

**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:** EXPIRES OCTOBER 1, 2017  
**Priority Date:** 12/12/1958

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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 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. 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 86434T 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 October 1, 2017, 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.

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:

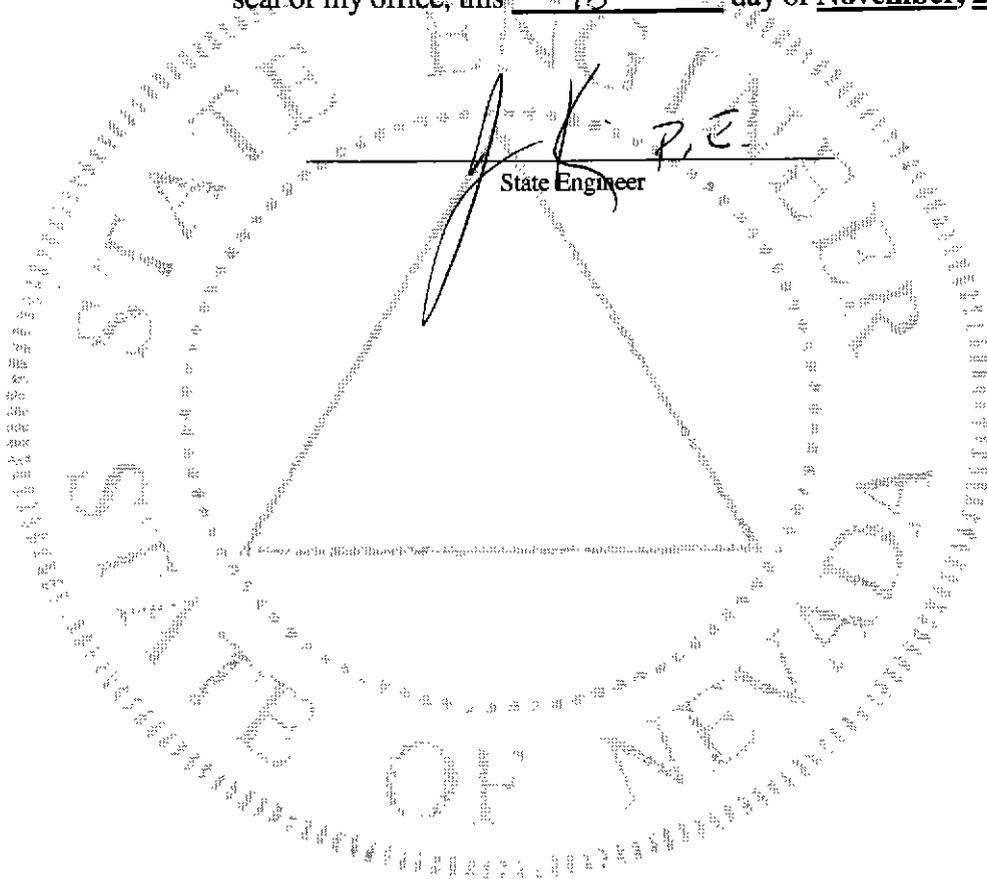
N/A

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 18<sup>th</sup> day of **November, 2016**



**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  
**AUG 29 2016**

Date of filing in State Engineer's Office \_\_\_\_\_

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed June 13, 2014 Under 83901

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, the title of Decree and identify right in Decree.)  
Permit 78953

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- The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 221.7 AFA  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Municipal and Domestic  
Industry, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Municipal and Domestic  
If for stock, state number and kind of animals.
- 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.
- 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.

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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.)  
Completed the basin 4-059 water resource inventory required by (NRS)533.364 for application#83901 so the State Engineer can rule on that application. The inventory report was accepted at complete by DWR on 7-1-16.

12. Estimated cost of works \$40,000

13. Estimated time required to construct works 1 years

14. Estimated time required to complete the application of water to beneficial use 10 years  
If well completed, describe well.

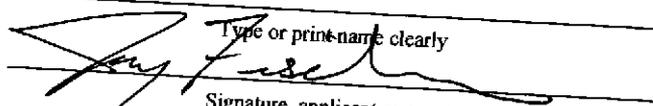
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)  
See attachment

16. Miscellaneous remarks:

See attachment

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jay\_fischer@sbcglobal.net  
E-mail Address  
775-455-6626  
Phone No. Ext.

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

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

August 26, 2016

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 much needed 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 has been accepted by Division of Water Resources as complete on 7/01/2016.

(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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