



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
Basin: BUFFALO VALLEY
Manner of Use: MINING, MILLING, AND DOMESTIC
Period of Use: ONE YEAR FROM DATE OF ISSUANCE.
Priority Date: 09/08/1981

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 65411, is issued subject to the terms and conditions imposed in said Permit 65411 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.

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, 85095T and 85535T shall not exceed 12,905 acre-feet annually.

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.

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.

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 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 1.658 cubic feet per second or 1200.0 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:

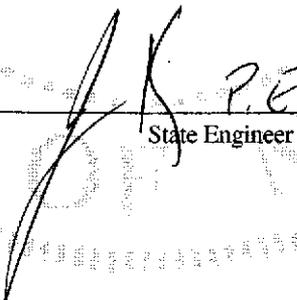
N/A

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 30th day of **November, 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 OCT 20 2015

Returned to applicant for correction _____

Dec 5 1989 Under 54214

Corrected application filed _____ Map filed _____

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.)

65411

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 2015 OCT 20 AM 10:40
 STATE ENGINEERS OFFICE

1. The source of water is underground - Duval 4
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 1200 acre-feet
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for 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 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 NW¼ SW¼ Section 9, T30N, R43E, MDB or at a point from which the South ¼ corner of said Section 9 bears, S 58° 53' E a distance of 3020 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
SE¼ SW¼ Section 9, T30N, R43E MDB&M; or at a point from which the S¼ Corner of said Section 9, bears S 48° 52' 47" E, 903.15 feet

10-131
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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Sections 21, 22, 27, 28, 33 and 34, T31N, R43E, MDM; Sections 3, 4, 9 and 10, T30N, R43E, 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 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 pump and motor and pipeline to Place of Use.

12. Estimated cost of works \$50,000

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 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.)

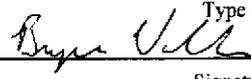
A pumping optimization program was implemented in 2014. Pumping amounts throughout the wellfield were adjusted to accommodate the program. This application is being submitted to cover the continued, increased pumpage at this point of diversion.

16. Miscellaneous remarks:

Please refer to map under 54214 for proposed point of diversion and place of use details.
Please refer to map under 65411 for existing 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
1655 Mountain City Hwy.
Street Address or PO Box
Elko, NV 89801
City, State, ZIP Code