



TEMPORARY
THE STATE OF NEVADA

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

Name of Permittee: TOWN OF BATTLE MOUNTAIN
Source: UNDERGROUND
Basin: LOWER REESE RIVER VALLEY
Manner of Use: MUNICIPAL
Period of Use: ONE YEAR FROM DATE OF ISSUANCE.
Priority Date: 12/12/1958

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 78953, is issued subject to the terms and conditions imposed in said Permit 78953 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The total combined duty of water because of the place of use under Permit 9521, Certificate 2281; Permit 23312, Certificate 6968; Permit 28347, Certificate 9255; Permit 45469, Certificate 13464; Permits 78952, 78953 and 85397T shall not exceed 2,895.81 acre-feet annually.

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.

With the issuance of this permit, Temporary Permit 84231T will be expired.

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 0.306 cubic feet per second or 221.7 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:

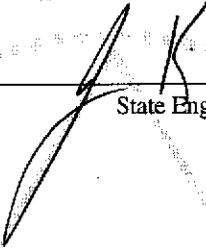
N/A

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

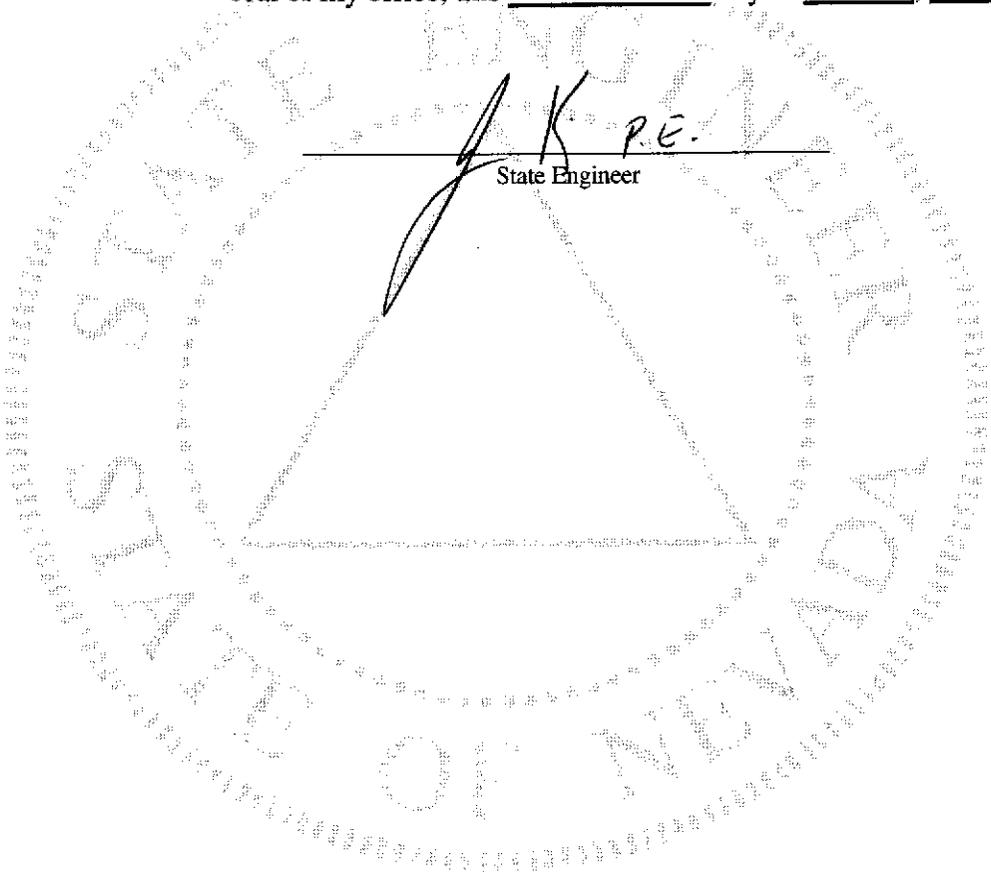
N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1st day of **October, 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 AUG 20 2015

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 20 2015

The applicant Town of Battle Mountain
315 S. Humboldt St. of Battle Mountain
Street Address or PO Box City or Town
Nevada 89820 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 78953

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

2. The amount of water to be changed 221.7 AFA
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Municipal 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 Municipal and Domestic LMJ
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.)
Point of Diversion located within SE1/4 of the NE1/4 of Section 11, T31N, R44E, MDM, from which the E1/4 corner of Section 11 bears S39 degrees 30'00" E a distance of 850 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
SW1/4 of the SE1/4 of Section 12, T31N, R44E, MDM, from which the Northwest Corner of Section 12 bears N28 degrees 50'08" W a distance of 5845 feet.

LRRV
4-59
La

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

NE1/4 SW1/4, NW1/4 SW1/4, SW1/4 SW1/4, and SE1/4 SW1/4 of Section 17, NE1/4 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4 and SE1/4 NW1/4 of Section 20 all in T32N, R45E, M.D.B. & 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.)

NE1/4 SW1/4, NW1/4 SW1/4, SW1/4 SW1/4, and SE1/4 SW1/4 of Section 17, NE1/4 NW1/4, NW1/4 NW1/4, SW1/4 NW1/4 and SE1/4 NW1/4 of Section 20 all in T32N, R45E, M.D.B. & 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.)

Complete the basin 4-059 water resource inventory required by (NRS)533.364 for application#83901 so the State Engineer can rule on that application.

12. Estimated cost of works \$40,000

13. Estimated time required to construct works 1 years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 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.)

See attachment

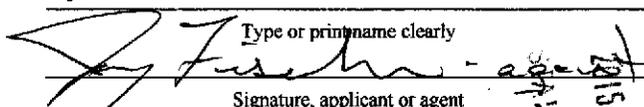
16. Miscellaneous remarks:

See attachment

jay_fischer@sbcglobal.net
E-mail Address
775-455-6626
Phone No. Ext.

APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT

Jay Fischer


Type or print name clearly
Signature, applicant or agent

Reese River Hydrologic, LLC
Company Name

385 Jillian Dr.
Street Address or PO Box

Battle Mountain, Nevada 89820
City, State, ZIP Code

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August 14, 2015

Applicant: Town of Battle Mountain

Attachment to Application for Permission to Change Point of Diversion

Response to Application items 15 and 16

(15) Description of Proposed Project

The Town of Battle Mountain has completed the drilling of one (1) new municipal supply well to serve the community. This well will provide redundancy to the system which currently requires nearly 100% availability in order to meet peak demands.

The project includes installation of a new 16-inch diameter well, well testing, pump purchase, electrical gear purchase, construction of new power line to the site, construction of a well house and ~12,000 feet of transmission pipeline to existing tanks.

Application #83901 for new appropriation for this new well was received by the NDWR office on June 13, 2014. On August 24, 2014, NDWR authorized Reese River Hydrologic, LLC to complete the "Inventory of water resources within Lower Reese River Valley, basin 4-059, pursuant to Nevada Revised Statutes (NRS 533.364). That inventory is currently in progress.

(16) Miscellaneous Remarks

The closest existing wells (Permit 78952 & 78953) to the site are located ~4,200 feet to the southeast and are owned and operated by the Town of Battle Mountain to provide drinking water to the community. Newmont Mining Corporation owns the next closest well (Permit 22883) located ~4,000 feet south. Newmont's Water Rights Administrator has been contacted regarding details of this municipal project and expressed no concerns to any part of the project including the Temporary Transfer of Point of Diversion.

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Reese River Hydrologic, LLC

385 Jillian Drive
Battle Mountain, Nevada 89820
775-455-6626

August 14, 2015

Nevada Division of Water Resources
Water Rights Division
901 S. Stewart Street Suite 2002
Carson City, Nevada 89701

Re: Request for a Temporary change of point of diversions from Permit # 78953

Dear Sirs:

Please find enclosed a Temporary Change of point of diversion application, map and check in the amount of \$180.00. The Town of Battle Mountain has completed drilling and completion of a 16inch diameter supply well to be used as a backup well to a system that currently requires nearly 100% availability in order to meet peak demands.

A new appropriation for this project, #83901 was received by your office on June 13, 2014. The basin 4-059 water resource inventory is currently in progress. As the water rights agent, this information is respectfully submitted on behalf of Lander County for your review and approval.

Please do not hesitate to contact me with any questions.

Sincerely,



Jay Fischer
Principle – Reese River Hydrologic, LLC
774-455-6626
jay_fischer@sbcglobal.net

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**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

Memorandum of Designation

To: Jay Fischer, President of Reese River Hydrologic, LLC

From: Adam Sullivan, P.E., Chief of Hydrology
Nevada Division of Water Resources

Date: August 21, 2014

Re: Inventory of water resources within Lower Reese River Valley, basin 4-059, pursuant to Nevada Revised Statutes (NRS) 533.364

This memo shall serve as the instrument by which you are designated by the Nevada State Engineer, pursuant to NRS 533.364 (1), as the person that shall conduct an inventory of the Lower Reese River Valley, Basin 4-059. Said inventory is required by NRS 533.364 before the Nevada State Engineer may approve an application for an interbasin transfer of more than 250 acre-feet of groundwater from a basin which the State Engineer has not previously inventoried, or for which the State Engineer has not conducted, or caused to be conducted, a study pursuant to NRS 532.165 or 533.368.

Please be advised that NRS 533.364 (3) directs the Nevada State Engineer to charge the applicant a fee to cover the cost of the inventory. These costs incurred by the Nevada State Engineer would be associated with meetings held with the applicant and person designated to complete the inventory, as well as review of data collected and draft and final inventory reports.

We look forward to working with you and will be happy to provide report templates, review of your data, and answer any questions you may have regarding the process and final product.

A handwritten signature in black ink, appearing to read "Adam Sullivan".

8/21/2014

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