



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: 03/17/1980

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 68408, is issued subject to the terms and conditions imposed in said Permit 68408 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. 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. If the well is flowing, a valve must be installed and maintained to prevent waste.

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, 85943E and 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 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 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 0.414 cubic feet per second or 300.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

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

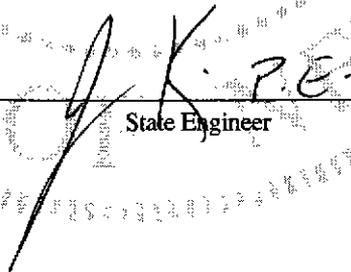
N/A

N/A

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 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 27 2016
Returned to applicant for correction
Corrected application filed Map filed May 15, 2012 Under 81888

The applicant Battle Mountain Gold Company
1655 Mountain City Hwy. of Elko
Nevada 89801
Street Address or PO Box City or Town
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 68408

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2016 MAY 27 AM 10:19
STATE ENGINEERS OFFICE

- 1. The source of water is Underground - PW 15
2. The amount of water to be changed 300 acre-feet
3. The water to be used for Mining and Milling
4. The water heretofore used for Mining and Milling
5. The water is to be diverted at the following point... within the NW 1/4 of the NW 1/4, 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... within the NW 1/4 of the SW 1/4, of Section 10, T30 N., R43 E., M.D.M. at a point from which the SW corner of said section 10, bears S 31°50'54" W a distance of 1,827.02 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, T.31N., R.43E. and Sections 2, 3, 4, 8, 9, 10, 16, and 21, T.30N., R.43E., M.D.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.)

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 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.)

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

16. Miscellaneous remarks:

Please refer to map filed under 85095T for Proposed Point of Diversion and Place of Use Details.

Please refer to map filed under 68408 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

S&ER Department, 1655 Mountain City Hwy.

Street Address or PO Box

Elko, Nevada, 89801

City, State, ZIP Code