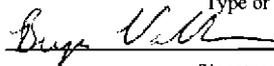
Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Bryce Vorwaller

Type or print name clearly



Signature, applicant or agent

Newmont USA Limited

Company Name

S&ER Department, 1655 Mountain City Hwy.

Street Address or PO Box

Elko, Nevada, 89801

City, State, ZIP Code