



**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 (PPW-1)  
**Basin:** BUFFALO VALLEY  
**Manner of Use:** MINING, MILLING, AND DEWATERING  
**Period of Use:** ONE DAY FROM DATE OF ISSUANCE.  
**Priority Date:** 08/18/1999

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**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 65416, is issued subject to the terms and conditions imposed in said Permit 65416 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 weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change 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; Permits 65411, 65412, 65415, and 65416; Permits 65418 through 65427; Permits 65428E, 65429E, 68408, 76196, 76283, 80306, 85535T, and 85943E; Permits 86218T through 86221T; and Permit 86237T shall not exceed 12,905 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 day 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 reports 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 0.028 cubic feet per second or 20.0 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:

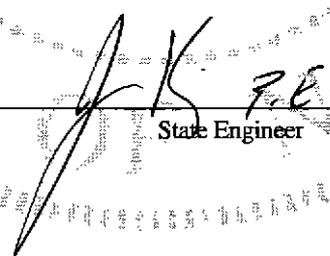
N/A

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 30<sup>th</sup> day of August, 2016



\_\_\_\_\_  
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 MAY 19 2016  
Returned to applicant for correction \_\_\_\_\_  
Corrected application filed \_\_\_\_\_ Map filed MAY 19 2016

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 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

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 65416

RECEIVED  
MAY 19 AM 11:29  
STATE ENGINEER'S OFFICE

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

2. The amount of water to be changed 0.028 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 NE¼ NE¼, of Section 21, T31 N., R43 E., M.D.M., at a point from which the W¼ corner of said Section 21 bears S 62°04'31" W a distance of 4623 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
Phoenix Mine - Order 1162 NE21

NE¼ Section 21, Township 31 North, Range 43 East, MDB&M or at a point from which the North ¼ corner of said Section 21, Township 31 North, Range 43 East, MDB&M bears N 45°08'46" W, a distance of 1881.53 feet.

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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 20 acre-feet of water produced during 2015.

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  
  
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