

#### 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 F                                | OR OFFICE USE ONLY  |                       |
|---|---|---|-----------------------|
| Date of filing in State Eng   | incer's Office OCT                          | 2 3 2008  |                       |
| Returned to applicant for a   |   |   |                       |
| Corrected application filed   | i N   | App filed OCT 2 3 2008under                                   | 77171                 |
|   |   |   |                       |
| The applicant Kobeh Val<br>1726 Cole Blvd., Suite   |   | vo General Moly, Inc.)  |                       |
| Revert Address o  | 115   | of Lakewood   |                       |
| 1726 Cole Blvd., Suite<br>Reat Adhese<br>Colorado 80401   | 115<br>• F.O. Box                           | of Lakewood   | mission to change the |
| 1726 Cole Blvd., Sulte  | 115<br>• F.O. Box                           | of Lakewood   | mission to change the |
| 1726 Cole Blvd., Suite<br>Renet Advise of<br>Coloradio 80401<br>State and Z<br>X Point of diversion | 115<br>FO. Box<br>up Code<br>D Place of use | of Lakewood Caye Yees<br>, bereby make(s) application for per | of a portion          |

- 1. The source of water is underground
- The source of water to be changed
   <u>0.45 cts</u>, 300.76 acre-feet annually
   Becombing the source of the s
- 3 The water to be used for Mining and milling land milling land not be used for most and bot of memory land to an major we
- 4. The water bereasfore used for Mining and milling
- The water is to be divorted at the following point (Describe a being within a 40-and subdrawed of public survey and by onon- and distance to a found vection occurs. If on surveyed land, a about to select.)
   Within the SE 1/4 of the NW 1/4 of Section 16, T 21N., R.51E., M.D.M., or at a point from which the northwest corner of Section 6, T.21N., R.51E., M.D.M. bears North 44°07' West a distance of 18, 075 feet. (Well 223)
- 6. The existing point of diversion is located within (If post of diversion a not changed, do not ensure )

the SW 1/4 of the SW 1/4 of Section 21, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51 E., M.D.M. bears South 43°28' West a distance of 15,620 feet. (Well 204) See map that accompanied Application No. 75979.

(36 ° - )

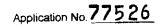
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| 7. Proposed place of use (Describe   | by legal eubdivisions. If for irrigat            | úcii, state | to be trigging of areas to be trigging | d)   |                    |
|--|--|-------------|--|--|--------------------|
| See attached Exhibit "A" a   | nd as shown on the m                             | ap th       | at accompanied Ap                      | plication No. 72695.   |                    |
|  |  |             |  |  |                    |
| Existing place of use (Describe b  | y loget sobdivisions - IT changing :             | piece of 1  | क स्वयं/वर जस्तावा रहे १८२ लों प्र     | n sian permit, describe correge to be                                |                    |
| The place of use is not ch   | anged  |             |  |  |                    |
|  |  |             |  |  |                    |
| Proposed use will be from _  | January 1<br>Month and Day                       | to          | December 31<br>Vanta and Day           | of cach year.  |                    |
| 0. Existing use permitted from   | January 1<br>Month and Day                       | to          | December 31                            | of each year.  |                    |
| <ol> <li>Description of proposed work<br/>specifications of your diversit<br/>fumes or delied will, page and motion, et</li> </ol> | s. (Under the provision<br>on or storage works ) | of NR       | S 535.010 you may b                    | e required to submit plans<br>ed i.e. diversion stronger, disches, p | tend<br>apres mart |
| Drilled well, pump and pip   | elines or truck to mine                          | and         | mill site.                             |  |                    |
| 2. Estimated cost of works \$3,  | 000,000  |             |  |  |                    |
| 3. Estimated time required to co   | nstruct works _3 years                           |             |  |  |                    |
| 4. Estimated time required to co   | mulete the application of                        | f wate      | trivel completed, a                    |  |                    |
| 5. Provide a detailed description<br>(Failure to provide a datalled discoption may   | of the proposed project                          |             |  |  |                    |
| See attached addendum.   |  |             |  |  |                    |
|  |  |             |  | (0   |                    |
|  |  |             |  | STATE ENGINELING   | 200                |
|  |  |             |  | Ĕ  | S S                |
| 6. Miscellancous remarks:  |  |             |  | HC IA  | 7 E                |
|  |  |             |  |  | ω T                |
|  |  | ,           | 1                                      |  | ř 🤇                |
| (775) 358-9491<br>Phone No   | By_  | Ger         | ge G. Lindesmith                       | YSMARS / E   | 2                  |
|  | y  | N           | UN, DE                                 | ndem   | )<br>              |
| glindesmith@tristatelld.com  | -  | Tris        | tate Surveying Ltd.                    | or agent   |                    |
|  | -  |             | Conquery Name                          |  |                    |
|  | -  |             | E. Prater Way<br>Street Address or P   | O. Box   |                    |
| APPLICATION MUST   | DE CICNER  | Spar        | KS, NV 89434<br>City, State, Zip Cod   |  |                    |
| BY THE APPLICANT   |  |             |  | -  |                    |
|  | CAL ALLIANA A                                    |             |  |  |                    |

## \$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: December 23, 2008, by Eureka County

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#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| Ali      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6&7     | 21N      | 52E      | M.D.M.   |
| Aß       | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| Ali      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| IIA      | 31 - 36 | 21 1/2N  | 52Ë      | M.D.M.   |
| Ati      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| AH       | 36      | 22N      | 51 1/2 E | M.D.M.   |
| IIA      | 1 - 36  | 22N      | 52E      | M.D.M,   |
| Att      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| AN       | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

## EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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## 2008 OCT 23 PM IS: 45

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Page 1 of 1

# Application No. 77527

#### 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

| Street Address or F.O. Box<br>Colorado 80401 | City or Town<br>hereby make(s) application for permission to change |
|--|---|
| 1726 Cole Blvd., Suite 115                   | of Lakewood   |
| The applicant Kobeh Valley Ranch LLC         | (c/o General Moly, Inc.)  |
| Corrected application filed                  | Map filed OCT 2 3 2008 under 77 17 1                                |
|  |   |
| Date of filing in State Engineer's Office    | 2 3 2008  |
|  | E FOR OFFICE USE ONLY   |

of water heretofore appropriated under identify science reductly Percent, Centeren, Proof or Claim Nos. If Decreel, give tells of Decree and electric right to Decree ) Application No. 75997

- 1. The source of water is <u>underground</u>
- Name of stream, lake, underground, spring or other s 2. The amount of water to be changed 2.35 cfs, 571.20 acre-feet annually
- Second feet, sease feet, Una second foot upals 448 23 gallons per same 3. The water to be used for Mining and milling
- den. When stands, state member and kind of amerals. Must limit to one mayor the 4. The water heretofore used for Mining and milling
- If for stock, state sumber and hind of enancies
- The wrater is to be diverted at the following point (Describe as being writes a 60-acce and distance to a found sector corner if on unsurveyed lend, a should be stated.) Within the SE 1/4 of the SE 1/4 of Section 7 of T.21N., R.51E., M.D.M., or at a point from which the northwest corner of Section 6, T.21N., R.51E., M.D.M. bears North 24°13' West a distance of 11,015 feet. (Weil 222)
- 6. The existing point of diversion is located within (if point of diversion is not changed, do not unswer.)
  - the SE 1/4 of the NW 1/4 of Section 21, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 41°50' West a distance of 18,260 feet. (Well 203) See map that accompanied Application No. 75979.

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| _                                       |  | by legal subdivisions. If far in<br>Incl. as shown on the  |                |                                       |                            | 2695.                                       |
|---|--|--|----------------|---------------------------------------|----------------------------|---|
| consider and a construction             | of use (Describe b<br>ion)<br>Use is not ch: | y legal subdivisions. If chang<br>anged.   | ing place of t | ne and/or manage of use of in         | rigatica: pormit, describe | scroege to be                               |
| ) Proposod use v                        | vill be from                                 | January 1<br>North and Day   | to             | December 31                           | of each year.              |   |
| 10. Existing use pe                     | mitted from                                  | January 1  | to             | December 31                           | of each year               |   |
| specifications of frames or dealed well | of your diversion, pump and motor, of        | Month and Day<br>5. (Under the provisi-<br>on or storage works.)<br>a.)<br>blines or truck to mi | State manuel   | in which water is to be diver         |                            |   |
| 2. Estimated cost                       |  |  |                |                                       |                            |   |
|   |  | astruct works 3 yea  | are            |                                       |                            |   |
|   |  | mplete the application   |                | If well completed, a                  |                            |   |
| 5. Provide a detai                      | led description                              | of the proposed proj   |                |                                       |                            | ssary):                                     |
| See attached                            |  | cause a delay in processing.)  |                | -                                     |                            |   |
|   |  |  |                |                                       |                            |   |
| 6. Miscellancous                        | remarks:                                     |  |                |                                       |                            | RECEIV<br>2000 OCT 23 PH<br>STATE ENGINEERS |
|   |  |  |                |                                       | $\sim$                     | CEIN<br>23 P                                |
| (775) 358-9491                          |  | r  | y Geor         | G Lindesmith                          | PLENRE                     |   |
| Phone                                   | No   | L  | "<br>7         | in the autom                          | the line                   |   |
| glindesmith@tris                        |  | -  | Tri S          | tate Surveying Ltd.                   |                            |   |
|   |  |  |                | E. Prater Way<br>Sirst Address of P   | O. Bea                     |   |
| APPLICATIO                              | NI MITON                                     | DECHER   | Spar           | 108, NV 89434<br>City, Shall, Zip Cot |                            |   |
| APPLICATIC<br>BY THE APP                |  |  |                | (.uy, .uumi, 24) (.uk                 | -                          |   |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: December 23, 2008, by Eureka County

## Application No. 77527

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

## AMENDED

Application No. 77553

## 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

|                             |  |   | 1    |     |
|-----------------------------|--|---|------|-----|
|                             | THIS SPACE FOR   | R OFFICE USE ONLY   |      |     |
|                             | NOV 3 20   | 008   |      |     |
| Date of filing in State Eng | gineer's Office  |   | 1    |     |
| Returned to applicant for   | correction NOV 10 2008   | )   |      |     |
| Compared and Kentley Cla    | d FEB 2 6 2009 Mag   | T. FFR 9 6 2009   |      |     |
| Confected application file  | a i LU & U LUUJ Mar  |   |      |     |
|                             |  |   |      |     |
| he applicant Kobeh Va       | lley Ranch LLC (C/O  | General Moly, Inc.)   |      |     |
| 1726 Cole Blvd., Suite      | 115  | of Lakewood   |      |     |
| Street Address              | or P.O. Box  | City or Town.   |      |     |
| Colorado 80401              | 2 ip Code  | hereby make(s) application for permission to change the   |      |     |
|                             | •  | Manner of use 50 of a portion   |      |     |
| Point of diversion          | Place of use   | Manner of use Ed of a portion   |      |     |
|                             |  |   |      |     |
| . The source of water is    | underground  | anne of sizonen, laite, underground, spring or other sources.   |      |     |
| The emerant of meters       | to be changed 2.35 cfs, 57   |   |      |     |
| The amount of water (       | to be changed  | Second lise, accorded. One second fact equals 448 El gallous per carsine.                                   |      |     |
| The water to be used        | for Mining and milling   |   |      |     |
|                             | Inigation, power, maning, con  | material, etc. If for stock, state mander and brid of antirials. Must hast to one importune.                |      |     |
| The water heretofore        | used for Mining and milling  | If for stock, etate runder and kind of southeld.  |      |     |
|                             |  | Describe as being within a 40-new subdivision of public survey and by course and                            |      |     |
|                             | ner. If on unsurveyed land, it should be su  |   |      |     |
|                             | IT THE NVV 1/4 OF SECTION 5.   | T.21-1/2N., R.52E., M.D.M. or at a point from which<br>R.51E., M.D.M. bears South 72°57'48" West a distance |      |     |
|                             |  |   | 7557 |     |
|                             | er of Section 36, T.22N., R  | in application  |      | 21. |
| 6. The existing point of    | er of Section 36, T.22N., R<br>See map accompanying thi                                    | is application. 7   | 1373 | 2/: |
|                             | er of Section 36, T.22N., R<br>See map accompanying thi                                    | is application. 7   | 1373 | 2/: |
| the SE 1/4 of the M         | er of Section 38, T.22N., R<br>See map accompanying thi<br>diversion is located within (#) | is application. 7   | 1273 | 2/2 |

southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 41°50' West a distance of 18,260 feet. (Well 203) See map that accompanied Application No.  $\frac{75979}{10/2}$   $\frac{1}{10/2}$ 

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|                |  | ind as shown on t                                   | ne map th  | at accompanied A   | pplication No. 72695. 12/5/2005  |
|----------------|--|---|--|--|--|
| <b>}</b> .     | Existing place of use (Describe 5<br>removed from irrigation.)<br>The place of use is not ch.  |   | nging place of   | une and/or manner of une of i  | arrigation parant, describe screage to be  |
|                |  | ango <b>u</b> .                                     |  |  |  |
| ŀ,             | Proposed use will be from  | January 1<br>Marak and Day                          | to   | December 31<br>Month and Day   | of each year.  |
| 0.             | Existing use permitted from  | •   | to   | December 31<br>Month and Day   | of each year.  |
| 1.             | Description of proposed work<br>specifications of your diversio<br>fumes or drilled well, pump and motor, et<br>Drilled well, pump and pipe  | (s. (Under the provision or storage works.          | )(State manne  | S 535.010 you may<br>r in which water is to be dive  | be required to submit plans and<br>need, i.e. diversion structure, dischere, piper and   |
| 2.             | Estimated cost of works \$3.   |   |  | in one.  |  |
| 3.             | Estimated time required to con   | nstruct works 3 ye                                  | eans   |  |  |
|                |  |   |  |  |  |
|                |  |   |  | If well completed,   |  |
| 4.             | Estimated time required to co  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years  |
| 4.             | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description cary  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years  |
| 4.             | Estimated time required to co  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years<br>ttachments if necessary):   |
| 4.             | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description cary  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years<br>ttachments if necessary):   |
| 4.             | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description cary  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years  |
| 4.<br>5.       | Estimated time required to con<br>Provide a detailed description<br>(Finiture to provide a detailed description may<br>See attached addendum.  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years<br>ttachments if necessary):   |
| 4.<br>5.       | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description cary  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years<br>ttachments if necessary):   |
| 4.<br>5.       | Estimated time required to con<br>Provide a detailed description<br>(Finiture to provide a detailed description may<br>See attached addendum.  | mplete the applicati                                | on of wate   | r to beneficial use  | 5 years  |
| 4.<br>5.       | Estimated time required to con<br>Provide a detailed description<br>(Finiture to provide a detailed description may<br>See attached addendum.  | mplete the application of the proposed processing.) | on of wate   | r to beneficial use<br>s water usage (use a  | 5 years<br>ttachments if necessary):   |
| 4.<br>5.       | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description carry<br>See attached addendum.<br>Miscellancous remarks:                 | mplete the application of the proposed processing.) | on of wate   | r to beneficial use<br>a water usage (use a<br>a D. Maurer, C.S.)  | 5 years<br>ttachments if necessary):<br>FEB 20<br>FEB 20<br>FE |
| 4.<br>5.<br>6. | Estimated time required to con<br>Provide a detailed description<br>(Fedare to provide a detailed description carry<br>See attached addendum.<br>Miscellancous remarks:<br>75) 358-9491  | mplete the application of the proposed processing.) | on of wate<br>oject and it<br>By Debr                          | a D. Maurer, C.S.  | 5 years<br>ttachments if nocessary):   |
| 4.<br>5.<br>6. | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description carry<br>See attached addendum.<br>Miscellancous remarks:<br>75) 358-9491 | mplete the application of the proposed processing.) | on of wate<br>oject and it<br>By Debr                          | a D. Maurer, C.S.  | 5 years<br>ttachments if nocessary):   |
| 4.<br>5.<br>6. | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description carry<br>See attached addendum.<br>Miscellancous remarks:<br>75) 358-9491 | mplete the application of the proposed processing.) | on of wate<br>oject and it<br>By Debr                          | a D. Maurer, C.S.<br>Print or type parts<br>tate Surveying Ltd<br>Company Name                                       | 5 years<br>Itachments if necessary):   |
| 4.<br>5.<br>6. | Estimated time required to con<br>Provide a detailed description<br>(Feiture to provide a detailed description carry<br>See attached addendum.<br>Miscellancous remarks:<br>75) 358-9491 | mplete the application of the proposed pro-         | on of wate<br>bject and it<br>By Debr<br>Tri S<br>1925<br>Spar | a D. Maurer, C.S.<br>Print or trop and<br>Next or trop and<br>Next or trop and<br>tate Surveying Ltd<br>Compeny Name | 5 years<br>Itachments if necessary):   |

Protested: May 1, 2009, by Eureka County

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| Division | Section | Township | Range           | Meridian |
|----------|---------|----------|-----------------|----------|
| All      | 1-3     | 21N      | 50E             | M.D.M.   |
| All      | 10-15   | 21N      | 50E             | M.D.M.   |
| All      | 22-27   | 21N      | 50E             | M.D.M.   |
| All      | 34-36   | 21N      | 50E             | M.D.M.   |
| All      | 1-38    | 21N      | 51E             | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E             | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E             | M.D.M.   |
| Alt      | 30 & 31 | 21N      | 52E             | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E        | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E             | M.D.M.   |
| All      | 34-36   | 22N      | 50E             | M.D.M.   |
| All      | 1-3     | 22N      | 51E             | M.D.M.   |
| All      | 10-15   | 22N      | 51E             | M.D.M.   |
| All      | 20-29   | 22N      | 51E             | M.D.M.   |
| All      | 31-36   | 22N      | 51E             | M.D.M.   |
| AN       | 1       | 22N      | 51 1/2 E        | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 <b>1/2</b> E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E        | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E        | M.D.M.   |
| Ali      | 1 - 36  | 22N      | 52E             | M,D.M.   |
| All      | 6 & 7   | 22N      | 53E             | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E             | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E             | M.D.M.   |
| AR       | 34-36   | 23N      | 51E             | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E             | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

Page 1 of 1

Application No.

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

STATE ENGINEERS OFFICE

SOGE MOA -3 EH 1:15 KECEIAEC

Application No. 78424

## 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  | R OFFICE USE ONLY  |  |
|--|---|--|--|
| Date of filing in State En   | gincer's Office APR 30  | 2009   |  |
| Returned to applicant for  | correction  |  |  |
| Corrected application file   | xd Mag  | filed APR 3 0 2009   |  |
| The applicant Kobeh Va   | illey Ranch LLC   |  | -  |
| 1726 Cole Blvd., Suite   |   | of Lakewood  |  |
| Street Address<br>Colorado 80401<br>State and  |   | City or Town   | ermission to change the  |
| Point of diversion   | Place of use  | Manner of use  | s of a portion   |
| of water heretofore approp<br>destry right in Decree.)<br>Application No. 76803  | riated under (Identify existing right )   | y Permit, Certificane, Proof or Claim Nos. If Deor   | and, give title of Decree and  |
| destofy right in Decree.)<br>Application No. 76803   |   | y Pennit, Certificate, Proof or Claim Nos. If Deor   | æd, give tille of Decree and   |
| dentify right in Decree.)  | underground   |  |  |
| destrify right is Decree.)<br>Application No. 76803<br>1. The source of water is   | underground   | me of stream, lake, underground, spring or other source<br>7.50 acre-feet annually   | \$   |
| destrify right is Decree.)<br>Application No. 76803<br>I. The source of water is<br>2. The amount of water t   | underground<br>be changed 0.1525 cfs, 5<br>for Mining, milling and dew  | ne of stream, lake, underground, spring or other source<br>7.50 acre-feet annually<br>Second feet, scre-feet. Dre second foot up a<br>ratering   | s<br>de 448 83 gallors per minute.   |
| <ul> <li>Application No. 76803</li> <li>I. The source of water is</li> <li>2. The amount of water t</li> <li>3. The water to be used f</li> </ul>  | underground<br>be changed 0.1525 cfs, 5<br>for Mining, milling and dew  | ne of stream, lake, underground, spring or other source<br>7.50 acre-feet annually<br>Second feet, acre-feet. Due second foot oge<br>ratering<br>mercial, do: 11 for stock, state number and kind of sum<br>dewatering   | s<br>de 448 83 gallons per munute<br>tals Musi Linui to one major une  |
| Application No. 76803<br>Application No. 76803<br>I. The source of water is<br>2. The amount of water t<br>3. The water to be used f<br>4. The water heretofore to<br>5. The water is to be dive   | underground<br>be changed 0.1525 cfs, 5<br>or Mining, milling and dew<br>Impace, power, mining, com<br>used for Mining, milling and   | The of stream, lake, underground, spring or other source<br>7.50 acre-feet annually<br>Second feet, acre-feet Dne second foot oper<br>vatering<br>mercial, etc. If for stock, state number and kind of unen<br>dewatering<br>If for stock, state number and kind of unen<br>accords as being written a 40-acre subdivision of put                                      | s.<br>da 448 83 gallons per ministe<br>rals. Misai lanisi to one majar use   |
| <ol> <li>Application No. 76803</li> <li>The source of water is</li> <li>The amount of water t</li> <li>The water to be used f</li> <li>The water heretofore t</li> <li>The water is to be divertised section come<br/>Within the NW 1/4 c</li> </ol> | underground<br>be changed 0.1525 cfs, 5<br>or Mining, milling and dew<br>brighten, power, mining, com<br>used for Mining, milling and<br>crited at the following point (D<br>cr. If on assureyed bad, it should be and<br>of the SE 1/4 of Section 12,  | ine of stream, lake, underground, spring or other source<br>7.50 acre-feet annually<br>Second feet, acre-feet Die second foot up<br>vatering<br>mercial, eic Mfor stock, state number and kind of anen<br>dewatering<br>If for stock, state number and kind of anen<br>accrete as being written a 40-acre subdivision of put<br>od.)<br>T.22N., R.51-1/2E., M.D.M., or | s.<br>In 148 83 gallons per minute.<br>In Kluei Liviei to one major use<br>In<br>blue survey and by course and<br>Dat a point from which |
| <ol> <li>Application No. 76803</li> <li>The source of water is</li> <li>The amount of water t</li> <li>The water to be used f</li> <li>The water heretofore t</li> <li>The water is to be divertised section come<br/>Within the NW 1/4 c</li> </ol> | underground<br>Nation be changed 0.1525 cfs, 5<br>or Mining, milling and dew<br>brighten, power, mining, com<br>used for Mining, milling and<br>crited at the following point (D<br>cr. If on unsurveyed land, it should be seen<br>of the SE 1/4 of Section 12,<br>r of Section 1, T.22N., R.5 | ne of stream, lake, underground, spring or other source<br>7.50 acre-feet annually<br>Second feet, acre-leat. Die second fool up<br>vatering<br>mercial, eic Mfox stock, state number and kind of anen<br>dewatering<br>If for stock, state number and kind of anen<br>bechbe as being written a 40-acre subdivision of put<br>od.)                                    | s.<br>In 148 83 gallons per minute<br>In Kluei Linit to one major use<br>In<br>blue survey and by course md<br>at a point from which     |

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, " | \_ \_ \_

Within the NW 1/4 of the SE 1/4 of Section 12, T.22N., R.51.5E., M.D.M., or at a point from which the northeast corner of Section 1, T.22N., R.51E., M.D.M. bears North 27\*05'08" West a distance of 2,752.05 feet. (Well P76803)

002152

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

See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.

8. Existing place of use (Desuring by legal subdivisions. If changing place of use and/or manuser of use of inigation permat, describe acreage to be renserved from irrigation.)

Place of Use is not changed.

- 9. Proposed use will be from January 1 Month and Day to December 31 of each year. Month and Day 10. Existing use permitted from \_\_\_\_\_January 1 December 31 of each year. \_\_\_ to \_\_ 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 memory in which water is to be diverted, i.e. diversion structure, ditches, pipes and os or drilled well, parap and motor, etc.)

Month and Day

Drilled well, pump and pipelines or truck to mine and mill site.

12. Estimated cost of works \$3,000,000

13. Estimated time required to construct works 3 years If well commissed, 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 drive in processing.)

See attached addendum.

16. Miscellancous remarks:

| (775) | 358-9491  |      |
|-------|-----------|------|
|       | Phone No. | ~~~~ |

| glindesmith@tristateltd.com |
|-----------------------------|
| E-mail                      |

| Ву | Genrage G. Lindesmith, PLSMARS                                   | STATE ENGINEL | 2009 APR 30 P | RECT |
|----|--|---------------|---------------|------|
|    | Tri State Surveying Ltd.   | UF -          | H 3: 4        |      |
|    | Company Name<br>1925 E. Prater Way<br>Street Address or P.O. Box | <u></u>       | <u>م</u>      |      |
|    | Sparks, NV 89434   |               |               |      |
| )  | City, State, Zip Code  |               |               |      |

## **APPLICATION MUST BE SIGNED** BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: July 10, 2009, by Eureka County

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-38   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

Application No. 79911"

### 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 Engine   | cer's Office JUN 15   | 2010   |  |
| Returned to applicant for con  | rection   | · · · · · · · · · · · · · · · · · · ·  |  |
| Corrected application filed  |   | Map filed JUN 1 5  | 2010   |
| he applicant Kobeh Valley  | Ranch LLC (c/o Genera   | · · · · · · · · · · · · · · · · · · ·  |  |
| 726 Cole Blvd., Suite 115  |   | of Lakewood  |  |
| Colorado 80401   | ess or PO Box   | City<br>hereby make(s) application   | y or Town<br>for permission to change the  |
| State and State of diversion   | ZIP Code  | Manner of use  | of a portion   |
| f water heretofore appropriated  | under (Identify existing rights by  | Permit, Certificate, Proof or Claim Nos. 1   | f Decreed, give title of Decree and  |
| pplication No. 73551   |   |  |  |
| pplication No. 73551<br>The source of water isunde   | stground<br>Name of stree   | am, lake, underground, spring or other sour  | 10 <b>63</b> .   |
|  | Name of streaminged 6.0 cfs or 2669.5 afa   |  |  |
| The source of water is <u>unde</u><br>The amount of water to be cha  | Name of stree<br>anged 6.0 cfs or 2669.5 afa<br>Second feet   | am, lake, underground, spring or other sour<br>, acre-feet One second foot equals 448 83   |  |
| The source of water is <u>unde</u><br>The amount of water to be cha<br>The water to be used for <u>Mit</u>   | Name of streaming and milling   |  | gallons per minute   |
| The source of water is <u>under</u><br>The amount of water to be changed for the water to be used for $\frac{Mit}{Irrig}$  | Name of stree<br>anged <u>6.0 cfs or 2669.5 afa</u><br>Second feet<br>aing and milling<br>ation, power, mining, commercial, et  | , acre-feet One second foot equals 448.83<br>c. If for stock, state number and kind of an  | gallons per minute   |
| The source of water is <u>unde</u><br>The amount of water to be cha<br>The water to be used for <u>Mit</u>   | Name of streaming of angle 6.0 cfs or 2669.5 afa<br>Second fect<br>aing and milling<br>ation, power, mining, commercial, et<br>Mining, milling and dewater  | , acre-feet One second foot equals 448.83<br>c. If for stock, state number and kind of an  | gallons per minute<br>umals. Must limit to one major us  |
| The source of water is <u>unde</u><br>The amount of water to be cha<br>The water to be used for <u>Mit</u><br>Irrig<br>The water heretofore used for<br>The water is to be diverted at it<br>distance to a found section corner. If  | Name of stree<br>anged <u>6.0 cfs or 2669.5 afa</u><br>Second feet<br>ation, power, mining, commercial, et<br>Mining, milling and dewater<br>If<br>the following point (Describe as<br>fon unsurveyed land, it should be sta<br>of Section 7, T.21N., R.51E.,                                 | acre-feet One second foot equals 448 83<br>c. If for stock, state number and kind of an<br>ing<br>for stock, state number and kind of animal<br>being within a 40-acre subdivision of publ   | gallons per minute<br>umals. Must limit to one major us<br>s.<br>fic survey and by course and<br>the northwest corner of |
| The source of water is <u>unde</u><br>The amount of water to be cha<br>The water to be used for <u>Mit</u><br>Irrig<br>The water heretofore used for<br>The water is to be diverted at it<br>distance to a found section corner. If  | Name of stree<br>anged <u>6.0 cfs or 2669.5 afa</u><br>Second feet<br>ation, power, mining, commercial, et<br>Mining, milling and dewater<br>If<br>the following point (Describe as<br>fon unsurveyed land, it should be sta<br>of Section 7, T.21N., R.51E.,                                 | acre-feet One second foot equals 448.83<br>c. If for stock, state number and kind of an<br>ing<br>for stock, state number and kind of animal-<br>being within a 40-acre subdivision of publ<br>ted )<br>M.D.M., or at a point from which | gallons per minute<br>umals. Must limit to one major us<br>s.<br>fic survey and by course and<br>the northwest corner of |
| The source of water is <u>unde</u><br>The amount of water to be cha<br>The water to be used for <u>Mit</u><br>Irrig<br>The water to be used for <u>Mit</u><br>Irrig<br>The water heretofore used for<br>The water is to be diverted at a<br>distance to a found section corner. If<br>distance to a found section corner. If | Name of stree<br>anged <u>6.0 cfs or 2669.5 afa</u><br>Second feet<br>ation, power, mining, commercial, et<br>Mining, milling and dewater<br>It<br>the following point (Describe as<br>fon unsurveyed land, it should be sta<br>of Section 7, T.21N., R.51E.,<br>M. bears North 20°01' West a | acre-feet One second foot equals 448.83<br>c. If for stock, state number and kind of an<br>ing<br>for stock, state number and kind of animal-<br>being within a 40-acre subdivision of publ<br>ted )<br>M.D.M., or at a point from which | gallons per minute<br>umals. Must limit to one major us<br>s.<br>fic survey and by course and<br>the northwest corner of |

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.) See attached EXHIBIT "A" and as shown on the map accompanying this Application.

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.)

See attached EXHIBIT "B" and as shown on the map supporting Application No. 72695.

| 9. Proposed use will be from    | January I     | 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 well, pump and pipelines or truck to mine and mill site.

12. Estimated cost of works \$3,000,000

13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 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 attached remarks.

16. Miscellaneous remarks:

| JeLipkau@parsonsbehle.com<br>E-mail Address |     | Mar Contractor and Contractor     |
|---|-----|-----------------------------------|
| 775) 323-1601                               |     | Signature, applicant or agent     |
| Phone No.                                   | Ext | Parsons Behle & Latimer           |
|   |     | Company Name                      |
| APPLICATION MUST BE SIGNED                  |     | 50 West Liberty Street, Suite 750 |
| BY THE APPLICANT OR AGENT                   |     | Street Address or PO Box          |
|   |     | Reno, NV 89501                    |
|   |     | City, State, ZIP Code             |

Protested: August 12, 2010, by Eureka County, August 20, 2010, by Tim Halpin, August 20, 2010, by D. Lloyd Morrison

| Division<br>W 1/2 | Section<br>2       | Township<br>20N | Range<br>50E | Meridian<br>M.D.M. |     |
|-------------------|--------------------|-----------------|--------------|--------------------|-----|
| All               | 3-5                | 20N             | 50E          | M.D.M.             |     |
|                   |                    |                 |              |                    |     |
| All               | 1-3                | 21N             | 50E          | M.D.M.             |     |
| All               | 10-15              | 21N             | 50E          | M.D.M.             |     |
| All               | 22-27              | 21N             | 50E          | M.D.M.             |     |
| All               | 34-36              | 21N             | 50E          | M.D.M.             |     |
| S 1/2             | 32 <b>&amp; 33</b> | 21N             | 50E          | M.D.M.             |     |
| All               | 1-36               | 21 <b>N</b>     | 51E          | M.D.M.             |     |
| All               | 5-8                | 21 <b>N</b>     | 52E          | M.D.M.             |     |
| All               | 18 & 19            | 21N             | 52E          | M.D.M.             |     |
| All               | 30 & 31            | 21N             | 52 <b>E</b>  | M.D.M.             |     |
|                   |                    |                 |              |                    |     |
| All               | 36                 | 21 1/2N         | 51 1/2 E     | M.D.M.             |     |
| Ail               | 31 - 36            | 21 1/2N         | 52E          | M.D.M.             |     |
| All               | 34-36              | 22N             | 50E          | M.D.M.             |     |
| All               | 1-3                | 22N             | 51E          | M.D.M.             |     |
| All               | 10-15              | 22N<br>22N      | 51E          | M.D.M.             | REL |
| All               | 20-30              | 22N<br>22N      | 51E          | M.D.M.             | 10- |
| 230               | 236                | 2211            | 512          |                    |     |
| All               | 1                  | 22N             | 51 1/2 E     | M.D.M.             |     |
| All               | 12 & 13            | 22N             | 51 1/2 E     | M.D.M.             |     |
| All               | 24 & 25            | 22N             | 51 1/2 E     | M.D.M.             |     |
| All               | 36                 | 22N             | 51 1/2 E     | M.D.M.             |     |
| All               | 1 - 36             | 22N             | 52E          | M.D.M.             |     |
| All               | 6&7                | 22N             | 53E          | M.D.M.             |     |
| All               | 18 & 19            | 22N             | 53E          | M.D.M.             |     |
| All               | 30 & 31            | 22N             | 53E          | M.D.M.             |     |
|                   |                    |                 |              |                    |     |
| All               | 34-36              | 23N             | 51E          | M.D.M.             |     |
| All               | 31                 | 21 1/2 N        | 53E          | M.D.M.             |     |

## EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

Page 1 of 1

| Division | Section      | Township    | Range       | Meridian |
|----------|--------------|-------------|-------------|----------|
| All      | 1-3          | 21N         | 50E         | M.D.M.   |
| All      | 10-15        | 21N         | 50 <b>E</b> | M.D.M.   |
| All      | 22-27        | 21N         | 50E         | M.D.M.   |
| All      | 34-36        | 21N         | 50E         | M.D.M.   |
| All      | 1-3 <b>6</b> | 21N         | 51E         | M.D.M.   |
| All      | 6 & 7        | 21N         | 52E         | M.D.M.   |
| All      | 18 & 19      | 21N         | 52E         | M.D.M.   |
| All      | 30 & 31      | 21N         | 52E         | M.D.M.   |
| All      | 36           | 21 1/2N     | 51 1/2 E    | M.D.M.   |
| All      | 31 - 36      | 21 1/2N     | 52E         | M.D.M.   |
| All      | 34-36        | 2 <b>2N</b> | 50E         | M.D.M.   |
| All      | 1-3          | 22N         | 51E         | M.D.M.   |
| All      | 10-15        | 22N         | 51E         | M.D.M.   |
| All      | 20-29        | 22N         | 51E         | M.D.M.   |
| All      | 31-36        | 22N         | 51E         | M.D.M.   |
| All      | 1            | 22N         | 51 1/2 E    | M.D.M.   |
| All      | 12 & 13      | 22N         | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25      | 22N         | 51 1/2 E    | M.D.M.   |
| All      | 36           | 22N         | 51 1/2 E    | M.D.M.   |
| All      | 1 - 36       | 22N         | 52E         | M.D.M.   |
| All      | 6&7          | 22N         | 53E         | M.D.M.   |
| Ail      | 18 & 19      | 22N         | 53E         | M.D.M.   |
| AII      | 30 & 31      | 22N         | 53E         | M.D.M.   |
| All      | 34-36        | 23N         | 51E         | M.D.M.   |
| All      | 31           | 21 1/2 N    | 53E         | M.D.M.   |

## EXHIBIT "B", EXISTING PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

### **Remarks**

This application is being filed, together with a series of additional applications, to set forth the new or amended points of diversion, as more fully set forth in the Hydrogeology and Numerical Flow Modeling Report dated April, 2010, prepared by Eureka Moly, and submitted to the Bureau of Land Management.

Groundwater will be developed from the Kobeh Valley Groundwater Basin, through a series of production wells. Water will be conveyed to a storage reservoir via a booster pumping station. Water from the storage reservoir will be conveyed to the reduction plant or mill, located within the Diamond Valley drainage basin. After the water is placed to a beneficial use within the reduction plant, a portion of the water will be diverted to a recycling pond, with such water returned to the storage reservoir. The vast majority of water will be carried via the tailings leaving the reduction plant, and will be placed in a tailings pond, located within Kobeh Valley. Thus, the majority of water consumption will take place in Kobeh Valley, and not Diamond Valley.

The total volume of water to be consumed, being the total combined duty of all applications filed herewith shall not exceed 11,300 acre-feet annually. The contemplated mine life, as currently best determined, is 44 years, commencing upon start up or commencement of the mine and works of reduction.

4825-3635-7894.3

## **CERTIFICATE OF SERVICE**

Pursuant to NRAP Rule 25(1)(c), I hereby certify that I am an

employee of ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.,

Attorneys at Law, and that on this date, I caused a CD-ROM version of same to be

served to all parties to this action by:

- Placing a true copy thereof in a sealed postage prepaid envelope in
- the United States Mail in Carson City, Nevada
- Hand-delivery via Reno/Carson Messenger Service
- Facsimile
- Federal Express, UPS, or other overnight delivery
- Х E-filing pursuant to Section IV of District of Nevada Electronic Filing **Procedures**

fully addressed as follows:

bstockton@ag.nv.gov

Bryan L. Stockton Senior Deputy Attorney General's Office Nevada Attorney General's Office 100 North Carson Street Carson City, NV 89701

Ross E. de Lipkau rdelipkau@parsonsbehle.com Parsons Behle & Latimer 50 West Liberty Street, Ste 750 Reno, NV 89501

Therese A. Ure Laura A. Schroeder Schoeder Law Offices, P.C. 400 Marsh Avenue Reno, NV 89509

t.ure@water-law.com schoeder@water-law.com <u>X</u> Placing a true copy of a CD-ROM version thereof in a sealed postage prepaid envelope in the United States Mail in Carson City, Nevada

fully addressed as follows:

John R. Zimmermanjzimmerman@parsonsbehle.comParsons Behle & Latimer50 West Liberty Street, Ste 750Reno, NV 89501

Francis M. Wikstrom Parsons Behle & latimer 201 South Main Street, Ste 1800 Salt Lake City, UT 84111

DATED this 21<sup>st</sup> day of December, 2012.

/s/ Nancy Fontenot

| 7. | Proposed | place | of use |  |
|----|----------|-------|--------|--|
|----|----------|-------|--------|--|

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.

8. Existing place of use within the S 1/2 of Section 15: the S 1/2 N 1/2, a portion of the NW 1/4 NE 1/4, Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of NE 1/4 NE 1/4, and N 1/2 S 1/2 of Section 21; N 1/2 and SW 1/4 of Section 22; N 1/2 of Section 23 and use and/or manner of use of arrigation permit, describe acreage to be removed from arrigation. NW 1/4 of Section 24, all in T.19N., R.47E., M.D.M.. Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in the State Engineer's Office.

|  | to<br>tions of NRS 535.0<br>Drilled we<br>Sta<br>,000.<br>3 years<br>on of water to bene<br>vatering, state num | December 31<br>Morth and Day<br>10 you may be required to sut<br>11, pump and pipelines or<br>all magnet in which water is to be drive<br>if well completed, describe well.<br>ficial use 5 years                            | truck to mine<br>ried, i.e. diversion structu                 |
|--|---|--|---|
| Description of proposed works. (Under the provises specifications of your diversion or storage works.)     and mill site.     ditches and flames. drilled well with pump and motor, etc.     Estimated cost of works <u>in excess of \$3,000</u> Estimated time required to construct works     Estimated time required to complete the application     Remarks: For use other than irrigation or stock we insumptive use.     Estimated addendum. | Drilled we<br>Su<br>,000.<br>3 years<br>on of water to bene<br>vatering, state num                              | Month and Day<br>10 you may be required to sub<br>11, pump and pipelines or<br>ate manner in which water is to be drive<br>if well completed, describe well.<br>ficial use <u>5 years</u><br>ber and type of units to be scr | omit plans and<br>truck to mine<br>ried i.e. diversion struct |
| Description of proposed works. (Under the provises specifications of your diversion or storage works.)     and mill site.     ditches and flames. drilled well with pump and motor, etc.     Estimated cost of works <u>in excess of \$3,000</u> Estimated time required to construct works     Estimated time required to complete the application     Remarks: For use other than irrigation or stock we insumptive use.     Estimated addendum. | Drilled we<br>Su<br>,000.<br>3 years<br>on of water to bene<br>vatering, state num                              | 10 you may be required to sut<br>11, pump and pipelines or<br>at magner in which water is to be drive<br>11 well completed, describe well.<br>afficial use <u>5 years</u><br>ber and type of units to be ser                 | truck to mine<br>rted, i.e. diversion struct                  |
| and mill site.<br>diches and flames, drilled well with pump and motor, etc.<br>Estimated cost of works <u>in excess of \$3,000</u><br>Estimated time required to construct works<br>Estimated time required to complete the application<br>Remarks: For use other than irrigation or stock we<br>nsumptive use.<br>Be attached addendum.   | ,000.<br>3 years<br>on of water to bene<br>vatering, state num  | ite magner in which water is to be diven<br>If well completed, describe well.<br>fficial use <u>5 years</u><br>ber and type of units to be ser   | vcd or annual   |
| ditches and flames, drilled well with pump and motor, etc.<br>2. Estimated cost of works <u>in excess of \$3,000</u><br>3. Estimated time required to construct works <u></u><br>4. Estimated time required to complete the application<br>5. Remarks: For use other than irrigation or stock we assumptive use.<br>5. Bettached addendum.   | ,000.<br>3 years<br>on of water to bene<br>vatering, state num  | If well completed, describe well.<br>fficial use <u>5 years</u><br>ber and type of units to be ser   | vcd or annual   |
| ditches and flumes, drilled well with pump and motor, etc.<br>Estimated cost of works <u>in excess of \$3,000</u><br>Estimated time required to construct works<br>Estimated time required to complete the application<br>Remarks: For use other than irrigation or stock we<br>nsumptive use.<br>He attached addendum.  | 3 years   | fficial use <b>5 years</b><br>ber and type of units to be ser  | ved or annual   |
| Estimated cost of works <u>in excess of \$3,000</u> Estimated time required to construct works     Estimated time required to complete the application.     Remarks: For use other than irrigation or stock wasumptive use.     ee attached addendum.  | 3 years   | fficial use <b>5 years</b><br>ber and type of units to be ser  | ved or annual   |
| Estimated time required to complete the application<br>Remarks: For use other than irrigation or stock we<br>nsumptive use.  | on of water to bene<br>vatering, state num  | fficial use <b>5 years</b><br>ber and type of units to be ser  | ved or annual   |
| Estimated time required to complete the application<br>i. Remarks: For use other than irrigation or stock we<br>nsumptive use.   | on of water to bene<br>vatering, state num  | fficial use <b>5 years</b><br>ber and type of units to be ser  | ved or annual   |
| <ol> <li>Remarks: For use other than irrigation or stock winsumptive use.</li> <li>attached addendum.</li> </ol>   | atering, state num  | ber and type of units to be ser  | ved or annual   |
| <ul> <li>Remarks: For use other than irrigation or stock winsumptive use.</li> <li>attached addendum.</li> </ul>   | atering, state num  | ber and type of units to be ser  | ved or annual   |
| <ul> <li>Remarks: For use other than irrigation or stock winsumptive use.</li> <li>attached addendum.</li> </ul>   | atering, state num  | ber and type of units to be ser  | ved or annual   |
| nsumptive use.   |   |  |   |
| nsumptive use.   |   |  |   |
| æ attached addendum.   |   |  | 1   |
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|  | A   |  | ···   |
| (775) 358-9491   | Billio  | 1 Au fim   | $\bigcirc$  |
| Phone No.  | - June La   | Signature of Agent, George C. Li   | pdesanith   |
|  | Trí State   | Surveying 1925 E. Prate<br>Street and No., or P.O. Box I   |   |
|  |   | Vevada 89434   |   |
| PPLICATION MUST BE SIGNED  | Snarke I  |  |   |

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

S150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-95)

#### Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

9年6月1日(2011年10月2

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-38   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| Ali      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6&7     | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| Alt      | 31      | 21 1/2 N | 53E      | M.D.M.   |

94:0 10 63 10/002

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Page 1 of 1

Senai No. / . . . . . .

### 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

. Ala

| THIS SP   | ACE FOR OFFICE USE ONLY   |
|---|---|
| Date of filing in State Engineer's Office   | JUN 2 9 2007  |
| Returned to applicant for correction  |   |
|   | Map filed JUL 11 2007 under 75979   |
| L   |   |
| The applicant Kobeh Valley Ranch LLC  |   |
| 10 North Post Street, Suite 610<br>Street and No. or P.O. Box No.   | of Spokane  |
| Street and No. or P.O. Box No.<br>Washington 99201  | City or Town<br>hereby makes application for permission to change the   |
| State and Zip Code No.  |   |
| Point of Diversion, Place and Manner of U   | <u>\$8</u>  |
| of water heretofore appropriated under Per  | mit No. 72585   |
|   | lentify existing right by Pennit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree   |
| and identify right in Decree  |   |
| <ol> <li>The water to be used for <u>Mining and m</u><br/>Impation, poser minin</li> <li>The water heretofore used for <u>Irrigation</u></li> </ol> | g, commercial, etc. If for stock state number and kind of animals. Must limit to one major use  |
| or at a point from which the northwest co   | mer of said Section 2 bears North 40°40' West a distance  |
| and distance to a section corner. If on unsurveyed land, it should  | be stated.  |
| of 580 feet. (Well 208)   |   |
| M.D.M., or at a point which bears South 1   | ithin the SW 1/4 of the SW 1/4 of Section 22, T.19N., R.47E.,<br>If point of diversion is not changed, do not answer.<br>8°09'28" East, 4223.74 feet from the NW corner of said Section<br>Applications 72580 through 72588, filed April 12, 2005, in |
|   |   |
| the State Engineer's Office.  |   |

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Noraberina (nointine) sierettaes

without

| 7. Proposed pla                     | ace of use  | Decemba by Jamel                             | nhdin or an If for im | gation state number of acres to be in   | rinstad                         |
|-------------------------------------|---|--|-----------------------|---|---------------------------------|
| See attached E                      | xhibit "A" and as s                                 |  |                       | anied Application No. 7   |                                 |
|                                     |   | 14 p. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. |                       |   |                                 |
| NE 1/4 NE 1/4, a                    |   | Describe by legal subd<br>action 21; N 1/2   | and SW 1/4 of         | N 1/2, a portion of the I<br>or impation, data number of acres in<br>Section 22; N 1/2 of Se  | rrighted. If changing place o   |
|                                     |   |  | -                     | supporting Application  | ns 72580 through                |
| 72588, filed Ap                     | il 12, 2006, in the S                               | state Engineer's                             | Office.               |   |                                 |
| 9. Use will be f                    |   | inuary 1<br>nth and Day                      | 10                    | December 31<br>Month and Day  | of each year.                   |
| 10. Use permitte                    |   |  | to                    | December 31<br>Month and Day  | of each year.                   |
| 11. Description                     |   |  | s of NRS 535.01       | 0 you may be required to su   | bmit plans and                  |
| specification                       | s of your diversion or                              | storage works.)                              |                       | , pump and pipelines o  |                                 |
| and mill si                         | te.   |  | Stat                  | e manner in which water is to be div  | erted, 1.e. diversion structure |
|                                     | ex, drilled well with pump a<br>ost of works in exc |  | A                     |   |                                 |
|                                     | me required to constru<br>me required to comple     |  | years                 | If well completed, describe well.<br>icial usc <b>5 years</b>   |                                 |
|                                     | or use other than irrig                             | ation or stock wate                          | ring, state numb      | er and type of units to be se   | rved or annual                  |
| consumptive use.<br>See attached ad | iden <i>dum</i>                                     |  |                       |   |                                 |
|                                     |   | *** *** *** *** *** *** ***                  |                       |   |                                 |
|                                     |   | * + + + + + + + + +                          |                       | 8-4-44 to 1.5 for a loss of the 9 set of the 9 set of the 1.5 set |                                 |
|                                     |   |  | <b>Weller</b> A       |   |                                 |
|                                     |   |  |                       |   | C <sub>e</sub> n                |
| ·····                               |   |  |                       |   | <u> </u>                        |
| 0                                   | 775) 358-9491                                       | ·  | By Just               | Signature of Agent Groupe G. L.   |                                 |
|                                     |   |  | Tri State S           | Surveying 1925 E. Prat  | er Way                          |
|                                     |   |  |                       | Street and No., or P.O. Box<br>evada 89434  | No.                             |
|                                     | MUST BE SIGNED<br>CANT OR AGENT                     |  |                       | City, State, Zip Code No  | ).                              |
|                                     | S150 FILE   | NG FEE MUST A                                | CCOMPANY /            | PPLICATION  | (0)-1583A (Rev. 10-9            |

#### Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

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The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| Ali      | 34-38   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 687     | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

### 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 UN 2.9 2007  |
| Returned to applicant for correction   |
| Corrected application filed Map filedUL 11 2007 under 75979  |
| The applicant Kobeh Valley Ranch LLC   |
| 10 North Post Street, Suite 610 of Spokane   |
| Street and No. or P.O. Box No. City or Town Washington 99201 hereby makes application for permission to change the State and Zip Code No.  |
| Point of Diversion, Place and Manner of Use  |
| of water heretofore appropriated under Permit No. 72586 Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree   |
| and identify right in Docree.  |
| 1. The source of water is underground         Name of stream, lake, underground, spring or other sources.         2. The amount of water to be changed       0.82 cfs, 300.76 acres feet annually<br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.         3. The water to be used for Mining and milling<br>Urrigation, poser, mining, commercial, etc. If for stock state number and kind of animals. Must lumit to one major use:         4. The water heretofore used for Irrigation and Domestic<br>If for stock, state number and kind of animals. |
| 5. The water is to be diverted at the following point within Lot 4 of Section 2, T.21N., R.50E., M.D.M.,<br>Describe as being within a 40-are subdivision of public survey and by court  |
| or at a point from which the northwest corner of said Section 2 bears North 40°40' West a distance<br>and distance to a section corner. If on unsurveyed land, it should be stated.  |
| of 580 feet. (Well 208)  |
| <ol> <li>The existing point of diversion is located within the SW 1/4 of the SW 1/4 of Section 22, T.19N., R.47E.,<br/>If point of diversion is not changed, do not answer.</li> <li>M.D.M., or at a point which bears South 18°09'28" East, 4223.74 feet from the NW corner of said Section</li> </ol>  |
| 22 (Well No. 3). Refer to map supporting Applications 72680 through 72688, filed April 12, 2008, in  |
| the State Engineer's Office.   |

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ć @<sub>/</sub>002040<sup>°</sup>

| Description of proposed works. (Under the provisions of NRS 535.010 you m specifications of your diversion or storage works.)       Drilled well, pump state manner is and mill site.         diches and flumes, drilled well with pump and motor, etc.       Estimated cost of works in excess of \$3,000,000.         3.       Estimated time required to construct works 3 years  | a portion of the NW 1/4 NE 1<br>a, state number of acres irrigated. If changing<br>in 22; N 1/2 of Section 23 and<br>rting Applications 72580 thr<br>comber 31 of cacl<br>forth and Day<br>incomber 31 of cacl<br>Month and Day  | ing plac<br>id<br>rougi<br>ch yea<br>ch yea<br>ch yea<br>ind |
|--|--|--|
| Describe by legal aubdivisions. If permit is for imigation<br>E 1/4 NE 1/4, and N 1/2 S 1/2 of Section 21; N 1/2 and SW 1/4 of Section<br>and/or manner of use of imigation permit, describe acreage to be removed from imigation.<br>W 1/4 of Section 24, all in T.19N., R.47E., M.D.M Refer to map suppor<br>2588, filed April 12, 2005, in the State Engineer's Office.<br>D. Use will be from <u>January 1</u> to <u>December 2007</u><br>North and Day <u>January 1</u> to <u>December 2007</u><br>Description of proposed works. (Under the provisions of NRS 535.010 you in<br>specifications of your diversion or storage works.) <u>Drilled well, pump</u><br>State manner is<br>and mill site.<br>diches and flumes, drilled well with pump and motor, etc.<br>D. Estimated cost of works <u>in excess of \$3,000,000</u> .<br>Estimated time required to construct works <u>3 years</u><br>If well cor<br>Estimated time required to complete the application of water to beneficial use<br>Remarks: For use other than irrigation or stock watering, state number and ty<br>nsumptive use.   | n, state number of acres irrigated. If changin<br><b>n 22; N 1/2 of Section 23 and</b><br><b>rting Applications 72580 thr</b><br><b>ecember 31</b> of cach<br>forth and Day<br><b>ecember 31</b> of cach<br>Month and Day<br>ay be required to submit plans an<br><b>and pipelines or truck to mi</b><br>which water is to be divorted, i.e. diversion | ing plac<br>id<br>roug<br>ch yea<br>ch yea<br>nd<br>ine      |
| Describe by legal aubdivisions. If permit is for imigation<br>E 1/4 NE 1/4, and N 1/2 S 1/2 of Section 21; N 1/2 and SW 1/4 of Section<br>and/or manner of use of imigation permit, describe acreage to be removed from imigation.<br>W 1/4 of Section 24, all in T.19N., R.47E., M.D.M Refer to map suppor<br>2588, filed April 12, 2005, in the State Engineer's Office.<br>D. Use will be from <u>January 1</u> to <u>December 2007</u><br>North and Day <u>January 1</u> to <u>December 2007</u><br>Description of proposed works. (Under the provisions of NRS 535.010 you in<br>specifications of your diversion or storage works.) <u>Drilled well, pump</u><br>State manner is<br>and mill site.<br>diches and flumes, drilled well with pump and motor, etc.<br>D. Estimated cost of works <u>in excess of \$3,000,000</u> .<br>Estimated time required to construct works <u>3 years</u><br>If well cor<br>Estimated time required to complete the application of water to beneficial use<br>Remarks: For use other than irrigation or stock watering, state number and ty<br>nsumptive use.   | n, state number of acres irrigated. If changin<br><b>n 22; N 1/2 of Section 23 and</b><br><b>rting Applications 72580 thr</b><br><b>ecember 31</b> of cach<br>forth and Day<br><b>ecember 31</b> of cach<br>Month and Day<br>ay be required to submit plans an<br><b>and pipelines or truck to mi</b><br>which water is to be divorted, i.e. diversion | ing plac<br>id<br>rougi<br>ch yea<br>ch yea<br>ch yea<br>ind |
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| Describe by legal subdivisions. If permit is for imigation<br>E 1/4 NE 1/4, and N 1/2 S 1/2 of Section 21; N 1/2 and SW 1/4 of Section<br>and/or manner of use of imigation permit, describe acreage to be removed from imigation.<br>W 1/4 of Section 24, all in T.19N., R.47E., M.D.M Refer to map suppor<br>2588, filed April 12, 2005, in the State Engineer's Office.<br>Use will be from <u>January 1</u> to <u>Deen</u><br>Month and Day <u>b</u><br>Use permitted from <u>January 1</u> to <u>Deen</u><br>Month and Day <u>b</u><br>Description of proposed works. (Under the provisions of NRS 535.010 you in<br>specifications of your diversion or storage works.) <u>Drilled well, pump</u><br>State manner is<br>and mill site.<br>dickes and fitunes, drilled well with pump and motor, etc.<br>Estimated cost of works <u>in excess of \$3,000,000</u> .<br>Estimated time required to construct works <u>3 years</u><br>If well cor<br>Estimated time required to complete the application of water to beneficial use<br>Remarks: For use other than irrigation or stock watering, state number and ty<br>nsumptive use.   | n, state number of acres irrigated. If changin<br><b>n 22; N 1/2 of Section 23 and</b><br><b>rting Applications 72580 thr</b><br><b>ecember 31</b> of cach<br>forth and Day<br><b>ecember 31</b> of cach<br>Month and Day<br>ay be required to submit plans an<br><b>and pipelines or truck to mi</b><br>which water is to be divorted, i.e. diversion | ing plac<br>id<br>roug<br>ch yea<br>ch yea<br>nd<br>ine      |
| and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.<br>W 1/4 of Section 24, all in T.19N., R.47E., M.D.M Refer to map support<br>2588, filed April 12, 2005, in the State Engineer's Office.<br>Use will be from <u>January 1</u> to <u>De</u><br>Month and Day b<br>Use permitted from <u>January 1</u> to <u>C</u><br>Month and Day<br>Description of proposed works. (Under the provisions of NRS 535.010 you m<br>specifications of your diversion or storage works.) <u>Drilled well, pump</u><br>State manner is<br>and mill site.<br>diches and flumes, drilled well with pump and motor, etc.<br>Estimated cost of works <u>in excess of \$3,000,000</u> .<br>Estimated time required to construct works <u>3 years</u><br>If well cor<br>Remarks: For use other than irrigation or stock watering, state number and ty<br>nsumptive use.   | rting Applications 72580 thr<br>cember 31 of cacl<br>forth and Day<br>lecember 31 of cacl<br>Month and Day<br>ay be required to submit plans and<br>and pipelines or truck to mi<br>which water is to be divorted, i.e. diversion  | roug<br>ch yea<br>ch yea<br>nd                               |
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| Estimated cost of works in excess of \$3,000,000.     Estimated time required to construct works   | mieted, describe well.   |  |
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| March  | Ilino  |  |
| (775) 358-9491 By Signatur<br>Phone No.  | of Agent, George G. Lindesmith   |  |
|  | ng 1925 E. Prater Way  |  |
|  | reet and No., or P.O. Box No.  |  |
| PPLICATION MUST BE SIGNED Sparks, Nevada   |  |  |

S150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev 10-85)

Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section | Township | Range    | Meridian                |
|----------|---------|----------|----------|-------------------------|
| All      | 1-3     | 21N      | 50E      | M.D.M.                  |
| All      | 10-15   | 21N      | 50E      | M.D.M.                  |
| Ali      | 22-27   | 21N      | 50E      | M.D.M.                  |
| All      | 34-36   | 21N      | 50E      | M.D.M.                  |
| All      | 1-36    | 21N      | 51E      | M.D.M.                  |
| AJI      | 6&7     | 21N      | 52E      | M.D.M.                  |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.                  |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.                  |
| Ali      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.                  |
| All      | 31 - 38 | 21 1/2N  | 52E      | M.D.M.                  |
| All      | 34-36   | 22N      | 50E      | M.D.M.                  |
| All      | 1-3     | 22N      | 51E      | M.D.M.                  |
| All      | 10-15   | 22N      | 51E      | M.D.M.                  |
| All      | 20-29   | 22N      | 51E      | M.D.M.                  |
| All      | 31-36   | 22N      | 51E      | M.D.M.                  |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.                  |
| Ali      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.                  |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.                  |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.                  |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.                  |
| All      | 6&7     | 22N      | 53E      | M.D.M.                  |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.                  |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.                  |
| Ali      | 34-36   | 23N      | 51E      | <b>M</b> .D. <b>M</b> . |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.                  |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

002043

NSTREES CONTRACT

Serial No. 7 (2693

### 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

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| R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M., and distance to a section corner. If on unsurveyed land, it should be stated.         bears South 43°28' West a distance of 15,620 feet. (Well 204)         6. The existing point of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E., If point of diversion is not changed, do not answer.   | THIS   | SPACE FOR OFFICE USE ONLY   |
|--|--|---|
| Returned to applicant for correction         Corrected applicant filed       Map filed _UI_, 11_2007_under_75979         The applicant       Kobeh Valley Ranch LLC         10 North Post Street, Suite 610       of   | Date of filing in State Engineer's Office          | JUN 2 9 2007  |
| The applicant Kobeh Valley Ranch LLC         10 North Post Street, Suite 610       of Spokane         State and Xe OPO Box Ne       City or Town         Washington S9201       hereby makes application for permission to change the         State and Ze Code Ne       Permit No. 72587         Point of Diversion, Place and Manner of Use       Permit No. 72587         of water heretofore appropriated under Permit No. 72587       Identify ensiting night by Permit Certificate. Proof or Claim New If Decreed, give title of Decree         and identify right in Decree       Name of stream, lake, underground, spring of other sources.         1. The source of water is underground       Name of stream, lake, underground, spring of other sources.         2. The amount of water to be changed 500 cfs, 1280.0 acre feet annually       Scool fost, sore feet annually         Scool fost, sore foot Char member and kind of annuals. Must limit to one major tax.       If for stock state number and kind of annuals. Must limit to one major tax.         4. The water to be discrift or infining and Domestic       If for stock state number and kind of annuals.         5. The water is to be diverted at the following point       within the SW 1/4 of the SW 1/4 of Section 21, T.22N., Duberto as being within a 40-acre atdivation of public survey and by core         6. The existing point of diversion is located within       the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E., M.D.M., or at a point from which the south 4/4/4/4* East, 1908.68 feet from the NW corner of s                           |  |   |
| 10 North Post Street, Suite 610       of   | Corrected application filed                        | Map filed <u>JUI, 11 2007 under 75979</u>   |
| Street and No. or PO Box No  City or Town  Washington 99201  State and Zap Code No.  Point of Diversion, Place and Manner of Use  of water heretofore appropriated under Permit No. 72587  Identify existing right by Permit, Certificate, Proof or Claim Nov If Decreed, give title of Decree and identify right in Decree  1. The source of water is underground Name of stream lake, underground, spring or other sources. 2. The amount of water to be changed 5.00 cfs, 1,280.0 acre feet annually Second feet, acre feet annually Second feet, acre feet annually (Impation post, mixing, commercial, dc. If for stock state market and kind of annuals. Must limit to one mayor use. 4. The water to be used for Mining and milling (Impation post, mixing, commercial, dc. If for stock state market and kind of annuals. Must limit to one mayor use. 5. The water is to be diverted at the following point (If for stock state market and for Section 21, T.22N., Decrebe as being within a 40-acre subdivision of public survey and by covere (Stiffer, M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M., and distance to a laction corner. If on userveyed law, it about the stated bears South 43°28' West a distance of 15,620 feet. (Well 204) 6. The existing point of diversion is located within the SW 1/4 of the SW 1/4 of Section 23, T.19N., R.47E., (If point of diversion is located within the SW 1/4 of the NW Vide April 12, 2005, in 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in                                    | The applicant Kobeh Valley Ranch LLC               |   |
| Street and No. or PO Box No  City or Town  Washington 99201  State and Zap Code No.  Point of Diversion, Place and Manner of Use  of water heretofore appropriated under Permit No. 72587  Identify existing right by Permit, Certificate, Proof or Claim Nov If Decreed, give title of Decree and identify right in Decree  1. The source of water is underground Name of stream lake, underground, spring or other sources. 2. The amount of water to be changed 5.00 cfs, 1,280.0 acre feet annually Second feet, acre feet annually Second feet, acre feet annually (Impation post, mixing, commercial, dc. If for stock state market and kind of annuals. Must limit to one mayor use. 4. The water to be used for Mining and milling (Impation post, mixing, commercial, dc. If for stock state market and kind of annuals. Must limit to one mayor use. 5. The water is to be diverted at the following point (If for stock state market and for Section 21, T.22N., Decrebe as being within a 40-acre subdivision of public survey and by covere (Stiffer, M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M., and distance to a laction corner. If on userveyed law, it about the stated bears South 43°28' West a distance of 15,620 feet. (Well 204) 6. The existing point of diversion is located within the SW 1/4 of the SW 1/4 of Section 23, T.19N., R.47E., (If point of diversion is located within the SW 1/4 of the NW Vide April 12, 2005, in 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in                                    | 10 North Post Street, Suite 610                    | of Spokane  |
| Point of Diversion, Place and Manner of Use         of water heretofore appropriated under       Permit No. 72587         Identify costing right by Permit, Certificate, Proof or Claim Nos If Decreed, give title of Decree         and identify right in Decree         1. The source of water is       underground         Name of stream, lake, underground, spring or other sciences.         2. The amount of water to be changed       5.00 cfs, 1,280.0 acre feet annually         Second fost scir-feet. One second foot equals 448.83 gallons per munite.         3. The water to be used for       Mining and milling         Impation, poet, ming, commercial, etc. If for stock state number and kind of annuals. Must limit to one mayor use.         4. The water beretofore used for       Irrigation and Domestic         If for stock, state number and kind of annuals.       Section 21, T.22N.,<br>Deacribe as being within a 40-acre subdivision of public survey and by course         R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>and distance to a section corner. If on unsurvey all and, fi shoold be stated.         bears South 43°28' West a distance of 15,520 feet. (Well 204)         6. The existing point of diversion is located within<br>the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E.,<br>If point of diversion is not changed, do not survey.         M.D.M., or at a point which bears South 43°41'48'' East, 1908.68 feet from the NW corner of said Section<br>23 (Well No. 2). Refer to map supporting Applications 72580 through | Street and No. or P.O. Box No.<br>Washington 99201 | City or Town  |
| Identify costing right by Pernit, Certificate, Proof or Claim Nos If Decreed give title of Decree and identify right in Decree  I. The source of water is underground Name of stream, lake, underground, spring or other sources. 2. The amount of water to be changed 5.00 cfs, 1.280.0 acre feet annually Second lock sure feet. One recoord foot equals 448.83 gallons per minute. 3. The water to be used for Mining and milling Irrigation, pose, mining commercial, etc. If for stock state number and kind of sumpais. Must limit to one major use. 4. The water beretofore used for Irrigation and Domestic 5. The water is to be diverted at the following point 5. The water is to be diverted at the following point 5. The water is to be diverted at the following point 5. The water is to be diverted at the following point 6. The existing point of diversion is located within 6. The existing point of diversion is located within 6. The existing point of diversion is located within 7. The SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E., 1. If point of diversion is located within 7. The SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E., 1. If point of diversion is not changed, do pot univer. 7. M.D.M., or at a point which bears South 43°41′48° East, 1908,68 feet from the NW corner of said Section 7. 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in  |  | fUse  |
| The source of water is underground     Name of stream, lake, underground, spring or other sources.     The amount of water to be changed 5.00 cfs, 1,280.0 acre feet annually     Second feet, acre-feet annually     Second feet, acre-feet Cre second fort equals 448.83 gallons per minute.     The water to be used for Mining and milling     Irrigation, poser, mixing, commercial, etc. If for stock state number and kind of animals. Must limit to one mayor use.     The water beretofore used for Mining and milling     Irrigation and Domestic     If for stock, state number and kind of animals. Must limit to one mayor use.     The water is to be diverted at the following point     within the SW 1/4 of the SW 1/4 of Section 21, T.22N,     Daterbe as being within a 40-acre subdivision of public survey and by course R.51E, M.D.M., or at a point from which the southwest corner of Section 31, T.22N, R.51E, M.D.M.,     and distance to a section corner. If on ussurveyed land, if abould be stated     bears South 43°28' West a distance of 15,620 feet. (Well 204)     for the NW 1/4 of Section 23, T.19N, R.47E,         If point of diversion is located within         the SW 1/4 of the NW 1/4 of Section 23, T.19N, R.47E,         If point of diversion is not charged, do not asserve.         M.D.M., or at a point which bears South 43°41'48'' East, 1908.68 feet from the NW corner of said Section         23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in   | of water heretofore appropriated under F           | Permit No. 72587<br>Identify existing right by Permit, Certificate, Proof or Claim Nos If Decreed, give title of Decree |
| Name of stream, lake, underground, spring or other sources.     The amount of water to be changed <u>5.00 cfs, 1,280.0 acre feet annually</u> Second foot equals 448.83 gallons per minute.     The water to be used for <u>Mining and milling</u> Irrigation, poser, mixing, commercial, etc. If for stock state number and kind of animals. Must limit to one mayor use.     The water heretofore used for <u>Irrigation and Domestic</u> If for stock, state number and kind of animals. Must limit to one mayor use.     The water is to be diverted at the following point     Within the SW 1/4 of the SW 1/4 of Section 21, T.22N.,     Describe as being within a 40-acre subdivision of public survey and by course     rest as being within a 40-acre subdivision of public survey and by course     and distance to a section corner. If on unsurveyed land, it about be stated.     bears South 43°28' Wesst a distance of 15,620 feet. (Well 204)     for stock of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E.,     If point of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E.,     If point of diversion is not changed, do not answer.     M.D.M., or at a point which bears South 43°41'48" East, 1908.68 feet from the NW corner of said Section     23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in   | and identify right in Decree.                      |   |
| <ol> <li>The water to be used for Mining and milling<br/>Irrigation, poser, mitting, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.</li> <li>The water heretofore used for Irrigation and Domestic<br/>If for stock, state number and kind of animals. Must limit to one major use.</li> <li>The water is to be diverted at the following point<br/>State number and kind of animals. Must limit to one major use.</li> <li>The water is to be diverted at the following point<br/>within the SW 1/4 of the SW 1/4 of Section 21, T.22N.,<br/>Describe at being within a 40-acre subdivision of public survey and by course<br/>R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br/>and distance to a section corner. If on unsurveyed land, it about be stated.</li> <li>bears South 43°28' West a distance of 15,620 feet. (Well 204)</li> <li>The existing point of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E.,<br/>If point of diversion is not changed, do not unsurvey.</li> <li>M.D.M., or at a point which bears South 43°41'48'' East, 1908.68 feet from the NW corner of said Section<br/>23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in</li> </ol>  |  | Name of stream, lake, underground, spring or other sources.<br>5.00 cfs, 1,280.0 acre feet annually                     |
| E for stock, side number and kno of admass.     E for stock, side number and kno of admass.     Within the SW 1/4 of the SW 1/4 of Section 21, T.22N.,     Describe as being within a 40-acre subdivision of public survey and by course     R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M.,     and distance to a section corner. If on unsurveyed land, it should be stated.     bears South 43°28' West a distance of 15,620 feet. (Well 204)     eases South 43°28' West a distance of 15,620 feet. (Well 204)     for the switch of the NW 1/4 of Section 23, T.19N., R.47E.,     If point of diversion is located within     the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E.,     If point of diversion is not changed, do not unswer.     M.D.M., or at a point which bears South 43°41'48'' East, 1908.68 feet from the NW corner of said Section     23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2006, in  | Irrigation, poser, m                               | \$ milling<br>ning, commercial, etc. If for stock state number and kind of animals. Must limit to one mayor use.        |
| 5. The water is to be diverted at the following point within the SW 1/4 of the SW 1/4 of Section 21, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M., and distance to a section corner. If on unsurveyed land, it should be stated. bears South 43°28' West a distance of 15,620 feet. (Well 204) 6. The existing point of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E., If point of diversion is not changed, do not unswer. M.D.M., or at a point which bears South 43°41'48" East, 1908.68 feet from the NW corner of said Section 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in   | 4. The water heretofore used for <b>irrigat</b>    | ion and Domestic<br>If for stock, state number and kind of animals.   |
| R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M., and distance to a section corner. If on unsurveyed land, it should be stated.         bears South 43°28' West a distance of 15,620 feet. (Well 204)         6. The existing point of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E., If point of diversion is not changed, do not answer.         M.D.M., or at a point which bears South 43°41'48" East, 1908.68 feet from the NW corner of said Section 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in   | 5. The water is to be diverted at the followi      | ing point within the SW 1/4 of the SW 1/4 of Section 21, T.22N.   |
| bears South 43°28' West a distance of 15,620 feet. (Well 204)         6. The existing point of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E.,<br>If point of diversion is not changed, do not unswer.         M.D.M., or at a point which bears South 43°41'48" East, 1908.68 feet from the NW corner of said Section 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in   | R.51E., M.D.M., or at a point from which           | h the southwest corner of Section 31, T.22N., R.51E., M.D.M.,   |
| If point of diversion is not changed, do not assiver.<br>M.D.M., or at a point which bears South 43°41'48" East, 1908.68 feet from the NW corner of said Section<br>23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in  |  |   |
| 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in  |  | If point of diversion is not changed, do not answer.  |
|  |  |   |
|  |  |   |

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| ee           |  |  |  | rrigation state number of acres to be irri                                 |                             |
|--------------|--|--|--|--|-----------------------------|
|              | attached Exhibit "A" a   | and as shown on the ma                 | that accon                                       | panied Application No. 72  | 2695.                       |
|              |  |  |  |  |                             |
|              |  |  |  |  |                             |
| •••••        |  |  |  |  |                             |
| R            | Existing place of use w  | uthin the S 1/2 of Bortio              | n 15: tha 9 1                                    | 19 N 1/9 a partian of the N  | W 474 KIE 474               |
| <b>.</b>     | Existing place of use  |  |  | /2 N 1/2, a portion of the N<br>s for irrigation, state number of acres in |                             |
| E            | 1/4 NE 1/4, and N 1/2 S  | 1/2 of Section 21; N 1/2               | and SW 1/4                                       | of Section 22; N 1/2 of Sec  | tion 23 and                 |
|              |  | ermit, describe acreage to be remove   |  | n auroatting Application   | - 79590 through             |
|              | The of Section 24, and   | 11 1.13N., K.47E., M.U.M.              | . Refer to ma                                    | ap supporting Application  | s / 2560 through            |
| 25           | 88, filed April 12, 2005,  | , in the State Engineer's              | Office.  |  |                             |
|              |  |  |  |  |                             |
|              |  |  |  |  |                             |
| ¥.           | Use will be from   | January 1<br>Month and Day             | to   |  | of cach year                |
| ).           | Use permitted from   | within and Day                         | to   | Month and Day<br>December 31   | of each year                |
|              |  | January 1<br>Month and Day             |  | Month and Day  | or cach year                |
|              | Description of proposed v  | works. (Under the provision            | is of NRS 535.(                                  | 10 you may be required to sub  | mit plans and               |
|              | medifications of your div  |  | Duillout wa                                      | II auma and similars as  | terrale ta mina             |
|              | specifications of your div   | ersion of storage works.)              |  | II, pump and pipelines or<br>ate manner in which water is to be diver      |                             |
|              | and mill site.   |  |  |  |                             |
|              | ditches and flumes, drilled well a   |  |  |  |                             |
| ).           | Estimated cost of works  | in excess of \$3,000,00                | 0.   |  |                             |
| 3.           |  | •••••••••••••••••••••••••••••••••••••• |  |  |                             |
|              | Estimated time required t  | to construct works 3                   | years  |  |                             |
|              | Estimated time required i  | to construct works 3                   | years  | If well completed, describe well.  |                             |
|              | Estimated time required i  | IO CONSTRUCT WORKS 3                   | years  | If well completed, describe well.  |                             |
|              |  | to complete the application            |  |  |                             |
| <br> .       | Estimated time required t  | to complete the application            | of water to bene                                 | eficial use 5 years  |                             |
| <br> .<br> . | Estimated time required t  | to complete the application            | of water to bene                                 |  | رین<br>بخت<br>ردd or annial |
| ns           | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to bene                                 | eficial use 5 years  | rcd or annual               |
| ns           | Estimated time required t<br>Remarks: For use other t  | to complete the application            | of water to beak<br>rring, state num             | eficial use 5 years  | vod or an <del>ina</del> l  |
| ns           | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to beak<br>rring, state num             | eficial use <b>5 years</b><br>abber and type of units to be serve          | red or animisi<br>(         |
| i.           | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to beak<br>rring, state num             | eficial use <b>5 years</b><br>abber and type of units to be serve          | ابر<br>                     |
| i.           | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to beak<br>rring, state num             | eficial use <b>5 years</b><br>aber and type of units to be serve           | red or annial               |
| ns           | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to bene                                 | eficial use <b>5 years</b><br>aber and type of units to be serve           | ابر<br>                     |
| i.           | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to bene                                 | eficial use <b>5 years</b><br>aber and type of units to be serve           | ابر<br>                     |
| <br>5.<br>ns | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to bene                                 | eficial use <b>5 years</b><br>aber and type of units to be serve           | ابر<br>                     |
| 4.<br>5.     | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to bene                                 | eficial use <b>5 years</b><br>aber and type of units to be serve           | ابر<br>                     |
| <br>5.<br>ns | Estimated time required to<br>Remarks: For use other to<br>sumptive use.                                       | to complete the application            | of water to bene                                 | eficial use <b>5 years</b><br>aber and type of units to be serve           | ابر<br>                     |
| i.           | Estimated time required t<br>Remarks: For use other t<br>sumptive use.   | to complete the application            | of water to bene                                 | eficial use <b>5 years</b><br>aber and type of units to be serve           | ابر<br>                     |
| <br>5.<br>ns | Estimated time required to<br>Remarks: For use other to<br>sumptive use.<br>attached addendum.<br>(775) 358-94 | to complete the application            | of water to ben<br>ering, state num<br>By        | eficial use <u>5 years</u><br>aber and type of units to be serv            |                             |
| <br>5.<br>ns | Estimated time required to<br>Remarks: For use other to<br>sumptive use.<br>attached addendum.<br>(775) 358-94 | to complete the application            | of water to bene<br>cring, state num<br>By<br>By | eficial use <b>5 years</b><br>aber and type of units to be serve           |                             |

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-85)

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#### Application No.

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section | Township | Range       | Meridian |
|----------|---------|----------|-------------|----------|
| All      | 1-3     | 21N      | 50E         | M.D.M.   |
| All      | 10-15   | 21N      | 50E         | M.D.M.   |
| All      | 22-27   | 21N      | 50E         | M.D.M.   |
| All      | 34-38   | 21N      | 50 <b>E</b> | M.D.M.   |
| All      | 1-36    | 21N      | 51E         | M.D.M.   |
| Alf      | 6&7     | 21N      | 52E         | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E         | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E         | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E    | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E         | M.D.M.   |
| All      | 34-36   | 22N      | 50E         | M.D.M.   |
| All      | 1-3     | 22N      | 51E         | M.D.M.   |
| All      | 10-15   | 22N      | 51E         | M.D.M.   |
| All      | 20-29   | 22N      | 51E         | M.D.M.   |
| AH       | 31-36   | 22N      | 51E         | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E         | M.D.M.   |
| All      | 6&7     | 22N      | 53E         | M.D.M.   |
| AII      | 18 & 19 | 22N      | 53E         | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E         | M.D.M.   |
| All      | 34-36   | 23N      | 51E         | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E         | M.D.M.   |

2601 J - 201 TH SE 67 5 -

Page 1 of 1

Serial No. 7 - 04

### 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

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| THIS SPAC   | E FOR OFFICE USE ONLY  |
|---|--|
| Date of filing in State Engineer's Office   | JN 2 9 2007  |
| Returned to applicant for correction  |  |
|   | Map filed <u>JUL 11 2007 under 75979</u>   |
| The applicant Kobeh Valley Ranch LLC  |  |
| 10 North Post Street, Suite 610   | of Spokane   |
|   | City or Town<br>hereby makes application for permission to change the  |
| Point of Diversion, Place and Manner of Use   |  |
| of water heretofore appropriated under Permit   | No. 72588<br>fy existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree  |
| and identify right in Doctor.   |  |
| 3. The water to be used for Mining and milli  | mmercial, etc. if for stock state number and kind of animals. Must limit to one major use.   |
|   | If for stock, state number and kind of animals.<br>M within Lot 4 of Section 2, T.21N., R.50E., M.D.M.,<br>Describe as being within a 40-acre subdivision of public survey and by oourse |
| or at a point from which the northwest come<br>and distance to a section corner. If on unsurveyed land, it should be a<br>of 580 feet. (Weil 208) | r of said Section 2 bears North 40°40' West a distance   |
|   | n the SW 1/4 of the SW 1/4 of Section 22, T.19N., R.47E.,<br>If point of diversion is not changed, do not answer.<br>19'28" East, 4223.74 feet from the NW comer of said Section         |
|   | plications 72580 through 72588, filed April 12, 2005, in   |
| the State Engineer's Office.  |  |

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|  | 7. | Proposed | place | of | use |
|--|----|----------|-------|----|-----|
|--|----|----------|-------|----|-----|

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.

8. Existing place of use within the S 1/2 of Section 15: the S 1/2 N 1/2, a portion of the NW 1/4 NE 1/4, Describe hy legal subdivisions. If permit is for imaginon, state number of acres imagined. If changing place of NE 1/4 NE 1/4, and N 1/2 S 1/2 of Section 21; N 1/2 and SW 1/4 of Section 22; N 1/2 of Section 23 and use and/or meaner of use of imaginon permit, describe acreage to be removed from imaginon.

NW 1/4 of Section 24, all in T.19N., R.47E., M.D.M.. Refer to map supporting Applications 72580 through

72588, filed April 12, 2005, in the State Engineer's Office.

|            | Use will be from   | January 1                    | to                                    | December 31                       | of each year  |
|------------|--|------------------------------|---------------------------------------|-----------------------------------|---|
|            | I for manufactural frame   | Month and Day                |                                       | Month and Day                     | of each case  |
| ).         | Use permitted from   | January 1<br>Month and Day   | 10                                    | December 31<br>Month and Day      | of each year  |
|            |  | -                            |                                       | 0 you may be required to sub      | mit plans and   |
|            | specifications of your dive  | ersion or storage works.)    |                                       | , pump and pipelines or           | truck to mine   |
|            | and mill site.   |                              |                                       |                                   |   |
|            | ditches and flumes, drilled well w   | with pump and motor, ctc     |                                       |                                   |   |
| 9.         | Estimated cost of works  | in excess of \$3,000,00      | 0.                                    |                                   |   |
| 3.         | Estimated time required to   | o construct works 3 y        | M0.0 PR                               |                                   |   |
|            | Eschalter Unite required 0   |                              |                                       | If well completed, describe well. |   |
| ۰.         | Estimated time required to   | a complete the application o | t water to benet                      | icial lise <b>o vears</b>         |   |
| <b>;</b> , |  |                              |                                       | er and type of units to be serv   | red or answal   |
| 5.<br>m    | Remarks: For use other the   |                              |                                       |                                   | ved or ansnal   |
| ).<br>D:   | Remarks: For use other the sumptive use.   |                              |                                       |                                   | red or ansual   |
| 5.<br>œ    | Remarks: For use other the sumptive use.   |                              |                                       |                                   | ved or answal   |
| 5.<br>œ    | Remarks: For use other the sumptive use.   |                              |                                       |                                   | ved or answal   |
| 5.<br>œ    | Remarks: For use other the sumptive use.   |                              |                                       |                                   | ect or annual   |
| 5.<br>œ    | Remarks: For use other the sumptive use.   |                              |                                       |                                   | E<br>E  |
| ).<br>D:   | Remarks: For use other the sumptive use.   |                              |                                       |                                   | 5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5<br>5 |
| D:         | Remarks: For use other the sumptive use.   | han irrigation or stock wate |                                       | er and type of units to be sorr   | and a set   |
| ).<br>D:   | Remarks: For use other th<br>sumptive use.<br>• attached addendum.<br>(775) 358-94 | han irrigation or stock wate | ring, state numb                      |                                   |   |
| 5.<br>)D:  | Remarks: For use other th<br>sumptive use.<br>• attached addendum.<br>(775) 358-94 | han irrigation or stock wate | ring, state numb<br>By<br>Tri State 1 | er and type of units to be sorr   |   |

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1563A (Rev. 10-95)

### Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section      | Township | Range    | Meridian |
|----------|--------------|----------|----------|----------|
| All      | 1-3          | 21N      | 50E      | M.D.M.   |
| All      | 10-15        | 21N      | 50E      | M.D.M.   |
| All      | 22-27        | 21N      | 50E      | M.D.M.   |
| All      | 34-36        | 21 N     | 50E      | M.D.M.   |
| All      | 1 <b>-36</b> | 21N      | 51E      | M.D.M.   |
| AII      | 6&7          | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19      | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31      | 21N      | 52E      | M.D.M.   |
| All      | 36           | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Alf      | 31 - 36      | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-36        | 22N      | 50E      | M.D.M.   |
| All      | 1-3          | 22N      | 51E      | M.D.M.   |
| All      | 10-15        | 22N      | 51E      | M.D.M.   |
| All      | 20-29        | 22N      | 51E      | M.D.M.   |
| All      | 31-36        | 22N      | 51E      | M.D.M.   |
| All      | 1            | 22N      | 51 1/2 E | M.D.M.   |
| Ali      | 12 & 13      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36           | 22N      | 51 1/2 E | M.D.M.   |
| Ali      | 1 - 36       | 22N      | 52E      | M.D.M.   |
| All      | 68.7         | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19      | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31      | 22N      | 53E      | M.D.M.   |
| All      | 34-36        | 23N      | 51E      | M.D.M.   |
| All      | 31           | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Serial No. 76005

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### 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 Offi   | ice JUN 29 2007  |
| Returned to applicant for correction  | JUL 16 2007  |
| Corrected application filed   | SEP 1 4 2007 Map filed SEP 1 4 2007  |
|   |  |
| The applicant Kobeh Valley Ranch L  | TC   |
| 10 North Post Street, Suite 610   | of Spokane   |
| Street and No. or P.O. Box No.  | City or Town   |
| State and Zip Code No.  | hereby makes application for permission to change the  |
| Point of Diversion, Place and Manne   | er of Use  |
| of water baretofore opposited and a   |  |
| of water heretofore appropriated under  | Permit No. 57840<br>Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decre  |
|   | rearry evening right by rearry command, from or chain row in Decided, give true of Decide  |
| and identify right in Decree.   |  |
| 1. The source of water is undergrou   | Name of stream, lake, underground, spring or other sources.  |
| 2. The amount of water to be changed  | 0.435 cfs, 164 acre feet annually<br>Second feet, acre-feet. One second foot equals 448.83 gailons per minute  |
| 3. The water to be used for Mining,   | milling and dewatering   |
| 4. The water heretofore used for Irrigation, po   | er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use,   |
|   | If for stock, state number and kind of animals.  |
| 5. The water is to be diverted at the foll  |  |
| Section 12, T.22N., R.51E., M.D.M., o<br>and distance to a section corner. If on unsurveyed land, | Describe as being within a 40-sore subdivision of public survey and by course<br>or at a point from which the west 1/4 corner of Section 13, T.22N.,<br>is build be stated |
| R.51-1/2E., M.D.M. bears North 23°02  | 2'49" East a distance of 2183.38 feet.   |
|   |  |
| 6. The existing point of diversion is loc   | ated within the SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,  |
| M.D.M., at a point from which the SV  | If point of diversion is not changed, do not answer.<br>N corner of said Section 13 bears South 68°40'37" West, 2140.00  |
|   | cations 57835 through 57840, filed July 10, 1992, in the State   |
| State Engineer's Office.  |  |
|   |  |

Cel 1 002052

| <ol> <li>Proposed place of use         Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.     </li> <li>ee attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.</li> </ol> |                           |                   |   |                  |
|--|---------------------------|-------------------|---|------------------|
|  |                           |                   |   |                  |
|  |                           |                   |   |                  |
| P. 17  |                           |                   |   |                  |
| 8. Existing place of use within  |                           |                   | tion 24; the NE 1/4 & E 1                               |                  |
| ection 25, T.23N., R.52E., M.  | D.M.; the W 1/2 W 1/2     | of Section 19     | and the W 1/2 NW 1/4 of                                 | Section 30,      |
| e and/or manner of use of irrigation permit.<br>.23N., R.53E., M.D.M Refer   |                           |                   | 835 through 57840, filed                                | i july 10, 1992, |
| n the State Engineer's Office  |                           |                   | ) -   |                  |
| The outer Engineer's Onice   |                           |                   |   | **********       |
| 9. Use will be from  | January 1                 | to                | December 31   | of each year     |
|  |                           |                   | Month and Day   |                  |
| 0. Use permitted from  | Month and Day             | to                | Month and Day   | of cach year     |
| 1. Description of proposed worl  | s. (Under the provisions  | of NRS 535.010    | ) you may be required to sub                            | mit plans and    |
| specifications of your diversi   | on or storage works.)     | Drilled well,     | pump and pipelines at i                                 | mine             |
| and mill site  |                           |                   | manner in which water is to be diver                    |                  |
| ditches and flumes, drilled well with  | ump and motor, etc.       |                   |   |                  |
| 9. Estimated cost of works in  |                           | ).                |   |                  |
| <ol> <li>Estimated time required to co</li> </ol>  | unstratet works 3 v       | ears              |   |                  |
|  |                           |                   | if well completed, describe well.                       |                  |
|  |                           |                   |   |                  |
| <ol> <li>Estimated time required to control</li> </ol>   | mplete the application o  | f water to benefi | cial use 5 years  |                  |
| 5. Remarks: For use other than   | irrigation or stock water | ing, state numbe  | r and type of units to be serv                          | ed or annual     |
| onsumptive use.  | a                         |                   | ······································                  |                  |
| ee attached addendum.  |                           |                   |   |                  |
|  |                           |                   |   |                  |
|  | ******                    |                   |   |                  |
|  |                           |                   |   |                  |
|  |                           |                   |   |                  |
| n presidente dans de mander als pañs des des des a de la ser   |                           |                   |   |                  |
|  |                           | $\sim$            | T ATT   |                  |
|  |                           |                   |   | $\bigcap$        |
| (775) 358-9491   |                           | Bu                | 110 Hunder  | 4                |
| Phone No.  |                           |                   | Sugnature of Agent, George G. Lin                       | desmith          |
|  | NOINEERS OFFICE           | 3 3 IVI State S   | drveying 1925 E. Prate<br>Street and No., or P.O. Box N | r Way            |
|  |                           |                   |   |                  |
| PPLICATION MUST BE SIG<br>Y THE APPLICANT OR AGE   |                           |                   | City, State, Zip Code No.                               |                  |
|  | CEIAED                    | 3 H               |   |                  |
|  | FILING FEE MUST AG        |                   |   |                  |

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#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N_     | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| ILA      | 31-36   | 22N      | 51E      | M.D.M.   |
| ILA      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| Ali      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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### 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 Off   | ice JUN 29 2007   |  |  |
| Returned to applicant for correction   | ЛЛ. 16 2007   |  |  |
| Corrected application filed  | SEP 1 4 2007  | Map filed SEP 1 4 2007 under 76005   |  |
| The applicant Kobeh Valley Ranch   | LLC   |  |  |
| 10 North Post Street, Suite 610  | of  | Spokane  |  |
| Street and No. or P.O. Box No.<br>Washington 99201<br>State and Zip Code No.   |   | City or Town<br>hereby makes application for permission to change the  |  |
| Point of Diversion, Place and Mann   | er of Use   |  |  |
| of water heretofore appropriated under   | Permit No. 57<br>Identify existing  | 839<br>right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree  |  |
| and identify right in Decree.  | , 1999, 1997, Sec. of |  |  |
| <ol> <li>The source of water is <u>undergro</u></li> <li>The amount of water to be changed</li> </ol>                      | Name of s<br>0.435 cfs, 164   | ream, lake, underground, spring or other sources.<br>acre feet annually  |  |
| 3. The water to be used for Mining   | Second 9  | set, acre-feet. One second font equals 448.83 gallons per minute.  |  |
| Imaginary           4. The water beretofore used for information           5. The water is to be diverted at the formation | igation   | etc. If for stock, state number and kind of animals. Must limit to one major use.<br>If for stock, state number and kind of animals.<br>thin the SE 1/4 of the SE 1/4 of unsurveyed<br>Describe as being within a 40-acre subdivision of public survey and by course |  |
| Section 12, T.22N., R.61E., M.D.M.,<br>and distance to a section corner. If on unsurveyed land                             |   | which the west 1/4 corner of Section 13, T.22N.,   |  |
| R.51-1/2E., M.D.M. bears North 23%   |   | ance of 2183.38 feet.  |  |
|  | ,   | SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,<br>If point of diversion is not changed, do not answer.<br>Section 13 bears South 68°40'37" West, 2140.00  |  |
| feet. Refer to map supporting App  | lications 57835 ti  | nrough 57840, filed July 10, 1992, in the State  |  |
| State Engineer's Office.   |   |  |  |

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|           | attached Exhibit "A" ar   | id as shown on the ma                           | ap that accom                             | rigation state number of acres to be in<br>panied Application No. 7                               |  |
|-----------|---|---|---|---|--|
| Sec       |   | Describe by legal sub<br>M.D.M.; the W 1/2 W 1/ | divisions. If permit is<br>2 of Section 1 | nction 24; the NE 1/4 & E<br>for irrigation, state number of acres of<br>9 and the W 1/2 NW 1/4 o | rigated. If changing place   |
|           |   |   | -   | 578 <b>35 through 57840, file</b>   | d July 10, 1992,   |
| n t       | he State Engineer's Offi  | Ce.   |   |   |  |
| 9.        | Use will be from  | January 1<br>Morsh and Day                      | to  | December 31<br>Month and Day  | of each year   |
| 0.        | Use permitted from  | January 1<br>Month and Day                      | to  | December 31<br>Month and Day  | of each year   |
| 1.        | Description of proposed w   |   | ns of NRS 535.0                           | 10 you may be required to sul   | bmit plans and   |
|           | specifications of your diver  | sion or storage works.)                         |   | II, pump and pipelines at   |  |
|           | and mill site.  |   | Sta                                       | ate manner in which water is to be dive   | rted, i.e. diversion structs   |
| ^         | ditches and flumes, drilled well wi                                   |   |   |   |  |
| 9.        | Estimated cost of works   | IN excess of \$3,000,0                          | 90.                                       |   |  |
| 3.        | Estimated time required to  | construct works 3                               | years                                     | If well completed, describe well.   |  |
|           | Estimated time required to  | complete the application                        | of water to bene                          | ficial use <b>6 years</b>   |  |
| 4,        |   | an irrigation or stock wat                      | ering, state num                          | ber and type of units to be ser   | ved or annual  |
| 5.        | Remarks: For use other th<br>sumptive use.                            |   |   |   |  |
| 5.<br>ons |   |   |   |   |  |
| 5.<br>ons | sumptive use.   |   |   |   |  |
| 5.<br>ons | sumptive use.   |   |   |   |  |
| 5.<br>ons | sumptive use.   |   |   |   |  |
| 5.<br>ons | sumptive usc.   |   |   | 1   | 7  |
| 5.<br>ons | sumptive use.   |   | ву Д                                      | by Aure<br>Superior of Agent Coorge C. C.   | ne<br>Ne   |
| 5.<br>ons | sumptive use.<br>• attached addendum.<br>• (775) 358-949<br>Phone No. |   |   | Superior of Agent George G. El<br>Superior and No. or P.O. Box                                    | Action White States State |

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#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

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The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section        | Township | Range    | Meridian |
|----------|----------------|----------|----------|----------|
| All      | 1-3            | 21N      | 50E      | M.D.M.   |
| All      | 10-15          | 21N      | 50E      | M.D.M.   |
| All      | 22-27          | 21N      | 50E      | M.D.M.   |
| Ali      | 34-36          | 21N      | 50E      | M.D.M.   |
| All      | 1-36           | 21N_     | 51E      | M.D.M.   |
| All      | 6&7            | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19        | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31        | 21N      | 52E      | M.D.M.   |
| All      | 36             | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - <b>36</b> | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-36          | 22N      | 50E      | M.D.M.   |
| Ail      | 1-3            | 22N      | 51E      | M.D.M.   |
| All      | 10-15          | 22N      | 51E      | M.D.M.   |
| All      | 20-29          | 22N      | 51E      | M.D.M.   |
| All      | 31-38          | 22N      | 51Ë      | M.D.M.   |
| All      | 1              | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13        | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25        | 22N      | 51 1/2 E | M.D.M.   |
| Ail      | 36             | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36         | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7          | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19        | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31        | 22N      | 53E      | M.D.M.   |
| All      | 34-36          | 23N      | 51E      | M.D.M.   |
| Alf      | 31             | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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### 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

| 11  | HIS SPACE FOR (              | DFFICE USE ONLY  |  |  |  |  |
|---|------------------------------|--|--|--|--|--|
| Date of filing in State Engineer's Office   | . JUN 29 2007                |  |  |  |  |  |
| Returned to amplicant for correction  | ПП 16 2007                   |  |  |  |  |  |
| Returned to applicant for correction JUL 16 2007  |                              |  |  |  |  |  |
| Corrected application filed S   | EP 1 4 2007                  | Map filed SEP 1 4 2007 under 76005   |  |  |  |  |
|   |                              |  |  |  |  |  |
| The applicant Kobeh Valley Ranch LL   | .C                           |  |  |  |  |  |
| 10 North Post Street, Suite 610   | of                           | Spokane  |  |  |  |  |
| Street and No. or P.O. Box No.  |                              | City or Town   |  |  |  |  |
| Washington 99201  |                              | hereby makes application for permission to change the  |  |  |  |  |
| State and Zip Code No.  |                              |  |  |  |  |  |
| Point of Diversion, Place and Mannel  | r ot Use                     |  |  |  |  |  |
| of water heretofore appropriated under  | Permit No. 57                | 836  |  |  |  |  |
| or which descended appropriated diver   |                              | right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree   |  |  |  |  |
|   |                              |  |  |  |  |  |
| and identify right in Decree.   |                              |  |  |  |  |  |
| <ol> <li>The source of water is underground</li> <li>The amount of water to be changed</li> <li>The water to be used for Mining, r</li> </ol> | Name of st<br>0.66 cfs, 147. | cot, acre-foot. One second foot equals 448.83 gallons per minute.  |  |  |  |  |
|   |                              | etc. If for stock state number and kind of animals. Must limit to one major use.   |  |  |  |  |
| 4. The water heretofore used for <b>Irrig</b>   | ation                        | If for stock, state number and kind of animals.  |  |  |  |  |
| 5. The water is to be diverted at the follo   | wing point wi                | It for slock, sale damber and who of annual.<br>thin the SE 1/4 of the SE 1/4 of unsurveyed<br>Describe as being within a 40-are subdivision of public survey and by course                                      |  |  |  |  |
| Section 12, T.22N., R.51E., M.D.M., or<br>and distance to a section corner. If on unsurveyed land, if   |                              | which the west 1/4 corner of Section 13, T.22N.,   |  |  |  |  |
| R.51-1/2E., M.D.M. bears North 23°02  | '49" East a dist             | ance of 2183.38 feet.  |  |  |  |  |
| M.D.M., at a point from which the SW  | l comer of said              | SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,<br>If point of diversion is not changed, do not answer.<br>Section 13 bears South 68°40'37" West, 2140.00<br>prough 57840, filed July 10, 1992, in the State |  |  |  |  |
| State Engineer's Office.  |                              |  |  |  |  |  |

| 7. Proposed place of use<br>Describe by legal subdivisions. If for imgation state number of acres to be imgated.<br>See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.  |
|---|
|   |
| <ol> <li>Existing place of use within the E 1/2 &amp; the E 1/2 W 1/2 of Section 24; the NE 1/4 &amp; E 1/2 NW 1/4 of<br/>Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of<br/>Section 25, T.23N., R.52E., M.D.M.; the W 1/2 W 1/2 of Section 19 and the W 1/2 NW 1/4 of Section 30,<br/>use and/or mamer of use of irrigation permit, describe acreage to be removed from irrigation.</li> <li>T.23N., R.53E., M.D.M Refer to map supporting Applications 57835 through 57840, filed July 10, 1992,</li> </ol>   |
| in the State Engineer's Office.   |
| 9. Use will be from January 1 to December 31 of each year.<br>Month and Day Month and Day   |
| 10. Use permitted from January 1 to December 31 of each year.<br>Month and Day Month and Day  |
| <ol> <li>Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)</li> <li>Drilled well, pump and pipelines at mine         State manner in which water is to be diversed, i.e. diversion structure,         and mill site.         dtches and fumes, drilled well with pump and motor, etc.         0         11         Drilled well, pump and pipelines at mine         State manner in which water is to be diversed, i.e. diversion structure,         11         12         13         14         14         15         15         16         16         16         17         18         18         18         18         18         18         18         18         18         18         18         19         19         10         10         10         10         10         10         10         10         11         11         12         12         12         12         13         14         14         14         16         16         16         16         16         16         16         16         16         17         18         &lt;</li></ol>   |
| 9. Estimated cost of works in excess of \$3,000,000.  13. Estimated time required to construct works 3 years If well completed, describe well.  |
| <ul> <li>14. Estimated time required to complete the application of water to beneficial use <u>5 years</u></li> <li>15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual</li> </ul>  |
| consumptive use. See attached addendum.   |
|   |
| (775) 358-9491<br>By Hoff Line Agent Conference |
| APPLICATION MUST BE SIGNEZ: OI WY 11 das Logerarks, Nevada 89434<br>BY THE APPLICATION AUST BE SIGNEZ: OI WY 11 das Logerarks, Nevada 89434<br>Cry, Stale, Zip Code No.   |
| BY THE APPLICANT OR AGENT CALLED ALSO AND ALSO ALSO ALSO ALSO ALSO ALSO ALSO ALSO   |

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2007 JUH 29

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#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587. previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

STATE ENCINEERS OFFICE 2007 SEP 14 PM 1: 21 RECEIVED

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N.     | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| Ali      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| AII      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-38   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| Ali      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| Ali      | 68.7    | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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| AMENDE | Ð |
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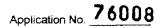
### APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

|   | THIS SPACE FOR C   | OFFICE USE ONLY   |
|---|--------------------|---|
| Date of filing in State Engineer's Off                  | ice JUN 29 2007    |   |
| Returned to applicant for correction                    | JUL 16 2007        |   |
| Corrected application filed                             | SEP 1 4 2007       | Map filed SEP 1 4 2007 under 76005  |
|   | ,                  |   |
| The applicant Kobeh Valley Ranch I                      | LLC                |   |
| 10 North Post Street, Suite 610                         | of                 | Spokane   |
| Street and No. or P.O. Box No.                          |                    | City or Town  |
| Washington 99201<br>State and Zip Code No.              |                    | hereby makes application for permission to change the   |
| Point of Diversion, Place and Mann                      | er of Use          |   |
| 5 . L . 6   | 0                  |   |
| of water heretofore appropriated under                  |                    | 830<br>ight hy Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree  |
|   | , , ,              |   |
| and identify right in Decree.                           |                    |   |
|   |                    |   |
|   |                    |   |
|   |                    |   |
|   |                    |   |
|   |                    |   |
| 1. The source of water is undergro                      |                    |   |
| 2. The amount of water to be changed                    |                    | ream, lake, underground, spring or other sources.   |
| 2. The allount of water to be changed                   | Second fe          | et, acre-fect. One second foot equals 448.83 galloos per minute.  |
|   | , milling and dew  |   |
|   | -                  | etc. If for stock state number and kind of animals. Must limit to one major use.  |
| 4. The water heretofore used for in                     | igation            | If for stock, state mamber and kind of azimals.   |
| 5. The water is to be diverted at the fo                | llowing point wit  | thin the SE 1/4 of the SE 1/4 of unsurveyed<br>Describe as being within a 40-acre subdivision of public survey and by course  |
| Section 12, T.22N., R.51E., M.D.M.,                     | or at a point from | which the west 1/4 corner of Section 13, T.22N.,  |
| and distance to a section corner. If on unsurveyed land |                    | , , , , , , , , , , , , , , , , , , ,   |
| R.51-1/2E., M.D.M. bears North 23°                      | 02'49" East a dist | ance of 2183.38 feet.   |
|   |                    |   |
| 6. The existing point of diversion is lo                | cated within the   | SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,   |
| M.D.M., at a point from which the S                     | W comer of said    | If point of divension is not changed, do not answer.<br>Section 13 bears South 68°40'37" West, 2140.00  |
|   |                    | rough 57840, filed July 10, 1992, in the State  |
|   | *****              | engen en alle samme samme de las las las en parteres en el esta delatador la ser esta lada de anteres de ser el esta d |
| State Engineer's Office.                                |                    | ( La d'Al - 1 ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) ) )   |

(m) 002064

|           | 7. Proposed place of use                             |   |  |   |                                      |  |  |
|-----------|--|---|--|---|--------------------------------------|--|--|
| Sec       |  | Describe by legal sub<br>M.D.M.; the W 1/2 W 1/ | tivisions. If permit in 2 of Section 1 | ection 24; the NE 1/4 & E 1<br>s for irrigation, state number of acres in<br>19 and the W 1/2 NW 1/4 of | igated. If changing place of         |  |  |
| T.2       |  | fer to map supporting                           | -                                      | 57835 through 57840, filed  | l July 10, 1992,                     |  |  |
| 9.        | Use will be from                                     | January 1<br>Month and Day                      | to                                     | December 31<br>Month and Day  | of each year.                        |  |  |
| 10.       | Use permitted from                                   | January 1<br>Month and Day                      | to                                     | December 31   | of each year.                        |  |  |
| 11.       | Description of proposed v                            |   | 15 of NRS 535.0                        | Month and Day<br>10 you may be required to sub  | mit plans and                        |  |  |
|           | specifications of your div                           | ersion or storage works.)                       | Drilled we                             | II, pump and pipelines at a termanner in which water is to be diver                                     | mine<br>ted, i.e. diversion structur |  |  |
|           | and mill site.<br>ditches and flumes, drilled well v | with support and support atta                   |  |   |                                      |  |  |
| 9.        | Estimated cost of works                              |   | )0.                                    |   |                                      |  |  |
| 13,       | Estimated time required t                            | o construct works 3                             | years                                  | If well completed, describe well.   |                                      |  |  |
| 14.       | Estimated time required t                            | o complete the application                      | of water to bene                       | eficial use 5 years   |                                      |  |  |
|           | Remarks: For use other t sumptive use.               | han irrigation or stock wate                    | ering, state nur                       | ber and type of units to be serv  | or annual                            |  |  |
| 500       | attached addendum.                                   |   |  |   |                                      |  |  |
|           |  |   |  | 1 17  | 2                                    |  |  |
|           | (775) 358-94<br>Phone No.                            | 91  | Ву                                     | Sugar of Agent George (: La   | ne                                   |  |  |
|           |  | ENCINEERS OFFICE                                | Tri State                              | Surveying 1925 E. Prate<br>Street and No., or P.O. Box N  | r Way                                |  |  |
|           | PLICATION MUST BE S<br>THE APPLICANT OR A            |   |  | Nevada 89434  |                                      |  |  |
| 4PI<br>BY | PLICATION MUST BE S<br>THE APPLICANT OR A            | IGN <b>ED 'U</b> FNY 'II der<br>Gent            | 5 1006                                 | City, State, Zap Code No.   |                                      |  |  |
|           |  | ECEIAED<br>50 FILING FEE MUST A                 |  | 4 DB1 3/2 4 (71/2-1)  |                                      |  |  |
|           | 51   | SUFILING FEE MUST A                             | CCOMPANY                               | APPLICATION   | (O)-1583A (Rev 10                    |  |  |

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#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

2007 JUH 29 PH 3: 49

STATE ENGINEERS OFFICE SOOTSEPIL PHI: 21 STATE ENGINEERS OFFICE

| Division | Section      | Township | Range    | Meridian       |
|----------|--------------|----------|----------|----------------|
| All      | 1-3          | 21N      | 50E      | M.D.M.         |
| All      | 10-15        | 21N      | 50E      | M.D.M.         |
| All      | 22-27        | 21N      | 50E      | M.D.M.         |
| All      | 34-36        | 21N      | 50E      | M.D.M.         |
| All      | 1-3 <b>6</b> | 21N      | 51E      | M.D.M.         |
| All      | 6&7          | 21N      | 52E      | M.D.M.         |
| All      | 18 & 19      | 21N      | 52E      | M.D.M.         |
| All      | 30 & 31      | 21N      | 52E      | M.D.M.         |
| All      | 38           | 21 1/2N  | 51 1/2 E | M.D.M.         |
| All      | 31 - 36      | 21 1/2N  | 52E      | M.D.M.         |
| All      | 34-36        | 22N      | 50E      | M.D.M.         |
| Ali      | 1-3          | 22N      | 51E      | M.D.M.         |
| All      | 10-15        | 22N      | 51E      | M.D.M.         |
| Alt      | 20-29        | 22N      | 51E      | M.D.M.         |
| All      | 31-38        | 22N      | 51E      | M.D.M.         |
| All      | 1            | 22N      | 51 1/2 E | M.D.M.         |
| All      | 12 & 13      | 22N      | 51 1/2 E | M.D.M.         |
| All      | 24 & 25      | 22N      | 51 1/2 E | M.D.M.         |
| All      | 36           | 22N      | 51 1/2 E | M.D.M.         |
| All      | 1 - 36       | 22N      | 52E      | M.D.M.         |
| All      | 6&7          | 22N      | 53E      | M.D.M.         |
| All      | 18 & 19      | 22N      | 53E      | M.D.M.         |
| All      | 30 & 31      | 22N      | 53E      | M.D.M.         |
| All      | 34-36        | 23N      | 51E      | <b>M</b> .D.M. |
| All      | 31           | 21 1/2 N | 53E      | M.D.M.         |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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### 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 JUN 29 2007  |  |  |  |  |
| Returned to applicant for correctionJUL 16 2007  |  |  |  |  |
| Corrected application filed SEP 1 4 2007   | Map filed SEP 1 4 2007 under 76005   |  |  |  |
| The applicant Kobeh Valley Ranch LLC   |  |  |  |  |
| 10 North Post Street, Suite 610 of Sp  | okane  |  |  |  |
| Street and No. or P.O. Bex No.   | City or Town   |  |  |  |
| Washington 99201 he<br>State and Zip Code No.  | reby makes application for permission to change the  |  |  |  |
| Point of Diversion, Place and Manner of Use  |  |  |  |  |
|  |  |  |  |  |
| of water heretofore appropriated under Permit No. 66062  | by Permit, Cartificate, Proof or Class Nos. If Decreed, give title of Decree                             |  |  |  |
| Incitative existing tilting  | by Permit, Certificate, From or Classif From in Decree, give due of Decree                               |  |  |  |
| and identify right in Decree.  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
| ······································   |  |  |  |  |
| 1. The source of water is underground  | lake, underground, spring or other sources.  |  |  |  |
| 2. The amount of water to be changed 1.02 cfs, 303.08 a  |  |  |  |  |
| Second for, a  | pre-feet. One second frot equals 448.83 gallons per minute.  |  |  |  |
| 3. The water to be used for Mining, milling and dewate   |  |  |  |  |
|  | f for stock state number and kind of animala. Must limit to one major use.                               |  |  |  |
|  | G for stock, sinte number and kind of animals.   |  |  |  |
|  | the SE 1/4 of the SE 1/4 of unsurveyed   |  |  |  |
|  | scribe as being within a 40-acre subdivision of public survey and by course                              |  |  |  |
| Section 12, T.22N., R.51E., M.D.M., or at a point from wi<br>and distance to a section corner. If on unsurveyed land, it should be stated. | hich the west 1/4 corner of Section 13, T.22N.,  |  |  |  |
| R.51-1/2E., M.D.M. bears North 23°02'49" East a distance   | e of 2183.38 feet.   |  |  |  |
|  |  |  |  |  |
| 6. The existing point of diversion is located within the SE  | 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,<br>If point of diversion is not changed, do not answer. |  |  |  |
| M.D.M., at a point from which the SW corner of said Se   |  |  |  |  |
|  |  |  |  |  |
| feet. Refer to map supporting Applications 57835 through   | igh 57840, filed July 10, 1992, in the State   |  |  |  |

State Engineer's Office.

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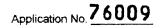
|                      | Proposed place of use   |   |                                  |  |                 |
|----------------------|---|---|----------------------------------|--|-----------------|
|                      | attacked Euclidia HAM   |   |                                  | rigation state number of acres to be int   |                 |
|                      | attached Exhibit "A"  | and as snown on the n   | nap that accom                   | panied Application No. 72  | <b>10 90.</b>   |
|                      |   |   |                                  |  |                 |
|                      |   |   |                                  |  |                 |
| <b>i</b> .           | Existing place of use   |   |                                  | he NE 1/4 NW 1/4 & S 1/2   |                 |
| e                    | tion 13; the E 1/2 NW   |   |                                  | for irrigation, state number of acres irr<br>ection 24; the E 1/2 NW 1/  |                 |
|                      |   | permit, describe acreage to be remo   | -                                | ction 19 and the W 1/2 NY  | V 1/4 of        |
|                      |   |   |                                  |  |                 |
| e                    | tion 30, all in 1.23N.,   | R.53E., M.D.M. Refer to   | o map support                    | ng Applications 57835 th   | rougn 5/840,    |
| le                   | d June 10, 1992, in the   | e State Engineer's Offic  | <b>e.</b>                        |  |                 |
|                      | Use will be from  | January 1<br>Month and Day  | ۵۵ <u></u>                       | December 31<br>Month and Day   | of cach year.   |
| 0.                   | Use permitted from  | January 1   | to                               | December 31  | of each year.   |
|                      |   |   |                                  | Month and Day<br>10 you may be required to sub   | mit plans and   |
|                      |   | iversion or storage works.)   |                                  | I, pump and pipelines at I   |                 |
|                      | -   | iversion of surfage works.)   |                                  | te mariner in which water is to be diver   |                 |
|                      | and mill site,<br>ditches and flumes, drilled wel   | I with pump and motor, etc.   |                                  |  |                 |
| 9.                   | Estimated cost of works   | s in excess of \$3,000,   | 000.                             |  |                 |
|                      | Estimated time required   | i to construct works  | 3 years                          | If well completed, describe well.  |                 |
| 3.                   |   |   |                                  | H well completed, describe well.   |                 |
|                      |   |   |                                  |  |                 |
|                      |   | t to complete the application   | n of water to bene               | ficial use 5 years   |                 |
| ļ.                   | Estimated time required   |   |                                  |  | ved or annual   |
|                      | Estimated time required   |   |                                  | ficial use <b>5 years</b><br>ber and type of units to be serv  | ved or annual   |
| 1.<br>5.             | Estimated time required<br>Remarks: For use other   | r than irrigation or stock we   |                                  |  | ved or annual   |
| 1.<br>5.             | Estimated time required<br>Remarks: For use other<br>sumptive use.  | r than irrigation or stock we   |                                  |  | ved or annual   |
|                      | Estimated time required<br>Remarks: For use other<br>sumptive use.  | r than irrigation or stock we   |                                  |  | ved or annual   |
| 4.<br>5.             | Estimated time required<br>Remarks: For use other<br>sumptive use.  | r than irrigation or stock we   |                                  |  | ved or annual   |
| 4.<br>5.             | Estimated time required<br>Remarks: For use other<br>sumptive use.  | r than irrigation or stock we   |                                  |  | ved or annual   |
| 14.<br>15.           | Estimated time required<br>Remarks: For use other<br>sumptive use.  | r than irrigation or stock we   |                                  |  | ved or annual   |
| 4.<br>5.<br>on       | Estimated time required<br>Remarks: For use other<br>sumptive use.  | r than irrigation or stock we   |                                  |  | ved or annual   |
| 4.<br>5.             | Estimated time required<br>Remarks: For use other<br>sumptive use.<br>e attached addendum.  | r than irrigation or stock wa   |                                  |  |                 |
| 4.<br>5.<br>on       | Estimated time required<br>Remarks: For use other<br>sumptive use.  | r than irrigation or stock wa   | atoring, state num               | ber and type of units to be serv   |                 |
| 4.<br>5.<br>e        | Estimated time required<br>Remarks: For use other<br>sumptive use.<br>e attached addendum.<br>(775) 358-9<br>Phone No.                    | r than irrigation or stock wa<br>9491<br>301340 S&33015   | By Jate num                      | ber and type of units to be serv   | Landah<br>r Way |
| 4.<br>5.<br><b>e</b> | Estimated time required<br>Remarks: For use other<br>sumptive use.<br>attached addendum.<br>(775) 358-9<br>Phone No.<br>PLICATION MUST BE | r than irrigation or stock wa<br>אפאפוע<br>אפאפוע<br>אפאפוע אין אפנאפ<br>אפאפוע אין און אין<br>און אין אין אין אין אין אין אין אין אין אי | By Jate num                      | ber and type of units to be serv<br>where the service of units to be s | Landah<br>r Way |
| P                    | Estimated time required<br>Remarks: For use other<br>sumptive use.<br>e attached addendum.<br>(775) 358-9<br>Phone No.                    | r than irrigation or stock wa<br>אפאפוע<br>אפאפוע<br>אפאפוע אין אפנאפ<br>אפאפוע אין און אין<br>און אין אין אין אין אין אין אין אין אין אי | atoring, state num<br>By<br>i∀IS | ber and type of units to be serv<br>Uppatite of Agent, Compt G. Lir<br>Surveying 1925 E. Prate<br>Street and No. or P.O. Box I<br>Vevada 89434   | Landah<br>r Way |

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#### ADDENDUM TO ITEM 15 - "REMARKS"

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This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

2007 JUN 29 PH 3: 49

STATE ENGINEERS OFFICE SONTSEP IN PN 1:21 RECEIVED

| Division | Section       | Township | Range    | Meridian |
|----------|---------------|----------|----------|----------|
| All      | 1-3           | 21N      | 50E      | M.D.M.   |
| All      | 10-15         | 21N      | 50E      | M.D.M.   |
| All      | 22-27         | 21N      | 50E      | M.D.M.   |
| All      | 34-36         | 21N      | 50E      | M.D.M.   |
| All      | 1-36          | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7         | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19       | 21N      | 52E      | M.D.M.   |
| Ali      | 30 & 31       | 21N      | 52E      | M.D.M.   |
| A)I      | 36            | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36       | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-36         | 22N      | 50E      | M.D.M.   |
| All      | 1-3           | 22N      | 51E      | M.D.M.   |
| Ail      | 10-15         | 22N      | 51E      | M.D.M.   |
| Ail      | 20- <b>29</b> | 22N      | 51E      | M.D.M.   |
| All      | 31-36         | 22N      | 51E      | M.D.M.   |
| All      | 1             | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13       | 22N      | 51 1/2 E | M.D.M.   |
| Ail      | 24 & 25       | 22N      | 51 1/2 E | M.D.M.   |
| Ał       | 36            | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36        | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7         | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19       | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31       | 22N      | 53E      | M.D.M.   |
| All      | 34-36         | 23N      | 51E      | M.D.M.   |
| Ali      | 31            | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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, - 10 2 RDP 1007

2007 JUH 29 FIL 3: 49

STATE ENGINEERS OFFICE SOUSEP IN PH 1: 21 RECEIVED

Page 1 of 1

### 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

|  | 11   | HIS SPACE FOR  | OFFICE USE ONLY   |   |                                      |
|--|--|--|---|---|--------------------------------------|
| υ  | ate of filing in State Engineer's Offic  | NOV 1  | 4 2007  |   |                                      |
| R  | cturned to applicant for correction  |  |   |   |                                      |
|  | ••   |  | HH 1 1 2007 under   | 75070   |                                      |
| С  | orrected application filed   | Мар  | filed JUL 1 1 2007 dilder   | 13313   |                                      |
| ть   | e applicant Kobeh Valley Ranch I   | цс   |   |   |                                      |
|  | 726 Cole Blvd., Suite 115  |  | of Lakewood   | ·····   |                                      |
|  | 92mil Address of 70 Box<br>Colorado 80401  |  |   |   |                                      |
|  | State and Zip Code   |  | _, hereby make(s) application for p   |   |                                      |
| X  | Point of deversion IX Pl   | lace of use  | Manner of use   | 🗍 of a portion  |                                      |
| P  | ermit No. 10426, Certificate 2782  |  |   |   |                                      |
| P  |  |  |   |   |                                      |
| Pe<br>1.                                   | ermit No. 10426, Certificate 2782<br>The source of water is <u>Undergrou</u>   | ind  | - of second labor and second second of other second   |   |                                      |
| 1.   | The source of water is Undergrou   | Nem  | a of mean, life, and open and uping of other source<br>O acre-deet annuality  |   |                                      |
|  | The source of water is <b>Undergrou</b><br>The amount of water to be changed   | Num<br>0.05 cfs, 15.5  |   |   |                                      |
| 1.   | The source of water is <u>undergrou</u> .<br>The amount of water to be changed<br>The water to be used for <u>Mining</u> a   | Num<br>0.05 cfs, 15.5<br>and milling   | 0 acre-feet annually  | da 445 25 gallera par anaste  |                                      |
| 1.<br>2.                                   | The source of water is <u>undergrou</u> .<br>The amount of water to be changed<br>The water to be used for <u>Mining</u> a   | Num<br>0.05 cf8, 15.5<br>and milling   | O acre-feet annuality<br>Second live, acre-feet One model foot agu<br>areid, etc. If the dock, dole member and land of mom  | ala 446 25 galleren par mande.<br>nala, Manii konif io ena orașor ene.  |                                      |
| 1.<br>2.<br>3.                             | The source of water is <u>undergrou</u><br>The amount of water to be changed<br>The water to be used for <u>Mining</u> a   | Near<br>0.05 cfts, 15.5<br>and milling<br>data point, many comp<br>pation and dome<br>billowing point (p-  | O acre-feet annuality<br>Second list are for Ow moved for equi-<br>world, etc. Wite abox, data margins and list of move<br>still:<br>If for stock, data margins and lists of accoun-<br>movies as being writing a 40-acto autodriview of put  | uls 45 Fl gullers per minute.<br>nala, Mail lengt to one enger esc.<br>la   |                                      |
| 1.<br>2.<br>3.<br>4,                       | The source of water is <u>undergrou</u> .<br>The amount of water to be changed<br>The water to be used for <u>Mining a</u><br>The water heretofore used for <u>infig</u><br>The water is to be diverted at the fo  | Name<br>1 0.05 cfs, 15.5<br>and milling<br>for point come<br>sation and dome<br>billowing point (or<br>solution, it abouts to come   | O acre-leet annuality<br>Second list are for (he model for som<br>serial, str. Wite abok, dole moder and list of som<br>still<br>If the stock, dole matched and that of second<br>modes as boing within a 40-acre antidivision of put<br>4)   | La 445 21 gillon per minute.<br>ante: Minit kinst lo ese ungor ese.<br>le.<br>bla: curvey and by causes and   |                                      |
| 1.<br>2.<br>3.                             | The source of water is <u>Undergrou</u> .<br>The amount of water to be changed<br>The water to be used for <u>Mining a</u><br>The water heretofore used for <u>intig</u><br>The water is to be diverted at the for<br>distance to a fixed sector corner. If on unsurvey<br>Within the SE 1/4 of the NW 1/4<br>southwest corner of Section 31   | And<br>0.05 cfs, 15.5<br>and milling<br>fatton and dome<br>blowing point co-<br>of lend, i should be state<br>4 of Section 21,<br>, T.22N., R.51E.   | 0 acre-feet annually<br>Second Bill, services for the model for service<br>solid<br>efficiency of the state model and bind of even<br>of the stock, data model and bind of even<br>or the stock, data model and bind of even<br>the stock, data model and bind of even<br>the stock, data model and bind of even<br>of the stock, data model and bind of even<br>the stock, data model and bind of event<br>the stock, data model and bind of even<br>the | Is 48 21 gallons per mands<br>make blief know to see ungor sec<br>blie<br>blie survey and by causes and<br>point from which the                                   | whe Dow                              |
| 1.<br>2.<br>3.<br><b>4</b> ,<br><b>5</b> . | The source of water is <u>Undergrou</u><br>The amount of water to be changed<br>The water to be used for <u>Miring</u> a<br>the water heretofore used for <u>infig</u><br>The water heretofore used for <u>infig</u><br>The water is to be diverted at the for<br><u>channes</u> to a found recise corner. If on unsurvey<br>Within the SE 1/4 of the NW 1/4   | Autor and milling<br>and milling<br>and milling<br>atton and dome<br>blowing point (p-<br>of lead, if should be atto<br>4 of Section 21,<br>, T.22N, R.51E,<br>D-2, 7597                                   | 0 acre-feet annually<br>Second Bill, wro for (Sw model for sen<br>stic<br>If to stock, data matter and land of anim<br>stric<br>If to stock, data matter and the of action<br>mode as being writin a 40-acre antidivision of put<br>4)<br>7.22N, R.51E, M.D.M., or at a<br>., M.D.M. beans South 41*50' W<br>Ng   | Is 48 21 gallons per mands<br>make blief know to see ungor sec<br>blie<br>blie survey and by causes and<br>point from which the                                   | with DDW<br>Fra tale 00              |
| 1.<br>2.<br>3.<br><b>4</b> ,<br><b>5</b> . | The source of water is <u>undergroup</u><br>The amount of water to be changed<br>The water to be used for <u>Mining a</u><br>The water heretofore used for <u>infig</u><br>The water heretofore used for <u>infig</u><br>The water is to be diverted at the for<br>disease to a found sector corner. If on unwrycy<br>Within the SE 1/4 of the NW 1/4<br>southwest corner of Section 31<br>18,260 feet. (Well 203) <u>Leves</u><br>The existing point of diversion is to                                 | 1 0.05 cfs, 15.5<br>and milling<br>factor and dome<br>belowing point (b-<br>of less, i should be see<br>4 of Section 21,<br>, T.22N, R.51E<br>D-2, 759<br>bocated within (17 point)                        | 0 acre-leet annually<br>Second Bit are for for model for any<br>second Bit are for for model for any<br>second Bit are for for model and the of<br>the stock, data model and the of model<br>the stock, data model and the of<br>the stock, data model and the of<br>the stock, data model and the of<br>the stock, data model and the stock<br>of the stock, data model and the stock<br>of diversion is not changed, do not acreer.)  | Le 48 Bi gallon per mank<br>and, that have been enjoy one<br>blue curvey and by county and<br>is point from which the<br>lesst a distance of                      | wite / DDM<br>Par tale (b<br>19 NOU0 |
| 1.<br>2.<br>3.<br><b>4</b> ,<br><b>5</b> . | The source of water is <u>undergrou</u><br>The amount of water to be changed<br>The water to be used for <u>Mining a</u><br>The water heretofore used for <u>infig</u><br>The water heretofore used for <u>infig</u><br>The water is to be diverted at the for<br>distance to a found sector error. If on unsurvey<br>Within the SE 1/4 of the NW 1/4<br>southwest corner of Section 31<br>18,260 feet. (Well 203) <u>was</u><br>The existing point of diversion is lo<br>the SW 1/4 of the NW 1/4 of Se | 1 0.05 cfs, 15.5<br>and milling<br>sation and dome<br>belowing point (p-<br>of less, a statistic series<br>4 of Section 21,<br>, T.22N., R.51E.<br>D $2$ , 759<br>pocated within (1 po<br>ection 20, T.19N | 0 acre-feet annually<br>Second Bill, wro for (Sw model for sen<br>stic<br>If to stock, data matter and land of anim<br>stric<br>If to stock, data matter and the of action<br>mode as being writin a 40-acre antidivision of put<br>4)<br>7.22N, R.51E, M.D.M., or at a<br>., M.D.M. beans South 41*50' W<br>Ng   | by 18 B1 gillion per mask.<br>The black bar to one unper me<br>black arroy and by cause and<br>point from which the<br>(est a distance of<br>from which the W 1/4 | HE DUA<br>For tals (<br>19 NOUD      |

Beneficial Use Under Application No. 10426.

139-EU

Cep 3002072

|  | reposed place of use (Descib   | and an ab                                  |  |  | instantion Ma 70008   |
|--|--|--|--|--|---|
| 3  | See attached Exhibit "A" ;   | airl as shown on t                         | he map th  | at accompanied A   | SHT 142   |
|  |  |  |  |  |   |
| E:   | Xisting place of use (Domino)  | by legal subdivisions. If char             | nging piace of   | ane surphot manual of the of   | irrigation parmit, describe acrosge to be   |
| 5  | 5.0 acres in the SW 1/4 N  | W 1/4 of Section 2                         | 80, T. 19N.  | ., R.49E., M.D.M   |   |
|  |  |  |  |  |   |
| ). Pr  | roposed use will be from _   | January 1<br>Month and Day                 | to   | December 31<br>Month and Day   | of each year.   |
| 10. Ex   | xisting use permitted from   | May 1<br>Honth and Day                     | to   | October 1  | of each year.   |
| sp   | escription of proposed worl<br>pecifications of your diversi-<br>mer or dulled well, pump and mone, e  | ks. (Under the provision or storage works. | sion of NR<br>)(State married                          | S 535.010 you may  | be required to submit plans and<br>and, i.e. diverses structure, diverse, pipes and |
|  | brilled well, pump and pip   |  | nine and I   | mill site.   |   |
| 2. Es  | stimated cost of works \$3   | 3,000,000                                  |  |  |   |
| 3. Es  | stimated time required to co   | onstruct works 3 ye                        | ans  |  |   |
|  |  |  |  |  |   |
|  |  |  |  | If well completed  |   |
| .4. Es   | stimated time required to co   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 4. Es<br>5. Pr<br>(Pe                                | stimated time required to co<br>rovide a detailed description<br>stare to provide a detailed description any   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 4. Es<br>5. Pr<br>(Pe                                | stimated time required to co   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 4. Es<br>5. Pr<br>(Pe                                | stimated time required to co<br>rovide a detailed description<br>stare to provide a detailed description any   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 4. Es<br>5. Pr<br>(Pe                                | stimated time required to co<br>rovide a detailed description<br>stare to provide a detailed description any   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 4. Es<br>5. Pr<br>(Pe                                | stimated time required to co<br>rovide a detailed description<br>stare to provide a detailed description any   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 4. Es<br>5. Pr<br>(Per<br>S                          | stimated time required to co<br>rovide a detailed description<br>stare to provide a detailed description any   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| .4. Es<br>5. Pr<br>(Pe<br>S                          | stimated time required to co<br>rovide a detailed description<br>alwe to provide a detailed description and<br>blee attached addendurn.  | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 14. Es<br>15. Pr<br>(Fe<br>5. M                      | stimated time required to co<br>rovide a detailed description<br>place to provide a debilied description<br>see attached addendum.<br>(iscellaneous remarks:   | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 14. Es<br>15. Pr<br>(Fe<br>5. M                      | stimated time required to co<br>rovide a detailed description<br>alwe to provide a detailed description and<br>blee attached addendurn.  | mplete the applicati                       | on of wate   | r to beneficial use  | 5 years   |
| 4. Es<br>5. Pr<br>6. M<br>(775)                      | stimated time required to ex<br>rovide a detailed description<br>blue to prove a detailed description<br>isee attached addendum.<br>iiscellaneous remarks:<br>) 358-9491<br>Wene No.                       | mplete the applicati                       | on of wate   | r to beneficial use<br>is water usage (use a   | 5 years   |
| 4. Es<br>5. Pr<br>6. M<br>(775)                      | stimated time required to co<br>rovide a detailed description<br>place to provide a detailed description<br>see attached addendum.<br>(iscellaneous remarks:   | mplete the applicati                       | on of wate   | er G. Lindearhith<br>Frid Joshan<br>Water usage (use i<br>Frid Joshan<br>Lata Surveying Ltd  | 5 years<br>stachments if necessary)<br>PLSMARS                                      |
| 4. E:<br>5. Pr<br>6. M<br>(775)                      | stimated time required to ex<br>rovide a detailed description<br>of the standard description<br>and the standard description<br>see attached addendum.<br>(iscellaneous remarks:<br>) 358-9491<br>Mine No. | mplete the applicati                       | on of wate<br>oject and it<br>By Geor<br>Tri S         | r to beneficial use<br>s water usage (use of<br>the G. Lindeprint<br>Wester application<br>tate Surveying Lto<br>Company Nam<br>is E. Prater Way | 5 years<br>stachments if necessary)<br>PLSNARS                                      |
| 4. Es<br>5. Pr<br>6. M<br>(775)                      | stimated time required to ex<br>rovide a detailed description<br>of the standard description<br>and the standard description<br>see attached addendum.<br>(iscellaneous remarks:<br>) 358-9491<br>Mine No. | mplete the applicati                       | on of wate<br>oject and it<br>By Geog<br>Tri S<br>1925 | r to beneficial use<br>s water usage (use t<br>ref G. Lindeanist<br>Field (1997)<br>Superior uspec<br>tate Surveying Lit<br>Company New          | 5 years<br>stachments if necessary)<br>PLSNARS                                      |
| 4. Es<br>5. Pr<br>(F=<br>S<br>6. M<br>(775)<br>glind | stimated time required to ex<br>rovide a detailed description<br>of the standard description<br>and the standard description<br>see attached addendum.<br>(iscellaneous remarks:<br>) 358-9491<br>Mine No. | mplete the applicati                       | on of wate<br>oject and it<br>By Geog<br>Tri S<br>1925 | r to beneficial use<br>s water usage (use of<br>the G. Lindeanity<br>Field Surveying Lto<br>Company New<br>E. Prater Way<br>Sent Addres of       | 5 years<br>attachments if necessary)<br>PLONARS<br>TO Bar<br>TO Bar<br>TO Bar       |

| Ēh             | George G. Lindenmin, PLSMA    |                                       |  |
|----------------|-------------------------------|---------------------------------------|--|
| D <sub>3</sub> | how the                       | out = =                               |  |
|                | Tignation, applicant or agent |                                       |  |
|                | Tri State Surveying Ltd.      |                                       |  |
|                | Complexy Name                 | · · · · · · · · · · · · · · · · · · · |  |
|                | 1925 E. Prater Way            | <u>. or</u>                           |  |
|                | Starnet Address or F.O. Box   |                                       |  |
|                | Sparks, NV 89434              | ္ ယ္                                  |  |
| ED             | City, Stale, Zip Code         | 5 55                                  |  |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: January 18, 2008, by Eureka County

### EXHIBIT "A"

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### Legal Description - Proposed Place of Use

| Division   | Section | Township | Range       | Meridian |
|------------|---------|----------|-------------|----------|
| Alt        | 1-3     | 21N      | 50E         | M.D.M.   |
| Ali        | 10-15   | 21N      | 50E         | M.D.M.   |
| Ali        | 22-27   | 21N      | 50E         | M.D.M.   |
| Ali        | 34-36   | 21N      | 50E         | M.D.M.   |
| All        | 1-36    | 21N      | 51E         | M.D.M.   |
| Ail        | 647     | 21N      | 52E         | M.D.M.   |
| Ali        | 18 & 19 | 21N      | 52E         | M.D.M.   |
| Ali        | 30 & 31 | 21N      | 52 <b>E</b> | M.D.M.   |
| All        | 36      | 21 1/2N  | 51 1/2 E    | M.D.M.   |
| All        | 31 - 36 | 21 1/2N  | 52E         | M.D.M.   |
| Ali        | 34-36   | 22N      | 50E         | M.D.M.   |
| AH         | 1-3     | 22N      | 51E         | M.D.M.   |
| All        | 10-15   | 22N      | 51E         | M.D.M.   |
| All        | 20-29   | 22N      | 51E         | M.D.M.   |
| Ali        | 31-36   | 22N      | 51E         | M.D.M.   |
| All        | 1       | 22N      | 51 1/2 E    | M.D.M.   |
| All        | 12 & 13 | 22N      | 51 1/2 E    | M.D.M.   |
| All        | 24 & 25 | 22N      | 51 1/2 E    | M.D.M.   |
| <b>B</b> A | 36      | 22N      | 51 1/2 E    | M.D.M.   |
| All        | 1 - 38  | 22N      | 52E         | M.D.M.   |
| All        | 6 & 7   | 22N      | 53E         | M.D.M.   |
| All        | 18 & 19 | 22N      | 53E         | M.D.M.   |
| Aß         | 30 & 31 | 22N      | 53E         | M.D.M.   |
| All        | 34-38   | 23N      | 51E         | M.D.M.   |
| AII        | 31      | 21 1/2 N | 53E         | M.D.M.   |

Page 1 of 1

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annualty will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

### 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   |             |
|----------------------------------|--|-------------|
| D                                | ate of filing in State Engineer's Office NOV 1 4 2007  |             |
| R                                | cturned to applicant for correction  |             |
|                                  | 111 1 1 2007 under 75070   |             |
| C                                | orrected application filed Map filed UIL L L LOOF UNDER 75979  |             |
| ть                               | c applicant Kobeh Valley Ranch LLC   |             |
| 1                                | 1726 Cole Bivd., Suite 115 of Lakewood   |             |
| c                                | Colorado 80401   |             |
|                                  | State and Zip Code   |             |
| X                                | Point of diversion 🔀 Place of use 🔀 Manner of use  | a.          |
|                                  | ermit No. 18544, Certificate 6457  |             |
|                                  | The source of water is underground   |             |
| Pt<br>1.                         | The source of water is underground   |             |
| P                                | The source of water is underground   | -           |
| Pt<br>1.                         | The source of water is underground New of treat lab, integral, using or other source.<br>The source of water is underground Second for an lab, integral, using or other source.<br>The support of water to be changed 5.40 cfs, 1292.40 acre-feet annually<br>Second had, and had milling  |             |
| Pe<br>1.<br>2.                   | The source of water to be changed 5.40 cfs, 1292.40 acre-feet annually<br>The water to be used for Mining and milling<br>The water heretofore used for Imfigation   | -           |
| Pe<br>1.<br>2.<br>3.<br>4.       | The source of water is <u>underground</u><br>The source of water is <u>underground</u><br>The amount of water to be changed <u>5.40 cfs, 1292.40 acre-feet annually</u><br>Second feet, are fast that source for example at its pallous per example<br>The water to be used for <u>Mining and milling</u><br>Integriton person many second and that and has been to see anyor tet.<br>The water heretofore used for <u>Imigation</u>   |             |
| Pe<br>1.<br>2.<br>3.<br>4.       | The source of water is underground<br>The source of water is underground<br>The amount of water to be changed 5.40 cfs, 1292.40 acre-feet annually<br>Scient fue, are first Cas scient for spate 48 If places or either<br>The water to be used for Mining and milling<br>Integrates press, many science of Utor stock, sale method and bod of estable. Here for the<br>The water beretofore used for Infigation<br>The water beretofore used for Infigation   | -<br>-<br>- |
| Pe<br>1.<br>2.<br>3.<br>4.       | The source of water is <u>underground</u> The source of water to be changed 5.40 cfs, 1292.40 acre-feet annually The amount of water to be changed 5.40 cfs, 1292.40 acre-feet annually The water to be used for <u>Mining and milling</u> The water to be used for <u>Mining and milling</u> The water be used for <u>Mining and milling</u> The water to be diverted at the following point (Deserbe as being into a solder and to d while server and bod of while server and by course and the sold of while server and by course and the solder solder and bod of while servery and by course and distances to the sold servery and by course and distances to the sold servery and by course and distances to the sold servery and by course and distances to the sold servery and by course and distances to the sold servery and by course and distances to the sold servery and by course and distances to the sold servery and by course and distances to the sold servery and by course and distances to the servery and by course and within the SE 1/4 of the NW 1/4 of Section 32, T.22N, R.51E, M.D.M., or at a point from which the | -           |
| Pe<br>1.<br>2.<br>3.<br>4.       | The source of water is <u>underground</u> The source of water is <u>underground</u> The amount of water to be changed 5.40 cfs, 1292.40 acre-feet annually Exempting or other source. The water to be used for <u>Mining and milling</u> The water is to be diverted at the following point (Deerbo at both of atmain Must feet to ear any rate. The water is to be diverted at the following point (Deerbo at both of atmain Must of atmaint. The water is to be diverted at the following point (Deerbo at both of atmaint. The water is to be diverted at the following point (Deerbo at both of atmaint. The water is to be diverted at the following point (Deerbo at both of atmaint.) Within the SE 1/4 of the NW 1/4 of Section 32, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 63°34' West a distance of  | -           |
| Pe<br>1.<br>2.<br>3.<br>4.<br>5. | The source of water is <u>underground</u> The source of water is <u>underground</u> The amount of water to be changed 5.40 cfs, 1292.40 acre-feet annually Beend fue, are feet to be used for <u>Mining and milling</u> The water to be used for <u>Mining and milling</u> The water be used for <u>Mining and milling</u> The water is to be diverted at the following point (Dearbo e being within a 0-are addited of atmub. How for the or major lat. The water is to be diverted at the following point (Dearbo e being within a 0-are addited of atmub. How for source and the of points. The water is to be diverted at the following point (Dearbo e being within a 0-are addited of atmub. How for source and the of the NW 1/4 of Section 32, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 63°34' West a distance of 7,640 feet (Wetl 205) unv Dtat. <b>159</b> 79   | will 19a    |
| Pe<br>1.<br>2.<br>3.<br>4.<br>5. | The source of water is <u>underground</u> The source of water is <u>underground</u> The amount of water to be changed 5.40 cfs, 1292.40 acre-feet annually Exempting or other source. The water to be used for <u>Mining and milling</u> The water is to be diverted at the following point (Deerbo at both of atmain Must feet to ear any rate. The water is to be diverted at the following point (Deerbo at both of atmain Must of atmaint. The water is to be diverted at the following point (Deerbo at both of atmaint. The water is to be diverted at the following point (Deerbo at both of atmaint. The water is to be diverted at the following point (Deerbo at both of atmaint.) Within the SE 1/4 of the NW 1/4 of Section 32, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 63°34' West a distance of  | Will 191    |

(-39.EL)

11 mg - 11

| 7.  | Proposed place of use (Description by<br>See attached Exhibit "A" and  |   |               |  |  |   |
|-----|--|---|---------------|--|--|---|
| 8.  | Existing place of use (Describe by le<br>removed from inignion.)<br>See attached Exhibit "B".  | ngal nubdiviniers. If changing ;  | place of t    | ane and/or manner of use of it                         | regation permit, describe ecreage to be                                      | ٠ |
| 9.  | Proposed use will be from  | January 1   | _ to          | December 31  | of each year.  |   |
| 10. | Existing use permitted from  | January 1<br>Manda and Day  | to            | December 31  | of each year.  |   |
|     | Description of proposed works.<br>specifications of your diversion<br>from a differ well, page and actor, ac.)<br>Drilled well, pump and pipeli<br>Estimated cost of works \$3,0 | (Under the provision<br>or storage works.)(see<br>ines or truck to mine |               | S 535.010 yern snary<br>r in which water is to be dree | be required to submit plans and<br>red is diversion strumm, diddae, pape and |   |
|     |  |   |               |  |  |   |
|     | Estimated time required to cons  |   |               | T well completed,                                      | _  |   |
| 14. | Estimated time required to com   | plete the application o   | f wate        | r to beneficial use                                    | 5 years  | - |
| 15. | Provide a detailed description o<br>(Falses to provide a detailed description may ca   | f the proposed project<br>ma a delay in proceeding.)                    | and it        | is water usage (use a                                  | stachments if necessary):  |   |
|     | See attached addendum.   |   |               |  |  |   |
| 16. | Miscellancous remarks:   |   |               |  |  |   |
|     |  |   |               | 21   | 2.0 -  |   |
| (7  | 775) 358-9491<br>Phone No  | By  | Geb           | Fundesmith   | PUSINES C  |   |
| 9   | lindesmith@tristatelid.com   |   | ora.≮<br>Tris | state Surveying Ltd                                    |  |   |
|     |  | -   |               | Country Natha  |  |   |
|     |  |   |               | 5 E. Prater Way<br>Sinet Address of                    | PO. Box  | _ |
| A   | PPLICATION MUST  | RE SIGNED   | Spa           | City, State, Zip Co                                    |  |   |
|     | Y THE APPLICANT O  |   |               |  | 710.<br>1  |   |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: January 18, 2008, by Eureka County

#### EXHIBIT "A"

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### Legal Description - Proposed Place of Use

| Division | Section        | Township | Range       | Meridian |
|----------|----------------|----------|-------------|----------|
| Ail      | 1-3            | 21N      | 50E         | M.D.M.   |
| All      | 10-15          | 21N      | 50E         | M.D.M.   |
| All      | 22-27          | 21N      | 50E         | M.D.M.   |
| All      | 34-36          | 21N      | 50E         | M.D.M.   |
| Ali      | 1-36           | 21N      | 51E         | M.D.M.   |
| All      | 6&7            | 21N      | 52E         | M.D.M.   |
| Ali      | 18 & 19        | 21N      | 52E         | M.D.M.   |
| Ali      | 30 & 31        | 21N      | 52E         | M.D.M.   |
| All      | 36             | 21 1/2N  | 51 1/2 E    | M.D.M.   |
| Ali      | 31 - <b>36</b> | 21 1/2N  | 52E         | M.D.M.   |
| Ali      | 34-36          | 22N      | 50E         | M.D.M.   |
| All      | 1-3            | 22N      | 51E         | M.D.M.   |
| All      | 10-15          | 22N      | 51E         | M.D.M.   |
| All      | 20-29          | 22N      | 51E         | M.D.M.   |
| All      | 31-36          | 22N      | 51E         | M.D.M.   |
| All      | 1              | 22N      | 51 1/2 E    | M.D.M.   |
| Ali      | 12 & 13        | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25        | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 36             | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 1 - 36         | 22N      | 52E         | M.D.M.   |
| Alt      | 6 & 7          | 22N      | 5 <b>3E</b> | M.D.M.   |
| All      | 18 & 19        | 22N      | 5 <b>3E</b> | M.D.M.   |
| All      | 30 & 31        | 22N      | 53E         | M.D.M.   |
| Ali      | 34-38          | 23N      | 51E         | M.D.M.   |
| Ali      | 31             | 21 1/2 N | 53E         | M.D.M.   |

Page 1 of 1

#### EXHIBIT \*8\*

### Legal Description - Existing Place of Use

| Twp. | Rng. | Section | 1/4 1/4 | Acres |
|------|------|---------|---------|-------|
| 19N  | 49E  | 18      | SW SE   | 23.3  |
| 19N  | 49E  | 19      | NW NE   | 40.0  |
| 19N  | 49E  | 19      | NE NE   | 40.0  |
| 19N  | 49E  | 19      | NW SE   | 35.0  |
| 19N  | 49E  | 19      | NE SE   | 40.0  |
| 19N  | 49E  | 19      | SW NE   | 24.8  |
| 19N  | 49E  | 19      | SE NE   | 40.0  |
| 19N  | 49E  | 20      | SW NW   | 40.0  |
| 19N  | 49E  | 20      | NW SW   | 40.0  |
|      |      |         | TOTAL:  | 323.1 |

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

### 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  |  |
|----------------------------|--|---|--|--|
| I                          | Date of filing in State Engi   | meer's Office NOV 1   | 4 2007   |  |
| F                          | Returned to applicant for c  | orrection   |  |  |
| 4                          | Corrected application filed  | Мар   | filed JUL 1 1 2007 under   | r 75979  |
| n                          | he applicant Kobeh Val   | ey Ranch LLC  |  |  |
|                            | 1726 Cole Bivd., Suite   |   | of Lakewood  | - <b>*</b>   |
|                            | Colorado 80401   | P.D Bat   | , hereby make(s) application for p   | permission to change the   |
|                            | State and Z  | •   |  |  |
| 5                          | Point of diversion   | F Place of use  | Magner of use  | of a portion   |
| F                          | máy nglá in Decres.)<br>Permit No. 23951, Certif   | icate 8002  |  |  |
|                            | Permit No. 23951, Certif   |   |  |  |
| 1                          | Permit No. 23951, Certif   | underground N   | na of symme, beine, underground, symme, or other scores  |  |
| 1.                         | Permit No. 23951, Certif   |   |  |  |
| 1.                         | Permit No. 23951, Certif<br>The source of water is<br>The amount of water to   | underground<br>be changed 2.45 cts, 332   | .64 acre-feet annually<br>Second Red, acrosted. One second feet op   | nie 440 83 gallora per manule.   |
| 1.                         | The source of water is<br>The source of water is<br>The smound of water to<br>The water to be used fo  | underground<br>be changed 2.45 cts, 332   | .64 acre-feet annualty<br>Scool field, acco Bot. One second feet op<br>month, do. If for accd, date number and find of an<br>estic   | als 447 83 galloys per minide<br>mals. Must look to one major tas.   |
| 1.<br>2.<br>3.<br>4.       | Permit No. 23951, Certif<br>The source of water is<br>The amount of water to<br>The water to be used fo<br>The water heretofore u<br>The water is to be dive   | underground<br>be changed 2.45 cfs, 332<br>or Mining and milling<br>began, pore, stim, see<br>sed for Irrigation and dom  | .64 acre-feet annually<br>Second Kel, aco Sci. One used foot op<br>annual, da. If for scot. data number and limit of an<br>estic<br>If for stock, skills number and limit of acoust<br>operator as being within a 40-acre stateminion of p   | als 447 65 gallous per minute.<br>minute Akust lands to one perjor min.<br>nie   |
| 1.<br>2.<br>3.<br>4.       | The source of water is<br>The source of water is<br>The amount of water to<br>The water to be used fo<br>The water to be used fo<br>The water is to be drive<br>disease as a fund section over<br>disease to a | underground<br>be changed 2.45 cts, 332<br>m Mining and milling<br>legates power stars are<br>sod for Irrigation and dom<br>ried at the following point (0)<br>if for unerryyet lead a bead be as<br>if the SW 1/4 of Section 26<br>Section 2, T.21N., R.50E.                 | .64 acre-feet annually<br>Second Kel, aco Sci. One used foot op<br>annual, da. If for scot. data number and limit of an<br>estic<br>If for stock, skills number and limit of acoust<br>operator as being within a 40-acre stateminion of p   | als 187 83 gallons per minute<br>main, shart leads to one pager main<br>ale<br>able survey and by course and<br>a point from which the |
| 1.<br>2.<br>3.             | The source of water is<br>The source of water is<br>The amount of water to<br>The water to be used fo<br>The water is to be drive<br>disease to a found section one<br>Within the NW 1/4 o   | underground<br>be changed 2.45 cts, 332<br>m Mining and milling<br>legates power stars are<br>sod for Irrigation and dom<br>ried at the following point (0)<br>if for unerryyet lead a bead be as<br>if the SW 1/4 of Section 26<br>Section 2, T.21N., R.50E.                 | .64 acre-feet annuality<br>Social fiel, and the One second feet op<br>annual, d. If for stock, data number and land of an<br>entitic<br>If for stock, state matter and land of an<br>entities as being within a 40-acre stated minor of pr<br>ad )<br>3, T. 22N., R. 50E., M.D.M., or at | als 187 83 gallons per minute<br>main, shart leads to one pager main<br>ale<br>able survey and by course and<br>a point from which the |
| 1.<br>2.<br>3.<br>4.<br>5. | The source of water is<br>The source of water is<br>The amount of water to<br>The water to be used fo<br>The water to be used fo<br>The water is to be drive<br>disease to a found section corn<br>within the NW 1/4 o<br>northwest corner of<br>feet. (Well 209) Law  | underground<br>be changed 2.45 cts, 332<br>m Mining and milling<br>legalar, power stand to<br>sod for Irrigation and dom<br>ried at the following point (0)<br>if on unerryyet lead a shead be set<br>if the SW 1/4 of Section 26<br>Section 2, T.21N., R.50E,<br>JOLA. 75919 | .64 acre-feet annuality<br>Social fiel, and the One second feet op<br>annual, d. If for stock, data number and land of an<br>entitic<br>If for stock, state matter and land of an<br>entities as being within a 40-acre stated minor of pr<br>ad )<br>3, T. 22N., R. 50E., M.D.M., or at | als 187 83 gallons per minute<br>main, shart leads to one pager main<br>ale<br>able survey and by course and<br>a point from which the |



C. C. 002081

|                            | See attached Exhibit "A" a  | and as shown on th              |                 | mather of same to be impo   | ,  |
|----------------------------|---|---------------------------------|-----------------|---|--|
|                            |   | ning and descriptions (1)       | ច ការអង្គ ហា    | a, accompanied M  |  |
| . :                        | Existing place of use marries   | by Ingel subdivisions. If charg | ping place of a | ee addror manager of use of in  | rigation permit, describe accesses to be   |
| 1                          | renoved transingation.)<br>See attached Exhibit "B"   |                                 |                 |   |  |
| . 1                        | Proposed use will be from   | January 1                       | to              | December 31   | of each year.  |
| 10. 1                      | Existing use permitted from   | April 1                         | to              | Note and Day<br>December 1  | of each year.  |
| 1                          | Description of proposed wor<br>specifications of your diversi<br>funne or deiled well, sump and sector.<br>Drilled well, pump and pip | on or storage works.)<br>#c.)   | (Stata romania) | sa which water is to be dive  | be required to submit plans and<br>set is, diversion structure, discher, pipes and |
| 2 ]                        | Estimated cost of works   | ,000,000                        |                 |   |  |
| 3. 1                       | Estimated time required to co   | mstruct works 3 yes             | ar <b>a</b>     | i well completed,   | matike set   |
| 4. 1                       | Estimated time required to ex   | mplete the applicatio           | n of wate       |   |  |
|                            |   |                                 |                 |   |  |
| 5. J                       | Fibre to provide a detailed description   |                                 |                 |   |  |
|                            | Provide a detailed description<br>Fahre to provide a detailed description and<br>See attached addendum.                               |                                 |                 |   |  |
|                            |   |                                 |                 |   |  |
| 6. 1                       | See attached addendum.  |                                 | the clear       | ar G Lindesmith   | bisiwas  |
| 6. 1                       | See attached addendum.<br>Miscellaneous remarks:  |                                 |                 | 74  | SAMRS CING   |
| (77<br>(77                 | See attached addendum.<br>Miscellancous remarks:<br>(5) 358-9491  |                                 |                 |   | PLENNRS<br>Luncoure  |
| 16. <b>1</b><br><u>(77</u> | See attached addendum.<br>Miscellancous remarks:<br>(5) 358-9491<br>Mee No<br>Idesmith@tristatettd.com                                |                                 | Tri S           | G. Lindeemithy<br>Frate every<br>Just Carveying Lud<br>College Meet<br>E. Prate Way         | Simmer<br>Line<br>Similar<br>Similar<br>Similar                                    |
| 16. <b>1</b><br>           | See attached addendum.<br>Miscellancous remarks:<br>(5) 358-9491<br>Mee No<br>Idesmith@tristatettd.com                                |                                 | Tri S           | G. Lindesmith<br>Ford a conjunct<br>Manager Participation<br>Description<br>Configure State | Simmer Similar   |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: January 18, 2008, by Eureka County

### EXHIBIT "A"

• . . .

## Legal Description - Proposed Place of Use

| Division | Section        | Township | Range    | Meridian |
|----------|----------------|----------|----------|----------|
| All      | 1-3            | 21N      | 50E      | M.D.M.   |
| All      | 10-15          | 21N      | 50E      | M.D.M.   |
| All      | 22-27          | 21N      | 50E      | M.D.M.   |
| All      | 34-36          | 21N      | 50E      | M.D.M.   |
| All      | 1-36           | 21N      | 51E      | M.D.M.   |
| Alf      | 6 & 7          | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19        | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31        | 21N      | 52E      | M.D.M.   |
| All      | 36             | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - <b>36</b> | 21 1/2N  | 52E      | M.D.M.   |
| Ali      | 34-36          | 22N      | 50E      | M.D.M.   |
| All      | 1-3            | 22N      | 51E      | M.D.M.   |
| All      | 10-15          | 22N      | 51E      | M.D.M.   |
| AII      | 20-29          | 22N      | 51E      | M.D.M.   |
| Ali      | 31-36          | 22N      | 51E      | M.D.M.   |
| All      | 1              | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13        | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25        | 22N      | 51 1/2 E | M.D.M.   |
| Ali      | 38             | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36         | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7          | 22N      | 53E      | M.D.M.   |
| Ali      | 18 & 19        | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31        | 22N      | 53E      | M.D.M.   |
| All      | 34-38          | 23N      | 51E      | M.D.M.   |
| Ail      | 31             | 21 1/2 N | 53E      | M.D.M.   |

Page 1 of 1

### EXHIBIT "B"

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### Legal Description - Existing Place of Use

| Twp.  | Rng. | Section | 1/4 1/4 | Acres |
|-------|------|---------|---------|-------|
| 19N   | 49E  | 29      | SW NW   | 30.19 |
| 19N   | 49E  | 29      | NW SW   | 24.79 |
| 19N   | 49E  | 29      | SW SW   | 12.39 |
| 19N   | 49E  | 30      | NE NE   | 3.97  |
| 19N   | 49E  | 30      | SE NE   | 11.82 |
| ····· |      | •       | TOTAL:  | 83.16 |

|          | Proposed place of use (Describe by legal subdivision: If for irrigation, well sumber of some to be irregated.)<br>See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.  |
|----------|---|
|          |   |
| 3.       | Existing place of use Describe by lepsi vebelivisions. If changing place of use and/or manner of use of irruption period, discribe acreage to be<br>removed from irruption.)  |
|          | 39 83 acres in the SE 1/4 SE 1/4 of Section 19 and 19.83 acres in the SW 1/4 SW 1/4 Section 20,<br>T 19N., R.49E., M.D.M Total: 59.66 acres   |
| Ι.       | Proposed use will be from <u>January 1</u> to December 31 of each year.   |
| 10.      | Existing use permitted from April 1 to December 1 of each year  |
| 1        |   |
|          | 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.) (Same meaner in which wear is to be diversed, i.e. diversion structure, dealow, paper and former or childed well, sump and means and .)  |
|          | specifications of your diversion or storage works. Your ments in which makes in the distance in diversion dealers dealer and  |
| 2.       | specifications of your diversion or storage works. (See according to when your to be diversed, i.e. diversion structure, dealow, paper and<br>Dimmer or diversion of providence, etc.) Drilled well, pump and pipelines or truck to mine and mill site. Estimated cost of works \$3,000,000 Estimated time required to construct works 3 years              |
| 2.<br>3. | specifications of your diversion or storage works. (Sales accour is when were is to be diversed, i.e. diversion structure, dealers, pape and<br>Diverse of childed well, pump and pipelines or truck to mine and mill site.<br>Estimated cost of works \$3,000,000<br>Estimated time required to construct works 3 years<br>If well completed dearbor well. |
| 2.<br>3. | specifications of your diversion or storage works. (See according to when your to be diversed, i.e. diversion structure, dealow, paper and<br>Dimmer or diversion of providence, etc.) Drilled well, pump and pipelines or truck to mine and mill site. Estimated cost of works \$3,000,000 Estimated time required to construct works 3 years              |

16. Miscellaneous remarks:

| (775) 358-9491  | By Geogle G Lindespring PLSMIRS                                   | $\frac{1}{2}$ |        | $\sum$ |  |
|---|---|---------------|--------|--------|--|
| glindesmith@triutateltd.com                             | Tri State Surveying Ltd.  |               | ON BOD |        |  |
|   | Comparty Name<br>1925 E. Prater Way<br>Street Address of P.D. Rox | <u> </u>      | 14     |        |  |
|   | Sparks, NV 89434  |               | P      |        |  |
| APPLICATION MUST BE SIGNED<br>BY THE APPLICANT OR AGENT | City, Stala, Zap Code   | Ç.            | 3: 52  |        |  |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

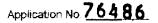
Protested: January 18, 2008, by Eureka County

### EXHIBIT "A"

## Legal Description - Proposed Place of Usa

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-38   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 8 & 7   | 21N      | 52E      | M.D.M.   |
| Ali      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 38 | 21 1/2N  | 52E      | M.D.M.   |
| AB       | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| IIA .    | 10-15   | 22N      | 51E      | M.D.M.   |
| A!I      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| Alì      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| Ali      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| AN       | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

Page 1 of 1



#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

Application No. 76744

#### 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

| Date of filing in State Engin                                  | wer's Office FEB 1 S | 2008  |  |
|--|----------------------|---|--|
|  |                      |   |  |
| Returned to applicant for co                                   |                      |   |  |
| Corrected application filed                                    | Мар                  | filed JUL 1 1 2007 und                                    | er 75979   |
| 1725 Cole Blvd., Suite 1<br>State Address of<br>Colorado 80401 | O. Box               | of Lakewood<br>GayarTa<br>, hereby make(s) application fo |  |
| State and Zip<br>State and Zip                                 | Code                 |   | The state of the second s |

- 1. The source of water is underground
- Name of strong, lake, underground, opting or other 2. The amount of water to be changed 4.28 cfs, 950.64 acre-feet annually
- 3 The water to be used for Mining and milling arctial, etc. If for chuck, state receiping and least of area ion, power, s rails. Must finit to one sta
- 4. The water heretofore used for Irrigation and domestic If for stack, since reasoner and lived of seconds
- The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public servey and by course and describe to a fixed sector screer if on unserveyed land, is should be wand.) 5. Within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27\*21' West a distance of 9,320 feet (Well 206). Refer to map supporting Application No. 75979.
- 6. The existing point of diversion is located within (If point of diversion is not stargest, do not surver.)

the NE 1/4 of the SE 1/4 of Section 5, T 19N., R.49E., M.D.M., or at a point from which the east 1/4 corner of said Section 5 bears North 79\*30' East a distance of 410 feet. Refer to map supporting Application No. 13849.

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2 610 m 4 002088

| 7.                          | Proposed place of use (Describe by legal subdivisions. If for imagence, state suggester of same to be migand.)   |
|-----------------------------|--|
|                             | <ul> <li>colorecte frame or one (news) (additional international international state internation of moves in the publicant)</li> </ul>   |
|                             | See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.   |
| 8.                          | Existing place of use (Describe by legal solidivisions). If changing place of use endor encour of use of irrigation permit, describe accesses to be  |
|                             | removed firm integration) See attached Exhibit "B" and as shown on the map supporting Application 76679.   |
|                             |  |
|                             |  |
|                             | Proposed use will be from <u>January 1</u> to <u>December 31</u> of each year  |
| 0.                          | Existing use permitted from April 15 to October 1 of each year   |
| 1.                          | Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and<br>specifications of your diversion or storage works.) (State sensor in which wear is to be downed i.e. divenue, stucture, divenue, pipes and<br>furnes or duiled will pass and motor, step   |
|                             | Drilled well, pump and pipelines or truck to mine and mill site.   |
| 2.                          | Estimated cost of works \$3,000,000.00   |
| 3.                          | Estunated time required to construct works 3 years   |
|                             |  |
| 4                           | Estimated time required to complete the application of water to beneficial use 5 Vears   |
|                             | If well completed description of complete the application of water to beneficial use <u>5 years</u><br>Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Palme to provide a datachded description may acute a data in processing.)  |
|                             | Estimated time required to complete the application of water to beneficial use <u>5 years</u>  |
|                             | Estimated time required to complete the application of water to beneficial use <u>5 years</u><br>Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Palme to provide a static description may muse a detay in processing.)   |
|                             | Estimated time required to complete the application of water to beneficial use <u>5 years</u><br>Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>Pathers to provide a detailed description may make a delay in processing.)<br>See attached addendum.  |
|                             | Estimated time required to complete the application of water to beneficial use <u>5 years</u><br>Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>Pathers to provide a detailed description may make a delay in processing.)<br>See attached addendum.  |
| 5.                          | Estimated time required to complete the application of water to beneficial use <u>5 years</u><br>Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>Pathers to provide a detailed description may make a delay in processing.)<br>See attached addendum.  |
| 5.                          | Estimated time required to complete the application of water to beneficial use <u>5 years</u><br>Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>Pathers to provide a detailed description may make a delay in processing.)<br>See attached addendum.  |
| 5.                          | Estimated time required to complete the application of water to beneficial use <u>5 years</u> Provide a detailed description of the proposed project and its water usage (use attachments if necessary): Palme to prove a delay in processing.) See attached addendum.   |
| 5.                          | Estimated time required to complete the application of water to beneficial use <u>5 years</u> Provide a detailed description of the proposed project and its water usage (use attachments if necessary): See attached addendum.  Miscellaneous remarks:  |
| 5.<br>6.<br>(7              | Estimated time required to complete the application of water to beneficial use <u>5 years</u> Provide a detailed description of the proposed project and its water usage (use attachments if necessary): Chinese to provide a detailed description may acces a delay in processing.) See attached addendium.  Miscellaneous remarks:  T5) 358-9491 By George/S Lindeenhait / LSWRS Trim of mathematication By George/S Lindeenhait / LSWRS Trim of mathematication Complete to a description Dindeemth @TriStateLtd.com  |
| 5.<br>6.<br>(7              | Estimated time required to complete the application of water to beneficial use 5 years         Provide a detailed description of the proposed project and its water usage (use attachments if necessary):         Where termined description may asses a detay in processing.)         See attached addendum.         Miscellaneous remarks:         75) 358-9491         Prime termined to complete the application of the proposed project and its water usage (use attachments if necessary):         This termine required to complete the application of the proposed project and its water usage (use attachments if necessary):         See attached addendum.         Miscellaneous remarks:         To 358-9491         Prime termine from the proposed project and its water usage to the proposed project and its water usage (use attachments if necessary):         This StateLtd.com         Tri StateLtd.com         Tri StateLtd.com         Tri StateLtd.com  |
| 5.<br>6.<br>(7              | Estimated time required to complete the application of water to beneficial use <u>5 years</u> Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Patrice to provide a detailed description may acces a delay in processing.) See attached addendium.  Miscellaneous remarks:  75) 358-9491 Provide a detailed com Event By Georgin Lindeenhith (LSAVERS Trim of provide Com Event Tri StateLtd.com Tri StateLtd.com Tri StateLtd.com Tri StateLtd.com Event Tri StateLtd.com  |
| 5.<br>6.<br>(7<br><u>Gl</u> | Estimated time required to complete the application of water to beneficial use <u>5 years</u> Provide a detailed description of the proposed project and its water usage (use attachments if necessary): There is provide a detailed description may area a delay in processing.) See attached addendum.  Miscellaneous remarks:  75) 358-9491 Ploa No By George C. Lindeennith PLSWDS Frie or provide a deather to complete the average of the proposed project and its water usage (use attachments if necessary):  96 attached addendum.  75) 358-9491 By George C. Lindeennith PLSWDS Frie or provide a deather to be proposed of the proposed |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: April 17, 2008, by Cedar Ranches, LLC; April 21, 2008, by Eureka County

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

1

| Division | Section            | Township        | Range       | Meridian        |
|----------|--------------------|-----------------|-------------|-----------------|
| Ali      | 1-3                | 21N             | 50E         | M.D.M.          |
| At       | 10-15              | 21N             | 50E         | M.D.M.          |
| Alt      | 22-27              | 21N             | 50E         | M.D.M.          |
| All      | 34-36              | 21N             | 50E         | M.D.M.          |
| All      | 1-36               | 21 <b>N</b>     | 51E         | M.D.M.          |
| All      | 6 & 7              | 21N             | 52E         | M.D.M.          |
| All      | 18 & 19            | 21N             | 52E         | M.D.M.          |
| Aii      | 30 & 31            | 21N             | 52E         | M.D.M.          |
| All      | 36                 | 21 1/2N         | 51 1/2 E    | M.D.M.          |
| All      | 31 - 36            | 21 1/ <b>2N</b> | 52E         | M.D.M.          |
| AN       | 34-36              | 22N             | 50E         | M.D.M.          |
| Alf      | 1-3                | 22N             | 51E         | M.D.M.          |
| All      | 10-15              | 22N             | 51E         | M.D.M.          |
| All      | 20-29              | 22N             | 51E         | M.D.M.          |
| All      | 31-36              | 22N             | 51E         | M.D.M.          |
| Alf      | 1                  | 22N             | 51 1/2 E    | M.D.M.          |
| Ail      | 12 & 13            | 22N             | 51 1/2 E    | M.D.M.          |
| ۵Ü       | 24 & 25            | 22N             | 51 1/2 E    | M.D.M.          |
| Alí      | 36                 | 22N             | 51 1/2 E    | M.D.M.          |
| All      | 1 - 3 <del>6</del> | 22N             | 5 <b>2E</b> | M.D.M.          |
| All      | 6 & 7              | 22N             | 53E         | M.D.M.          |
| All      | 18 & 19            | 22N             | 53E         | M,D.M.          |
| Ali      | 30 & 31            | 22N             | 5 <b>3E</b> | M.D.M.          |
| All      | 34-36              | 23N             | 51E         | M.D.M.          |
| Ali      | 31                 | 21 1/2 N        | 53E         | M.D. <b>M</b> . |

Page 1 of 1

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#### EXHIBIT "B"

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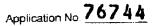
## Item #8, EXISTING PLACE OF USE UNDER PERMIT 13849

| Twp.          | Rng. | Section | 1/4 1/4 | Acres  |
|---------------|------|---------|---------|--------|
| 19N.          | 49E. | 4       | SE NW   | 40.000 |
| 19N.          | 49E. | 4       | SW NE   | 34.474 |
| 19N.          | 49E. | 4       | NW SW   | 38.074 |
| 1 <b>9N</b> . | 49E. | 4       | NE SW   | 19.175 |
| 19N.          | 49E. | 4       | SW SW   | 25.938 |
| 19N           | 49E  | 5       | SE NE   | 40.000 |
| 19N.          | 49E. | 5       | NE SE   | 40.000 |
|               |      |         |         | 237.66 |

Page 1 of 1

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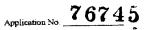


### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, mitling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.



### 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

| Date of filing in State Engineer<br>Returned to applicant for correc<br>Corrected application filed | :tion                        |   | 75070                         |
|---|------------------------------|---|-------------------------------|
| Returned to applicant for correct   | :tion                        |   | 75070                         |
| Corrected application filed   | Maq                          | filed JUL 1 1 2007 under                            | 75070                         |
|   |                              |   |                               |
| Sinat Address of P.O.1<br>Colorado 80401  |                              | , hereby make(s) application for p                  | emnission to change th        |
| State and Zap Code  |                              |   |                               |
| Point of diversion  | Place of use                 | Manner of use                                       | I of a portio                 |
| of water heretofore appropriated  | under (Idenify mining right) | by Penzit, Certificato, Proof or Claim Nos. If Dean | and, give title of Detroy and |
| Permit No. 35866  |                              |   |                               |

- 2. The amount of water to be changed 1.21 cfs, 819.24 acre-feet annually Second fiel, service for Dre second for each field of each of the second for each of th
- 3. The water to be used for Mining and milling logation, power, miles, command, de War study, sub-sector and had of seconds and had for the bar to one suppress.
- 4. The water heretofore used for irrigation and domestic
  If he slock, size reador and bad of events
- 5. The water is to be diverted at the following point (Describe as being waters at 5-sec subdivision of public narvey and by course and destines to a found section course: If on conveyed last, is stande be stated.) Within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27°21' West a distance of 9,320 feet. (Well 206) Refer to map supporting Application No. 75979.
- 6. The existing point of diversion is located within (it point of diversion to per charged, do not answer.)

the SW 1/4 of the SW 1/4 of Section 16, T 19N , R.47E., M.D.M., or at a point from which the West 1/4 corner of said Section 16 bears North 04\*04'42" West a distance of 1423.52 feet. Refer to map supporting Application No. 35866.

139-EU



|                | Proposed place of use (Describe by legel subdivision. If for irrigation, state number of some to be ungated )  |
|----------------|--|
|                | See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.   |
| 8              | Existing place of use (Describe by legal subdivisions. If changing place of use address senses of use of any above permit, describe normage to be reasoned from integring.)<br>See attached Exhibit "B" and as shown on the map supporting Application 5 76680 4 76681.  |
| 9.             | Proposed use will be from January 1 to December 31 of each year  |
|                | Existing use permitted from January 1 to December 31 of each year  |
| 11.            | Moreh and Day<br>Description of proposed works (Under the provision of NRS 535.010 you may be required to submit plans and<br>specifications of your diversion or storage works (State manner in which water is to be diverted in diverted, in diverse, diabas, ppes and<br>films or driver will well, page and motor, etc.) |
|                | Drilled well, pump and pipelines or truck to mine and mill site.   |
| 12.            | Estimated cost of works \$3,000,000 00   |
| 13.            | Estimated time required to construct works 3 years   |
| 14.            |  |
|                | Estimated time required to complete the application of water to beneficial use 5 years   |
|                | Estimated time required to complete the application of water to beneficial use <u>5 years</u><br>Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Fulture to provide a detailed description may ouse a defay in proceeding.)                                   |
|                | Provide a detailed description of the proposed project and its under usage (use attachments if necessary):   |
|                | Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Fulture to provide a detailed description may sume a delay in proceeding.)  |
| 15.            | Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Fulture to provide a detailed description may sume a delay in proceeding.)  |
| 15.            | Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Fulture to provide a detailed description may oune a defey in processing.)<br>See attached addendum,  |
| 15.<br>16.<br> | Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Fullware to provide a detailed description may output a defey in proceeding)<br>See attached addendum,<br>Miscellaneous remarks:<br>75) 358-9491<br>By Geordred, Lindeemath, PLSM/RS                          |
| 15.<br>16.<br> | Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Fullware to provide a detailed description may ourse a defey in proceeding)<br>See attached addendum.<br>Miscellaneous remarks:   |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: April 17, 2008, by Cedar Ranches, LLC; April 21, 2008, by Eureka County; May 15, 2008, by Lander County, Nevada

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

· ·

| Division | Section       | Township    | Range       | Meridian |
|----------|---------------|-------------|-------------|----------|
| All      | 1-3           | 21N         | 50E         | M.D.M.   |
| A.I      | 10-15         | 21N         | 50E         | M.D.M.   |
| All      | 22-27         | 21N         | 50E         | M.D.M.   |
| IIA      | 3 <b>4-36</b> | 21N         | 50E         | M.D.M.   |
| All      | 1-36          | 21N         | 51E         | M.D.M.   |
| All      | 6 & 7         | 21N         | 52E         | M.D.M.   |
| All      | 18 & 19       | 21N         | 52E         | M.D.M.   |
| Ali      | 30 & 31       | 21N         | 52E         | M.D.M.   |
| All      | 36            | 21 1/2N     | 51 1/2 E    | M.D.M.   |
| All      | 31 - 36       | 21 1/2N     | 52E         | M.D.M.   |
| All      | 34-36         | 22N         | 50E         | M.D.M.   |
| All      | 1-3           | 22N         | 51E         | M.D.M.   |
| All      | 10-15         | 22N         | 51E         | M.D.M.   |
| Ali      | 20-29         | 22N         | 51E         | M.D.M.   |
| All      | 31 <b>-36</b> | 22N         | 51E         | M.D.M.   |
| All      | 1             | 22N         | 51 1/2 E    | M.D.M.   |
| All      | 12 & 13       | 22N         | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25       | 2 <b>2N</b> | 51 1/2 E    | M.D.M.   |
| All      | 36            | 22N         | 51 1/2 E    | M.D.M.   |
| Ali      | 1 - 36        | 22N         | 52E         | M.D.M.   |
| Ali      | 6&7           | 22N         | 53E         | M.D.M.   |
| All      | 18 & 19       | 22N         | 5 <b>3E</b> | M.D.M.   |
| All      | 30 & 31       | 22N         | 53E         | M.D.M.   |
| All      | 34-36         | 23N         | 51E         | M.D.M.   |
| Ali      | 31            | 21 1/2 N    | 53E         | M.D.M.   |

Page 1 of 1

#### EXHIBIT "B"

- solidare

, ,

| Twp. | Rng. | Section | 1/4 1/4    | Acre  |
|------|------|---------|------------|-------|
| 19N. | 47E. | 16      | SWSW       | 40.0  |
| 19N. | 47E. | 16      | NW SE SW   | 10.0  |
| 19N. | 47E. | 16      | SW SE SW   | 10.0  |
| 19N. | 47E. | 16      | NE SE SW   | 10.0  |
| 19N. | 47E. | 16      | N1/2 SW SE | 20.00 |
| 19N. | 47E. | 16      | SE SE      | 40.0  |
| 19N. | 47E. | 21      | NW NW      | 40.0  |
| 19N. | 47E. | 21      | NW NE NW   | 10.00 |
| 19N. | 47E. | 21      | SW NE NW   | 10.00 |
| 19N. | 47E. | 21      | SE NE NW   | 10.00 |
| 19N. | 47E. | 21      | NW NE      | 4.81  |
|      |      |         |            | 204.8 |

# Item #8, EXISTING PLACE OF USE UNDER PERMIT 35866

Page 1 of 1

# Application No. 76745

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

# Application No. 76746

### 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   | R OFFICE USE ONLY  |  |
|----------------------------|---|--|--|--|
| D                          | ate of filing in State Engin  | eer's Office FEB 1   | 3 2008   | <u></u>  |
| R                          | eturned to applicant for co   | prection   |  |  |
| С                          | orrected application filed  | Ma   | p filed JUL 1 1 2007 unde  | r 75979  |
| Tha                        | e applicant Kobeh Valle   | ey Ranch LLC   |  |  |
| 1                          | 1726 Cole Blvd., Suite 1  | 15   | of Lakewood  |  |
| ~~~                        | Shoet Add ass or  | P.O. Box   | City or Town   |  |
|                            | Colorado 80401  |  | hereby make(s) application for   | permission to change the   |
|                            | State and Zip   | Cathr  |  |  |
| X                          | Point of diversion  | Place of use   | Manner of use  | I of a portion   |
| F                          | ərmit No. 64616   |  | <u></u>  |  |
|                            |   |  |  |  |
|                            | The source of water is 1  | N  | and of mouse, lake, codergound, spang or other scar  |  |
| 1.                         | The source of water is 1  | underground<br>be changed 2.24 cfs, 810  |  |  |
| 1.<br>2.                   | The source of water is<br>The amount of water to<br>The water to be used for  | be changed 2.24 cfs, 819<br>Mining and milling<br>Implice, power, mining, con  | 9.24 acre-feet annually<br>Second Birl, sens Birl One assess front op<br>mercial, ct. 11 for alock, eight sumber and kind of ere   | als 449.85 gallans per minute  |
| 1.<br>2.<br>3.             | The source of water is<br>The amount of water to<br>The water to be used for  | be changed 2.24 cfs, 819   | 9.24 acre-feet annually<br>Second Birl, sens Birl One assess front op<br>mercial, ct. 11 for alock, eight sumber and kind of ere   | nds 448.85 gallass per minote<br>milit: kõust ländt es cas tenjat nee.   |
| 1.<br>2.<br>3.<br>4.       | The source of water is<br>The amount of water to<br>The water to be used for<br>The water heretofore us<br>The water is to be divert  | be changed 2.24 cfs, 819<br>Mining and milling<br>Ingelia: powe, mining, or<br>def for Imigation and dom   | 9.24 acce-feet annually<br>Second last, sees for the second fast op<br>mercial, etc. If for slock, sign number and fast of min<br>veetle<br>If for slock, sizk window and fast of mino<br>Uncertice as being writisms a for accer websitements of p  | nde 447,83 gallans per ministe<br>metz: Vinet kall to con major ten.<br>de   |
| 1.<br>2.<br>3.             | The source of water is<br>The amount of water to<br>The water to be used for<br>The water heretofore use<br>The water is to be divert<br>detence to a found sectore corner.   | be changed 2.24 cfs, 819<br>- Mining and milling<br>Ingelies power, mining, cor-<br>ed for Imigation and dom-<br>ted at the following point of<br>if an conveyed last, it should be m  | 9.24 acce-feet annually<br>Second last, sees for the second fast op<br>mercial, etc. If for slock, sign number and fast of min<br>veetle<br>If for slock, sizk window and fast of mino<br>Uncertice as being writisms a for accer websitements of p  | nls 448,85 gallons per minute<br>midz blan light to one instance<br>da<br>data servey and by course and  |
| 1.<br>2.<br>3.<br>4.       | The source of water is<br>The amount of water to<br>The water to be used for<br>The water heretofore use<br>The water is to be divert<br>detacts to a found sector corner.<br>Within the SE 1/4 of 1  | be changed 2.24 cfs, 819<br>- Mining and milling<br>Ingetics, power, mining, cor-<br>ed for Imigation and dom-<br>led at the following point of<br>if a canveyed last, a should be re-<br>the NE 1/4 of Section 30   | 9.24 acre-feet annually<br>Second fort, sere for the second fast op<br>mercial, etc. If for slock, state searcher and fast of smare<br>reserved. If for slock, state number and fast of smare<br>The slock, state number and fast of smare<br>Describe as being written a 40-acre subdemains of p<br>set)<br>, T.22N., R.51E., M.D.M., or at a | nds 447,85 gallons per minote<br>male blant ball to one tenjor min<br>de<br>ablee survey and by seame and<br>point from which the                    |
| 1.<br>2.<br>3.<br>4.       | The source of water is<br>The amount of water to<br>The water to be used for<br>The water heretofore use<br>The water is to be divert<br>detect to a found section corner.<br>Within the SE 1/4 of t<br>southwest corner of S   | be changed 2.24 cfs, 819<br>- Mining and milling<br>Ingelia, power, mining co<br>ed for Imigation and dom<br>if a canaveyed last, it should be re<br>the NE 1/4 of Section 30<br>Section 31, T.22N., R.51  | 9.24 acce-feet annually<br>Second last core for two second fort op<br>mercial, etc. If for slock, sign number and finit of min<br>veetic<br>If for slock, since worker and finit of mina<br>Describe as being within a 40-acre subdemane of p<br>and)  | nds 447,85 gallons per minote<br>male blant ball to one tenjor min<br>de<br>ablee survey and by seame and<br>point from which the                    |
| 1.<br>2.<br>3.<br>4.<br>5. | The source of water is<br>The amount of water to<br>The water to be used for<br>The water heretofore use<br>The water is to be divert<br>detects to a found sector corner.<br>Within the SE 1/4 of 1<br>southwest corner of 5<br>9,320 feet. (Well 206                                | Mining and milling<br>Mining and milling<br>Mining and milling<br>Mining and milling<br>Mining and milling<br>Mining and milling<br>d for Imigation and dom<br>for conveyed last, it should be m<br>the NE 1/4 of Section 30<br>Section 31, T.22N., R.51<br>Nefer to map supporting  | 9.24 acre-feet annually<br>Scoul fuel, sees for the second fast op<br>merchank et. If for shock state sambler and fast of en-<br>vestic<br>This shock, state worker and fast of enter<br>Describe as being written a 40-acre worker size of p<br>stat)<br>, T.22N., R.51E., M.D.M., or at a<br>E., M.D.M. bears South 27°21' V                 | nds 447,85 gallons per minote<br>male blant ball to one tenjor min<br>de<br>ablee survey and by seame and<br>point from which the                    |
| 1.<br>2.<br>3.<br>4.       | The source of water is<br>The amount of water to<br>The water to be used for<br>The water heretofore us<br>The water is to be divert<br>distance to a found section corner.<br>Within the SE 1/4 of th<br>southwest corner of 5<br>9,320 feet. (Well 206<br>The existing point of div | Mining and milling<br>Mining and Mining and<br>Mining and Mining<br>Mining and Mining<br>Mining and Mining and<br>Mining and Mining<br>Mining and Mining<br>Mining and Mining<br>Mining and Mining and<br>Mining and | 9.24 acre-feet annually<br>Second live, sees live 'One second fast op<br>merchank at. If the stock, state number and lived of mine<br>Describe as being written a 40-acre withden size of p<br>set()<br>, T.22N., R.51E., M.D.M., or at a<br>E., M.D.M. bears South 27°21' V<br>1g Application No. 75979.                                      | als (48.85 pallow per minute<br>mate: Unit half to can inder not<br>de<br>whe survey and by ensure and<br>point from which the<br>yest a distance of |

Application No. 64616.



1. 37 4 A 3 \* 002098

| 7.           | Proposed place of use (Describe by legal subdivisions. If for organize, state surder of some to be progeted.)  |
|--------------|--|
|              | See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.   |
|              |  |
|              |  |
| 8.           | Existing place of use (Describe by legs) achdroisions. If changing place of use and/or meaner of use of irrigation persit, describe surveys to be removed from irrigation.)  |
|              | See attached Exhibit "B" and as shown on the map supporting Applications 76680 \$ 76681.   |
|              |  |
|              |  |
| 9.           | Proposed use will be from January 1 to December 31 of each year.   |
| 10.          | Existing use permitted from <u>January 1</u> to <u>December 31</u> of each year.   |
| 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.) (Such resears in which water is to to deveted i.e. devetors structure, dather, provided |
|              | fromm or drilled well, pump and populations or truck to mine and mill site.  |
| 12.          | Estimated cost of works \$3,000,000.00   |
| 13.          | Estimated time required to construct works 3 years   |
| [4]          | Estimated time required to complete the application of water to beneficial use 5 years   |
| 1 <b>5</b> . | Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Fullar to provide a detailed description may came a data its processing.)   |
|              | See attached addendum.   |
|              |  |
|              |  |
|              |  |
| 16.          | Misocilaneous remarks  |
|              |  |
| (7           | 75) 358-9491 By George G Lindesmith PLSWB8   |
| G            |  |
| _            | Tri State Surveying Ltd.   |
|              | 1925 E. Prater Way   |
|              | Sparkos, NV 89434  |
| Al           | PPLICATION MUST BE SIGNED City, Buse, Zip Code   |

# BY THE APPLICANT OR AGENT

City, State, Zip (

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: April 17, 2008, by Cedar Ranches, LLC; April 21, 2008, by Eureka County; May 15, 2008, by Lander County, Nevada

-mise while

- 20 TELEVISION

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| Division   | Section | Township     | Range    | Meridian |
|------------|---------|--------------|----------|----------|
| All        | 1-3     | 21N          | 50E      | M.D.M.   |
| All        | 10-15   | 21N          | 50E      | M.D.M.   |
| All        | 22-27   | 21N          | 50E      | M.D.M.   |
| All        | 34-36   | 21N          | 50E      | M.D.M.   |
| All        | 1-38    | 21N          | 51E      | M.D.M.   |
| All        | 6 & 7   | 21N          | 52E      | M.D.M.   |
| All        | 18 & 19 | 21N          | 52E      | M.D.M.   |
| ILA        | 30 & 31 | 21N          | 52E      | M.D.M.   |
| <b>JIA</b> | 36      | 21 1/2N      | 51 1/2 E | M.D.M.   |
| A#         | 31 - 36 | 21 1/2N      | 52E      | M.D.M.   |
| All        | 34-38   | 22N          | 50E      | M.D.M.   |
| All        | 1-3     | 22N          | 51E      | M.D.M.   |
| All        | 10-15   | 22N          | 51E      | M.D.M.   |
| All        | 20-29   | 22N          | 51E      | M.D.M.   |
| All        | 31-36   | 22N          | 51E      | M.D.M.   |
| All        | 1       | 22N          | 51 1/2 E | M.D.M.   |
| All        | 12 & 13 | 22N          | 51 1/2 E | M.D.M.   |
| All        | 24 & 25 | 22N          | 51 1/2 E | M.D.M.   |
| Ali        | 36      | 22N          | 51 1/2 E | M.D.M.   |
| At         | 1 - 38  | 2 <b>2</b> N | 52E      | M.D.M.   |
| Ali        | 6 & 7   | 22N          | 53E      | M.D.M.   |
| Ali        | 18 & 19 | 22N          | 53E      | M.D.M.   |
| All        | 30 & 31 | 22N          | 53E      | M.D.M.   |
| Ali        | 34-36   | 23N          | 51E      | M.D.M.   |
| All        | 31      | 21 1/2 N     | 53E      | M.D.M.   |

Page 1 of 1

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ected in the

### EXHIBIT "B"

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## Item #8, EXISTING PLACE OF USE UNDER PERMIT 64618

| Twp, | Rng. | Section | 1/4 1/4    | Acres |
|------|------|---------|------------|-------|
| 19N. | 47E. | 18      | SW SW      | 40.0  |
| 19N. | 47E. | 16      | NW SE SW   | 10.0  |
| 19N. | 47E. | 16      | SW SE SW   | 10.0  |
| 19N. | 47E. | 18      | NE SE SW   | 10.0  |
| 19N. | 47E. | 16      | N1/2 SW SE | 20.0  |
| 19N. | 47E. | 16      | SE SE      | 40.0  |
| 19N. | 47E. | 21      | NW NW      | 40.0  |
| 19N. | 47E. | 21      | NW NE NW   | 10.0  |
| 19N. | 47E. | 21      | SW NE NW   | 10.0  |
| 19N. | 47E. | 21      | SE NE NW   | 10.0  |
| 19N. | 47E. | 21      | NW NE      | 4.81  |
|      |      |         |            | 204.8 |

Page 1 of 1

# Application No. 76746

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

| Application No. | 7 | <u>68</u> | 0 | 2 |
|-----------------|---|-----------|---|---|
|                 |   |           |   |   |

#### 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

ORIGINAL

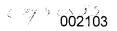
| 1726 Cole Blvd., Suite<br>Start Address<br>Colorado 80401 | or F.C. Bon             |                          | emission to change the |
|---|-------------------------|--------------------------|------------------------|
| Street Address  |                         | City or Town             |                        |
| 1726 Cole Blvd., Suite                                    |                         |                          |                        |
|   | 115                     | of Lakewood              |                        |
| he applicant Kobeh Va                                     | lley Ranch LLC          | (c/o General Moly, Inc.) |                        |
| Corrected application file                                | d                       | Map filled MAR 2 7 2008  |                        |
| Returned to applicant for                                 | correction <u>MAR 1</u> | 7 2008                   |                        |
| Date of filing in State Eng                               | neer's Office MAR       | 1 1 2008                 |                        |
|   |                         |                          |                        |

teptries D∉ Application No. 76005

- 1. The source of water is underground
- Name of docum, into, underground, spins 2. The amount of water to be changed 0.435 cfs, 164.00 acre-feet annually
- second not, some last. One around fuot equals 440.43 gallane per martel
- 3. The water to be used for Mining, milling and dewatering wher and hand of
- The water heretofore used for Mining, milling and dewatering 4
- The water is to be diverted at the following point (Describe as being writing = 40-distance to a found section corner. If on scattereyed land, it should be parted.) an of public survey and by course and Within the NW 1/4 of the SE 1/4 of unsurveyed Section 1, T.22N., R.51E., M.D.M., or at a point from which the northeast corner of said Section 1 bears North 44\*02'54" East a distance of 3737.64 feet. (Well MH2)
- 6. The existing point of diversion is located within (I point of downsion is not alonged, do not ensure .)

the SE 1/4 of the SE 1/4 of unsurveyed Section 12, T.22N., R.51E., M.D.M., or at a point from which the west 1/4 corner of Section 13, T.22N., R.51-1/2E., M.D.M. bears North 23\*02'49" East a distance of 2183.38 feet.





5 / S

|   | A  |   |
|---|--|---|
|   | See attached Exhibit "A" and as shown on the map that  | accompanied Application No. 72695.  |
|   | Existing place of use (Describe by logal subdivisions. If oberging place of use removed from respence.)  | notion measure of use of integration parmin, describe scrunge to be   |
|   | The place of use is not changed.   |   |
|   | Proposed use will be from January 1 to   | December 31 of each year.   |
| ; | · · · · · · · · · · · · · · · · · · ·  | Monte and Lary<br>December 31 of each year.   |
| 1 | Description of proposed works. (Under the provision of NRS<br>specifications of your diversion or storage works.) (State means at<br>found or drilled will, page and means, etc.)  | 535.010 you may be required to submit plans and   |
|   | Driffed well, pump and pipelines or truck to mine and mi   | li site.  |
| 1 | Estimated cost of works \$3,000,000  |   |
| ļ | Estimated sizes a subject of a second strength   |   |
|   | Estimated time required to construct works 3 years   | I wall coordead, describe well.   |
| 1 | Estimated time required to complete the application of water t   |   |
| 1 | -  | o beneficial use 5 years  |
|   | Estimated time required to complete the application of water i   | o beneficial use 5 years  |
| 1 | Estimated time required to complete the application of water<br>Provide a detailed description of the proposed project and its<br>(reflare to provide a description sur cases a daty in processing.)   | o beneficial use 5 years  |
|   | Estimated time required to complete the application of water<br>Provide a detailed description of the proposed project and its<br>(reflare to provide a description sur cases a daty in processing.)   | o beneficial use <u>5 years</u><br>water usage (use attachments if necessary):  |
| 1 | Estimated time required to complete the application of water<br>Provide a detailed description of the proposed project and its<br>(reflare to provide a description sur cases a daty in processing.)   | o beneficial use 5 years<br>water usage (use attachments if necessary):   |
| 1 | Estimated time required to complete the application of water<br>Provide a detailed description of the proposed project and its<br>(reflare to provide a description sur cases a daty in processing.)   | o beneficial use <u>5 years</u><br>water usage (use attachments if necessary):  |
| 1 | Estimated time required to complete the application of water i<br>Provide a detailed description of the proposed project and its<br>(Fither to provide a standard description are case a daty in processing.)<br>See attached addendum.  | o beneficial use <u>5 years</u><br>water usage (use attachments if necessary):  |
| 1 | Estimated time required to complete the application of water i<br>Provide a detailed description of the proposed project and its<br>(Fither to provide a standard description are case a daty in processing.)<br>See attached addendum.  | o beneficial use <u>5 years</u><br>water usage (use attachments if necessary):  |
|   | Estimated time required to complete the application of water i<br>Provide a detailed description of the proposed project and its<br>(Fither to provide a standard description are case a daty in processing.)<br>See attached addendum.  | o beneficial use <u>5 years</u><br>werer usage (use attachments if nocessary):  |
|   | Estimated time required to complete the application of water i<br>Provide a detailed description of the proposed project and its<br>(rither to prote a detailed decoption any case a data in processing.)<br>See attached addendum.<br>Miscellamoous remarks:<br>75) 358-9491<br>Phone No.<br>Indescription No.                  | Anter usage (use attachments if necessary):   |
|   | Estimated time required to complete the application of water i<br>Provide a detailed description of the proposed project and its<br>(rither to prote a shaded description way case a date in processing.)<br>See attached addendum.<br>Miscellaneous remarks:<br>75) 358-9491<br>Phone No.<br>Indesmith@tristateltd.com<br>Email | beneficial use <u>5 years</u><br>werer usage (use attachments if nocessary):<br>S. Linckeamigh, ph. SAMPIS<br>Phr a very state or year<br>to starveying Ltd.<br>Compar Mark<br>Prater Way |
|   | Estimated time required to complete the application of water is provide a detailed description of the proposed project and its (rither to prote a data description up cover a data in processing.) See attached addendum. Miscellameous remarks: 75) 358-9491 Provi No. Indeernith@tristateltd.com Tri Sta 1925 (                | beneficial use <u>5 years</u><br>water usage (use attachments if nocessary):<br>55. Lindeamin, M.S.Mors<br>Hit of the Market<br>Mit of the Market<br>te Surveying Ltd.<br>Company Mark    |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: May 29, 2008, by Eureka County

| Division | Section        | Township | Range       | Meridian |
|----------|----------------|----------|-------------|----------|
| All      | 1-3            | 21N      | 5 <b>0E</b> | M.D.M.   |
| All      | 10-15          | 21N      | 50E         | M.D.M.   |
| Ail      | 22-27          | 21N      | 50E         | M.D.M.   |
| All      | 34-36          | 21N      | 50E         | M.D.M.   |
| All      | 1-38           | 21N      | 51Ē         | M.D.M.   |
| All      | 6 & 7          | 21N      | 52E         | M.D.M.   |
| Ali      | 18 & 19        | 21N      | 52E         | M.D.M.   |
| All      | 30 & 31        | 21N      | 52E         | M.D.M.   |
| All      | 38             | 21 1/2N  | 51 1/2 E    | M.D.M.   |
| All      | 31 - <b>36</b> | 21 1/2N  | 52E         | M.D.M.   |
| RA       | 34-36          | 22N      | 50E         | M.D.M.   |
| All      | 1-3            | 22N      | 51E         | M.D.M.   |
| All      | 10-15          | 22N      | 51E         | M.D.M.   |
| Ali      | 20-29          | 22N      | 51E         | M.D.M.   |
| All      | 31-38          | 22N      | 51E         | M.D.M.   |
| All      | 1              | 22N      | 51 1/2 E    | M.D.M.   |
| Alł      | 12 & 13        | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25        | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 36             | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 1 - 36         | 22N      | 52E         | M.D.M.   |
| All      | 6&7            | 22N      | 53E         | M.D.M.   |
| AJI -    | 18 & 19        | 22N      | 53E         | M.D.M.   |
| All      | 30 & 31        | 22N      | 53E         | M.D.M.   |
| All      | 34-36          | 23N      | 51E         | M.D.M.   |
| All      | 31             | 21 1/2 N | 53E         | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

7-AND CONTRACTOR

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Page 1 of 1



### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

|                        | See attached Exhibit "A" and as shown on t   | ne map m   | at accompanied A   | DANGHINH MU, 72030,   |
|------------------------|--|--|--|---|
|                        | Existing place of use Describe by legal schelivskys. If the reasoned from arrited as   | nging place of   | ann mathar muchaer of two of   | irrigazion permit, describe screege to be   |
|                        | The place of use is not changed.   |  |  |   |
|                        | Proposed use will be from January 1  | to   | December 31  | of each year.   |
| 0.                     | Existing use permitted from January 1  |  | December 31  | of each year.   |
|                        | Munit wit by<br>Description of proposed works. (Under the provi<br>specifications of your diversion or storage works<br>fowm or duiled will, pump and motor, at )<br>Drilled well, pump and pipelines or truck to r  | .)(State courses   | r in which water is to be dive   | be required to submit plans and<br>stail i.e. diversion structure, didnlar, pipes and |
| 2.                     | Estimated cost of works \$3,000,000  |  |  |   |
|                        |  |  |  |   |
| 3                      | Estimated time required to construct works 3 ye  | eans   | If well completed,   | describe well.  |
|                        | Estimated time required to construct works <u>3 y</u><br>Estimated time required to complete the applicati   |  | -  |   |
| 4                      | Estimated time required to complete the applicati  | on of wate   | r to beneficial use  | 5 years   |
| 4                      |  | on of wate   | r to beneficial use  | 5 years   |
| 4                      | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pr<br>(Prize to provide a datable description may some a data in proceeding.)  | on of wate   | r to beneficial use  | 5 years   |
| 4                      | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pr<br>(Prize to provide a datable description may some a data in proceeding.)  | on of wate   | r to beneficial use  | 5 years   |
| 4                      | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pr<br>(Prize to provide a datable description may some a data in proceeding.)  | on of wate   | r to beneficial use  | 5 years   |
| 14                     | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pr<br>(Prize to provide a datable description may some a data in proceeding.)  | on of wate   | r to beneficial use  | 5 years   |
| 4<br>5.                | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pr<br>(Prive to provide a detailed description may now a delay is proceeding.)<br>See attached addendum.   | on of wate   | r to beneficial use  | 5 years   |
| 14<br>15.              | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pr<br>(Prive to provide a detailed description may now a delay is proceeding.)<br>See attached addendum.   | on of wate   | r to beneficial use<br>3 water usage (use a                                    | 5 years   |
| 14<br>15.<br><u>(7</u> | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pn<br>(Privare to provide a detailed description may seen a delay is proceeding.)<br>See attached addendum.<br>Misocellaneous remarks:<br>75) 358-9491<br>Prive No.<br>Indesmith@tristate.td.com | ion of wate<br>sject and it<br>By <u>Geo</u> t               | r to beneficial use<br>s water usage (use a<br>beneficial use                  | 5 years<br>trachments if necessary):  |
| 14<br>15.<br><u>(7</u> | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pr<br>(Privace to provide a statistic description may see a stary is proceeding.)<br>See attached addendum.<br>Misoellaneous remarks:<br>75) 358-9491<br>Plane No.                               | ion of wate<br>sject and it<br>By <u>Geo</u> t               | r to beneficial use<br>3 water usage (use a                                    | 5 years<br>trachments if necessary):  |
| 6.<br>(7               | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pn<br>(Privare to provide a detailed description may seen a delay is proceeding.)<br>See attached addendum.<br>Misocellaneous remarks:<br>75) 358-9491<br>Prive No.<br>Indesmith@tristate.td.com | on of wate<br>oject and it<br>By <u>Geor</u><br><u>Tri S</u> | r to beneficial use<br>s water usage (use a<br>beneficial use                  | 5 years<br>trachments if necessary):  |
| 4<br>5.<br>(7          | Estimated time required to complete the applicati<br>Provide a detailed description of the proposed pn<br>(Privare to provide a detailed description may seen a delay is proceeding.)<br>See attached addendum.<br>Misocellaneous remarks:<br>75) 358-9491<br>Prive No.<br>Indesmith@tristate.td.com | By Geor<br><u>1925</u><br>Spar                               | r to beneficial use<br>s water usage (use a<br>tate Surveying Ltd<br>cater Way | 5 years<br>trachments if necessary):  |

Protested: May 29, 2008, by Eureka County

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| Division | Section        | Township    | Range       | Meridian        |
|----------|----------------|-------------|-------------|-----------------|
| All      | 1-3            | 21N         | 50E         | M.D.M.          |
| All      | 10-15          | 21N         | 50E         | M.D.M.          |
| All      | 22-27          | 21 <b>N</b> | 50E         | M.D.M.          |
| All      | 34-36          | 21N         | 50E         | M.D.M.          |
| All      | 1-36           | 21N         | 51E         | M.D. <b>M</b> . |
| All      | 6 & 7          | 21N         | 52E         | M.D.M.          |
| All      | 18 & 19        | 21N         | 52E         | M.D.M.          |
| All      | 30 & 31        | 21N         | 52E         | M.D.M.          |
| All      | 38             | 21 1/2N     | 51 1/2 E    | M.D.M.          |
| All      | 31 - <b>36</b> | 21 1/2N     | 52E         | M.D.M.          |
| All      | 34-36          | 22N         | 50E         | M.D.M.          |
| All      | 1-3            | 22N         | 51E         | M.D.M.          |
| All      | 10-15          | 22N         | 51E         | M.D.M.          |
| All      | 20-29          | 22N         | 51E         | M.D.M.          |
| All      | 31-36          | 22N         | 51E         | M.D.M.          |
| A        | t              | 22N         | 51 1/2 E    | M.D.M.          |
| Ali      | 12 & 13        | 22N         | 51 1/2 E    | M.D.M.          |
| All      | 24 & 25        | 22N         | 51 1/2 E    | M.D.M.          |
| Alł      | 36             | 22N         | 51 1/2 E    | M.D.M.          |
| All      | 1 - 36         | 22N         | 52E         | M.D.M.          |
| All      | 6 & 7          | 22N         | 53E         | M.D.M.          |
| Ali      | 18 & 19        | 22N         | 53E         | M.D.M.          |
| All      | 30 & 31        | 22N         | 53 <b>E</b> | M.D.M.          |
| All      | 34-36          | 23N         | 51E         | M.D.M.          |
| All      | 31             | 21 1/2 N    | 53E         | M.D.M.          |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

# Application No. 76803

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

76804 Application No.

### ORIGINAL

#### 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

| 7 Point of dive  | •                           | Place of u | se:        |     |      | Manner of use                 | of a portion                          |
|------------------|-----------------------------|------------|------------|-----|------|-------------------------------|---------------------------------------|
| Colorado 80      | 401<br>State and Zias Couls |            |            |     | h    | creby make(s) application for | pennission to change the              |
| 1728 Cole B      | Md., Suite 115              |            | -          |     | of   | Lakewood Cay or Tom           | · · · · · · · · · · · · · · · · · · · |
|                  | Kobeh Valley Rand           | sh LLC     | (0         | 10  |      | eral Moly, Inc.)              |                                       |
| Corrected appl   | ication filed               |            | N          | (ap | file | MAR 2 7 2008 unde             | r 76802                               |
| Returned to ap   | plicant for correction      | MA         | <u>R 1</u> | 7   | 200  | 8                             |                                       |
| Date of filing i | n State Engineer's O        | ffice _MA  | <u>R 1</u> | 1   | 200  |                               |                                       |
|                  |                             | THIS SPA   | CEF        | OR  | OF   | FICE USE ONLY                 |                                       |

Application No. 76007

- 1. The source of water is underground
- The source of water to be changed
   0.660 cfs, 147.80 acre-feet annually
   Second led, est-field for source for equils 44 K gallosi per conser
- 3. The water to be used for Mining, milling and dewatering
- The water beretofore used for Mining, milling and dewaters and two or and two or and the second or and the second or and the second of th
- 5. The water is to be diverted at the following point (Occurse as long within a 40-are solution or public servey and by causes and distance to a found section occurs. If on unsurveyed land, is should be said )
- Within the NE 1/4 of the SW 1/4 of unsurveyed Section 12, T.22N., R.51E., M.D.M., or at a point from which the west 1/4 corner of Section 13, T.22N., R.51-1/2E., M.D.M. bears North 77°48'34" East a distance of 2865.65 feet. (Well MH1)
- 6. The existing point of diversion is located within (if point of diversion is not changed, do not answer.)

the SE 1/4 of the SE 1/4 of unsurveyed Section 12, T.22N., R.51E., M.D.M., or at a point from which the west 1/4 corner of Section 13, T.22N., R.51-1/2E., M.D.M. beers North 23\*02'49" East a distance of 2183.38 feet.

CP 002110

| -          | <b>_</b>   |                                 |                   |   | •   |
|------------|--|---------------------------------|-------------------|---|---|
| 7.         | Proposed place of use (Describe  |                                 |                   |   |   |
|            | See attached Exhibit "A" a   | ind as shown on i               | the map the       | at accompanied Ap                                   | pplication No. 72695.   |
|            |  |                                 |                   |   |   |
|            |  |                                 |                   |   |   |
| <b>8</b> . | Existing place of use (Describe b<br>removed from irrigation.)   | y legal subdivisions. If oh     | n lo vedit grigen | re end/or memors of use of is                       | rigation paravit, dataribe scorage to be  |
|            | The place of use is not ch   | anged.                          |                   |   |   |
|            |  |                                 |                   |   |   |
|            |  |                                 |                   |   |   |
| 9.         | Proposed use will be from  | January 1                       |                   | Descentes 24  |   |
|            |  | Month and Day                   | to                | North and Day                                       | of each year.   |
|            | Existing use permitted from  | January, 1<br>Month and Day     | to _              | December 31   | of each year.   |
| 11.        | Description of proposed work<br>specifications of your diversion<br>formes or drilled well, pump and motor, at | 30 or storage works             | isian of NR!      | 3 535.010 you may 1<br>io which were is to be diver | ne required to submit plans and<br>ted i.e. diversion structure, disches, pipes and |
|            | Drilled well, pump and pipe  |                                 | mine and r        | nill site.  |   |
| 12.        | Estimated cost of works \$3,   | 000,000                         |                   |   |   |
| 13.        | Estimated time required to co  | astruct works 3 y               | ears              |   |   |
| 14.        | Estimated time required to co  | molete the anolicat             | ion of water      | I will completed of                                 |   |
|            | Provide a detailed description<br>(Palase to georide a detailed description may                                | of the proposed as              | niant und its     |   |   |
|            | See attached addendum  | comme y can di un besconstraß ) |                   |   | · · · · · · · · · · · · · · · · · · ·   |
|            |  |                                 |                   |   | 5 · ·   |
|            |  |                                 |                   |   |   |
|            |  |                                 |                   |   |   |
| 14         | Miscellancous remarks:   |                                 |                   |   | .:  |
| 10.        | MURCHARDOUS TEMATKA:   |                                 |                   |   | . 7<br>. 7  |
|            |  |                                 |                   | 2   |   |
| (7         | 75) 358-9491   |                                 | By Geor           | G Lindesmith  | Wannes ()   |
| -          | Phone No.  | -                               | $\mathcal{T}$     | Min VII   | TIM   |
| gh         | nclesmith@tristateltd.com  |                                 |                   |   | a yet   |
|            | art managem  |                                 | InSt              | Company Name  |   |
|            |  |                                 | 1925              | E. Prater Way<br>Sme Allow or P.                    | O. Bew  |
|            |  |                                 | C-ad              |   |   |
|            | DI ICIMONI I COM   |                                 |                   | 5, NV 89434   | ·····   |
|            | PLICATION MUST   |                                 |                   | City, Shini, Zip Ced                                | ¢   |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: May 29, 2008, by Eureka County

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| Division | Section | Township | Range    | Meridian       |
|----------|---------|----------|----------|----------------|
| All      | 1-3     | 21N      | 50E      | M.D.M.         |
| All      | 10-15   | 21N      | 50E      | M.D.M,         |
| All      | 22-27   | 21N      | 50E      | M.D.M.         |
| All      | 34-36   | 21N      | 50E      | M.D.M.         |
| All      | 1-36    | 21N      | 51E      | M.D.M.         |
| All      | 6&7     | 21N      | 52E      | M.D.M.         |
| À!       | 18 & 19 | 21N      | 52E      | M.D.M.         |
| AB       | 30 & 31 | 21N      | 52E      | M.D.M.         |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.         |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.         |
| Aił      | 34-36   | 22N      | 50E      | M.D.M.         |
| All      | 1-3     | 22N      | 51E      | M.D.M.         |
| All      | 10-15   | 22N      | 51E      | M.D.M.         |
| All      | 20-29   | 22N      | 51E      | M.D.M.         |
| Ali      | 31-36   | 22N      | 51E      | M.D.M.         |
| Ali      | 1       | 22N      | 51 1/2 E | M.D.M.         |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.         |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.         |
| All      | 36      | 22N      | 51 1/2 E | <b>M</b> .D.M. |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.         |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.         |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.         |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.         |
| All      | 34-36   | 23N      | 51E      | M.D.M.         |
| Ali      | 31      | 21 1/2 N | 53E      | M.D.M.         |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

## Application No. 76804

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

#### 76805 Application No.

#### 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

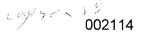
| Point of diversion         | Place of use    | Manuer of use                      | Tof a portic            |
|----------------------------|-----------------|------------------------------------|-------------------------|
| Coloradio 80401            | Zap Code        | , hereby make(s) application for p | permission to change th |
| Stront Address             | or PO. Box      | Only of Town                       |                         |
| 1726 Cole Blvd., Suite     |                 | of Lakewood                        |                         |
| The applicant Kobeh Va     | illey Ranch LLC | (c/o General Moly, Inc.)           |                         |
| Corrected application file | xi              | Map filed MAR 2 7 2008 unde        | r 76802                 |
| Returned to applicant for  | correction MAR  | 17 2008                            |                         |
| Date of filing in State En |                 |                                    |                         |
|                            | MAD             | 1 1 2008                           |                         |
|                            | THIS SPACE      | E FOR OFFICE USE ONLY              |                         |

of water heretofore appropriated under adamsity existing right by Peresis, Constitute, Proof or Class Nos. If Decreed, give take of Decree and right in Degree ) Application No. 76009

- 1. The source of water is underground Notes of stream, inte, undergro and spin 2. The amount of water to be changed 1.020 cfs, 303.08 acre-feet annually
- i hat sere fool. One es al ALL phion per m
- 3. The water to be used for Mining, milling and dewatering
- 4. The water heretofore used for Mining, milling and dewatering
- 5. The water is to be diverted at the following point (Describe as being water a 40-aces subdivision of public vervey and by course and to a found a maar. If on us ind ) Within Mineral Survey 37A in Section 13, T.22N., R.51-1/2E., M.D.M., or at a point from which the west-corner of said Section 13 bears North 77°57'47" West a distance of 2838.81 feet. (Well MH4) V4 15
- 6. The existing point of diversion is located within (If point of diversion is not changed, do not asswer.)

the SE 1/4 of the SE 1/4 of unsurveyed Section 12, F.22N., R.51E., M.D.M., or at a point from which the west 1/4 corner of Section 13, T.22N, R.51-1/2E, M.D.M. bears North 23°02'49" East a distance of 2183.38 feet.





|  | rivisions. If for empetitions, some number of ecres to be integrated.)<br>DWM: On Shan means (k. st  |
|--|--|
|  | valual it for experience, some number of ecrem to be irrigated.)<br>own on the map that accompanied Application No. 72695.   |
|  |  |
| <ol> <li>Existing place of use (Describe by least subdivis<br/>removed from irrigation.)</li> </ol>  | ions. If changing place of use socior mesons of use of arigation parset, describe somege to be   |
| The place of use is not changed.   |  |
|  |  |
| 9. Proposed use will be from January   | 10 December 31 of each war   |
| 10. Existing use permitted fromlanuary -   | to December 31   |
| 11. Liceration of months 1   | by Decomposition of each year.<br>6 provision of NRS 535.010 you thay be required to substill plans and<br>Works. X Same manner in which water is to be diverted, i.e. diverses structure, discher, pane and   |
| Drifled well, pump and pipelines or tru  | CK to mine and with a to be driveted, i.e. diversion structure, ditchest, pipes and  |
| 12. Estimated cost of works \$3,000,000  |  |
|  |  |
|  | 3 veare  |
| 13. Estimated time required to construct works   | 3 years  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the approximated to complete the</li></ol> | I well completed, describe well  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the approximate time required to complete the spinor.</li> </ol>  | I well completed, describe well  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the approximate time required to complete the spinor.</li> </ol>  | 3 years       If well completed, describe real.         plication of water to beneficial use       5 years         ed project and its water usage (use attachments if necessary):  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the apple</li> <li>Provide a detailed description of the propose<br/>(Patters to provide a detailed description may cause a day in pro-</li> </ol>  | I well completed, describe well  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the apple</li> <li>Provide a detailed description of the propose<br/>(Patters to provide a detailed description may cause a day in pro-</li> </ol>  | I well completed, describe well  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet</li> <li>Provide a detailed description of the proposition of th</li></ol>     | If well completed doubts wells<br>plication of water to beneficial use <u>5 years</u><br>ed project and its water usage (use attachments if necessary):<br>weig.)  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet</li> <li>Factorized time required to complete the applet</li> <li>Provide a detailed description of the propositive to provide a detailed description may only a to detay in proc<br/>(Pattern to provide a detailed description may only a to detay in proc<br/>See attached addendure.</li> </ol>  | If well completed doubts well<br>plication of water to beneficial use <u>5 years</u><br>ed project and its water usage (use attachments if necessary):<br>many)  |
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| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the apple</li> <li>Estimated time required to complete the apple</li> <li>Provide a detailed description of the propos<br/>(Points to provide a detailed description may only a a detay in pro-<br/>See attached addendurn.</li> </ol>  | If well completed doubts well<br>plication of water to beneficial use <u>5 years</u><br>ed project and its water usage (use attachments if necessary):<br>many)  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet</li> <li>Estimated time required to complete the applet</li> <li>Provide a detailed description of the propositive to provide a detailed description may one a data proposition and one a data of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description may one a data of the propositive to provide a detailed description may one a data of the propositive to provide a data of the provide a data</li></ol>          | U well coupled, double wells<br>phication of water to beneficial use <u>5 years</u><br>and project and its water usage (use attachments if necessary):   |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet of the proposition of the prop</li></ol> | U well coupled, double well.<br>plication of water to beneficial use <u>5 years</u><br>ed project and its water usage (use attachments if necessary):<br>many  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet of the proposition of the prop</li></ol> | By Cooking G. Linderstrain, PL Strats  |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet of the proposition of the prop</li></ol> | By Control G. Linderstanding Provide and the second |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet estimated time required to complete the applet of the proposition of the proposition and complete a density of the proposition and complete the applet of the proposition and complete the applete the appl</li></ol> | By Georgie G. Lindiering and and a series of the series of |
| <ol> <li>Estimated time required to construct works</li> <li>Estimated time required to complete the applet</li> <li>Favinated time required to complete the applet</li> <li>Provide a detailed description of the propositive to provide a detailed description may one a data propositive to provide a detailed description may one a data propositive to provide a detailed description may one a data propositive to provide a detailed description of the propositive to provide a detailed description may one a data propositive to provide a detailed description may one a data propositive to provide a detailed description may one a data propositive to provide a detailed description may one a data a data data description may one a data propositive to provide a data data data data data data data</li></ol>  | By Georgie G. Lindiering of the state of the second state of the s |

Protested: May 29, 2008, by Eureka County

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| Division | Section | Township    | Range    | Meridian |
|----------|---------|-------------|----------|----------|
| Ail      | 1-3     | 21N         | 50E      | M.D.M.   |
| All      | 10-15   | 21N         | 50E      | M.D.M.   |
| All      | 22-27   | 21N         | 50E      | M.D.M.   |
| All      | 34-36   | 21N         | 50E      | M.D.M.   |
| All      | 1-36    | 21 <b>N</b> | 51E      | M.D.M.   |
| All      | 8 & 7   | 21N         | 52E      | M.D.M.   |
| Ali      | 18 & 19 | 21N         | 52E      | M.D.M.   |
| Ali      | 30 & 31 | 21N         | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N     | 51 1/2 E | M.D.M.   |
| Ali      | 31 - 36 | 21 1/2N     | 52E      | M.D.M.   |
| All      | 34-38   | 22N         | 50E      | M.D.M.   |
| Alt      | 1-3     | 22N         | 51E      | M.D.M.   |
| Ail      | 10-15   | 22N         | 51E      | M.D.M.   |
| All      | 20-29   | 22N         | 51E      | M.D.M.   |
| All      | 31-36   | 22N         | 51E      | M.D.M.   |
| All      | 1       | 22N         | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N         | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N         | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N         | 51 1/2 E | M.D.M.   |
| fLA      | 1 - 36  | 22N         | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N         | 53E      | M.D.M.   |
| Ali      | 18 & 19 | 22N         | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N         | 53E      | M.D.M.   |
| All      | 34-36   | 23N         | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N    | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

•

Page 1 of 1

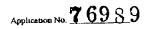
## Application No. 26805

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.



### 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 Engi  | neer's Office APR 2.3   | 3 2008   |  |
| Returned to applicant for c   |   |  |  |
| Corrected application filed   | Мар   | filed JUL 1 1 2007 unde  | r 75979                                |
| The applicant Koben Vall  | ey Ranch LLC (c/o (   | Seneral Moly, Inc.)  |  |
| 1726 Cole Bivd., Suite  |   | of Lakewood  |  |
| Colorado 80401  | TP.O. Box   | , hereby make(s) application for   |  |
| State and Za  | to Code   | , netcoy manu(s) approximation for   | putter 0.000 - 0 000                   |
|   | ,   |  |  |
| Point of diversion  | Place of use  | X Manner of use  |  |
| Point of diversion  | E Place of use  | Maniner of use<br>Permik, Camfronto, Proof or Claim Nos HDeo   |  |
| <ul> <li>Point of diversion</li> <li>of water heretofore appropri-<br/>identity right in Doores )</li> <li>Perrnit No. 9682, Cerbific</li> <li>1. The source of water is</li> </ul> | Place of use<br>ated under (deady scaling right by<br>ate 2780  | Perzuk, Gerafionto, Proof or Class Nos If Doc  | reed, give take of Decre               |
| <ul> <li>Point of diversion</li> <li>of water heretofore appropri-<br/>identity right in Dooren )</li> <li>Perrnit No. 9682, Cerbific</li> <li>1. The source of water is</li> </ul> | BB Place of use<br>Lated under (utanify waring right by<br>abe 2780   | Perzik, Genficeto, Proof or Class Nos If Dec<br>second contract of the second sec | reed, give tatle of Decre              |
| <ul> <li>Point of diversion</li> <li>of water heretofore appropri-<br/>identity right in Dooren )</li> <li>Perrnit No. 9682, Cerbific</li> <li>1. The source of water is</li> </ul> | Place of use     ated under (dent); examp right by     ate 2780     underground     be changed 0.6554 cfs, 4     Mining and milling | Perzuk, Gerafionto, Proof or Class Nos If Doc  | भव.<br>स्तार २ देवी 11 इस्रोटनक इस सरे |

5. The water is to be diverted at the following point (Desorts as being within a 40-are subdivision of public survey and by come and distance to a found section comer. If on unsurveyed land, it should be assed.) within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27°21' West a distance of 9,320 feet. (Well 206) See map supporting Application 75979.

6. The existing point of diversion is located within (If point of diversion is not charged, do not answer.)

the SE 1/4 of the NE 1/4 of Section 17, T 19N., R.50E., M.D.M., or at a point from which the northwest corner of Section 19, T 19N., R.50E. bears S 75\*05\* W a distance of 10,906 feet. See map to Accompany Proof of Beneficial Use Under Permit No. 9682.

139-EL

1 Proto XI 002118

| e coloniane parce of the (bereite   | C OY REPORT FOR CONTRACTOR. IT SOF B | rigation, subs  | manber of acres to be unight  | <b>sd</b> )   |
|---|--------------------------------------|-----------------|---|---|
| See attached Exhibit "A" a  | and as shown on th                   | e map th:       | at accompanied Ap   | oplication No. 72695.   |
|   |                                      |                 |   |   |
| Existing place of use (Describe)<br>removed from prigation.)  | by logal subdivisions. If alway      | Ring place of u | ne and/or manner of use of it   | rigation permit, describe eccerge to be   |
| See attached Exhibit "B" (  | and as shown on th                   | e map at        | coompanying this a  | application.  |
|   |                                      |                 |   |   |
| Proposed use will be from   | January 1<br>Notes and Day           | to _            | December 31<br>Kark ed Day  | of each year.   |
| Existing use permitted from   | January 1                            | to              | December 31   | of each year.   |
| specifications of your diversi<br>flumes or drilled well, pump and monor, e   | on or storage works.)                | (State analos   | in which weter a to be dive   | be required to submit plans and<br>ted i.e. diversion sources, disclos, pipes and |
| Drilled well, pump and pip  |                                      | nine and r      | mili site.  |   |
| Estimated cost of works   | ,000,000                             |                 |   |   |
| Estimated time required to co   | instruct works 3 ye                  | ars             |   | tion for well   |
|   |                                      |                 |   |   |
| Estimated time required to co   | mplete the application               | m of wate       | If well completed or to beneficial use  |   |
| Estimated time required to co<br>Provide a detailed description<br>(Folger to provide a detailed description page   |                                      |                 | r to beneficial use   | 5 years   |
|   |                                      |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Failure to provide a detailed description name   |                                      |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Failure to provide a detailed description name   |                                      |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Failure to provide a detailed description name   |                                      |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Finter to ponde a dealed description ner<br>See attached addendum.   |                                      |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Failure to provide a detailed description name   |                                      |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Finter to ponde a dealed description ner<br>See attached addendum.   |                                      |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Finter to ponde a dealed description ner<br>See attached addendum.   | a of the proposed pro                | ject and it     | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Febre to provide a dealed description ner<br>See attached addendum.<br>Miscellaneous remarks:                                  | a of the proposed pro                |                 | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Febre to provide a detailed description ner<br>See attached addendum.<br>Miscellanceous remarks:<br>775) 358-9491<br>Pisce No. | a of the proposed pro                | ject and it     | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Febre to provide a dealed description ner<br>See attached addendum.<br>Miscellaneous remarks:<br>775) 358-9491<br>Nore No      | a of the proposed pro                | By Geor         | r to beneficial use   | 5 years   |
| Provide a detailed description<br>(Febre to provide a detailed description ner<br>See attached addendum.<br>Miscellanceous remarks:<br>775) 358-9491<br>Pisce No. | a of the proposed pro                | By Geor         | r to beneficial use<br>s water usage (use a<br>page Lindes mith<br>mark vie sta<br>tate Sdrueying Lid<br>Company Name                       | 5 years   |
| Provide a detailed description<br>(Febre to provide a detailed description ner<br>See attached addendum.<br>Miscellanceous remarks:<br>775) 358-9491<br>Pisce No. | a of the proposed pro                | By Geor         | r to beneficial use<br>s water usage (use a<br>before Lindes with<br>The other that<br>the Sorveying Lid<br>Compary Mase                    | 5 years   |
| Provide a detailed description<br>(Febre to provide a detailed description ner<br>See attached addendum.<br>Miscellanceous remarks:<br>775) 358-9491<br>Pisce No. | a of the proposed pro                | By Geor         | r to beneficial use<br>s water usage (use a<br>before usage (use a<br>before years)<br>tate Solveying Ltd<br>Compare Way<br>i E. Prater Way | 5 years<br>tachments if necessary):<br>e(SWRRS)<br>complete<br>to Box             |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: June 27, 2008, by Eureka County

Application No. 76989

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

# 76989

### EXHIBIT "A"

1 .

### Legal Description - Proposed Place of Use

| Division | Section | Township | Range    | Meridian       |
|----------|---------|----------|----------|----------------|
| All      | - 1-3   | 21N      | 50Ê      | M.D.M.         |
| All      | 10-15   | 21N      | 50E      | M.D.M.         |
| All      | 22-27   | 21N      | 50E      | M.D.M.         |
| Ali      | 34-36   | 21N      | 50E      | M.D.M.         |
| All      | 1-36    | 21N      | 51E      | M.D.M.         |
| All      | 6&7     | 21N      | 52E      | M.D.M.         |
| Alf      | 18 & 19 | 21N      | 52E      | M.D.M.         |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.         |
| Ali      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.         |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.         |
| All      | 34-36   | 22N      | 50E      | M.D.M.         |
| All      | 1-3     | 22N      | 51E      | MDM            |
| All      | 10-15   | 22N      | 51E      | M.D.M.         |
| Ali      | 20-29   | 22N      | 51E      | M.D.M.         |
| All      | 31-38   | 22N      | 51E      | M.D.M.         |
| All      | f       | 22N      | 51 1/2 E | M.D.M.         |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.         |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.         |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.         |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.         |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.         |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.         |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.         |
| All      | 34-36   | 23N      | 51E      | M.D.M.         |
| All      | 31      | 21 1/2 N | 53E      | <b>M</b> .D.M. |

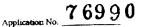
Page 1 of 1

76989

EXHIBIT "B"

# TRANSFER TABLE PERMIT NO. 9682

| TOWNSHIP | RANGE | SECTION | 1/4 | 1/4 | ACRES |
|----------|-------|---------|-----|-----|-------|
| 19N.     | 50E.  | 17      | SE  | NE  | 18.47 |
| 19N.     | 50E.  | 17      | NE  | SE  | 6.64  |
| 19N.     | 50E.  | 16      | NW  | SW  | 1.22  |
| 19N.     | 50E.  | 16      | SW  | NW  | 39.21 |
| TOTAL    |       |         |     |     | 65.54 |



### 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

| T  | HIS SPACE FOR OFFICE USE ONLY                              |
|--|--|
| Date of filing in State Engineer's Offic     | APR 2 3 2008   |
| Returned to applicant for correction         |  |
| Corrected application filed                  | Map filed JUL 1 1 2007 under 75979                         |
| The applicant Kobeh Valley Ranch             | LLC (c/o General Moly, Inc.)                               |
| 1726 Cole Blvd., Suite 115                   | of Lakewood  |
| Street Address or P.O. Box<br>Colorado 80401 | Cay or Town<br>, hereby make(s) application for permission |
|  |  |

R of a portion E Point of diversion R Place of use Menner of use

of water heretofore appropriated under (Ideanly existing right by Pennit, Catificete, Proof or Classe Nos. If Decreed, give title of Decree and entity right in Decree.)

Permit No. 11072, Certificate 2880

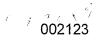
1. The source of water is underground

- Haune of straugh, lake, underground, spring or other 2. The amount of water to be changed 0.76 cfs, 322.5 acre-feet annually Second first mon-finit One second floot ageals 448 R1 gallene per minute.
- 3. The water to be used for Mining and milling prijon, parent, maring, communital, etc. If his stock, state stranber and blad of sur time a latest larget to one magor the.
- 4. The water beretofore used for Irrigation and domestic If for stock, that anymber and hand of mounts
- The water is to be diverted at the following point (Omerican as being within a 40-area subdivision of public survey and by course and distances to a found section course: If an unsurveyed land, a should be rested.) within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27°21' West a distance of 9,320 feet. (Well 206) See map supporting Application 75979.
- 6. The excisting point of diversion is located within (If post of devenues a not changed, do not answer )

the NE 1/4 of the SE 1/4 of Section 17 and the SW 1/4 of the NW 1/4 of Section 16, T 19N., R.50E., M.D.M., or at a point from which the west 1/4 corner of said Section 16 bears North 83\*59' East 429 feet and South 43\*48' East 812 feet, respectively. See Map to Accompany Proof of Beneficial Use Under Application No. 11072.



139-50



| 7. | Proposed place of use (Describe by legal subdivisions. If for imigation, state number of scree to be emigated.) |
|----|---|
|    | See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.                        |

- Existing place of use (Demarke by legal activisions. If changing place of use and/or measure of use of irrigation permit, describe an removed from irrigation ) 8. 10 be See attached Exhibit "B" and as shown on the map accompanying this application.
- January 1 to December 31 9. Proposed use will be from \_ \_\_\_\_\_ of each year. April 1 Month and Day to November 1 10. Existing use permitted from \_\_\_\_\_ of cach year.
- 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 among in which wasse is to be diverted, i.e. diversion structure, diches, pere and Bases or inited well, party and ready, etc.) Onlied well, pump and pipelines or truck to mine and mill site.
- 12. Estimated cost of works \$3,000,000
- 13. Estimated time required to construct works 3 years 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): (Febre to work a desired ensure on the proposed project and its water usage (use attachments if necessary):

See attached addendum.

16. Miscellaneous remarks:

Phone /

(775) 358-9491

glindesmith@tristateltd.com Tri State Surveying Ltd. 1925 E. Prater Way Sparks, NV 89434

Chry, State, Zip Code

**APPLICATION MUST BE SIGNED** BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: June 27, 2008, by Eureka County

Application No. 76990

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

76999

### EXHIBIT "A"

,

### Legal Description - Proposed Place of Use

| Division | Section        | Township     | Range    | Meridian |
|----------|----------------|--------------|----------|----------|
| All      | 1-3            | 21N          | 50E      | M.D.M.   |
| All      | 10-15          | 21N          | 50E      | M.D.M.   |
| All      | 22-27          | 21N          | 50E      | M.D.M.   |
| All      | 34-36          | 21N          | 50E      | M.D.M.   |
| All      | 1-36           | 21N          | 51E      | M.D.M.   |
| All      | 6&7            | 21N          | 52E      | M.D.M.   |
| Ałł      | 18 & 19        | 21N          | 52E      | M.D.M.   |
| All      | 30 & 31        | 21N          | 52E      | M.D.M.   |
| All      | 36             | 21 1/2N      | 51 1/2 E | M.D.M.   |
| All      | 31 - <b>36</b> | 21 1/2N      | 52E      | MD.M.    |
| IIA      | 34-36          | 22N          | 50E      | M.D.M.   |
| All      | 1-3            | 22N          | 51E      | M.D.M.   |
| All      | 10-15          | 22N          | 51E      | M.D.M.   |
| All      | 20-29          | 22N          | 51E      | M.D.M.   |
| All      | 31-36          | 22N          | 51E      | M.D.M.   |
| All      | 1              | 2 <b>2</b> N | 51 1/2 E | M.D.M.   |
| Aß       | 12 & 13        | 22N          | 51 1/2 E | M.D.M.   |
| AD       | 24 & 25        | 22N          | 51 1/2 E | M.D.M.   |
| AJ)      | 36             | 22N          | 51 1/2 E | M.D.M.   |
| All      | 1 - 36         | 22N          | 52E      | M.D.M.   |
| All      | 6 & 7          | 22N          | 53E      | M.D.M.   |
| All      | 18 & 19        | 22N          | 53E      | M.D.M.   |
| Ali      | 30 & 31        | 22N          | 53E      | M.D.M.   |
| All      | 34-36          | 23N          | 51E      | M.D.M.   |
| All      | 31             | 21 1/2 N     | 53E      | M.D.M.   |

Page 1 of 1

7699ø

EXHIBIT "B"

# TRANSFER TABLE PERMIT NO. 11072

| TOWNSHIP | RANGE | SECTION | 1/4 | 1/4 | ACRES  |
|----------|-------|---------|-----|-----|--------|
| 19N.     | 50E.  | 9       | SE  | SE  | 0.93   |
| 19N.     | 50E.  | 9       | SW  | SE  | 10.21  |
| 19N.     | 50E.  | 10      | SW  | SW  | 9.76   |
| 19N.     | 50E.  | 15      | NE  | NW  | 16.42  |
| 19N.     | 50E.  | 15      | NW  | NW  | 18.33  |
| 19N.     | 50E.  | 16      | NW  | NW  | 18.38  |
| 19N.     | 50E.  | 16      | NE  | NW  | 32.76  |
| 19N.     | 50E.  | 16      | SE  | NW  | 8.16   |
| 19N.     | 50E.  | 16      | NW  | NE  | 19.10  |
| TOTAL    |       |         |     |     | 134.05 |

### AMENDED

Application No. 77171

### 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 I                  | FOR OFFICE USE ONLY  |   |
|---|-------------------------------|--|---|
| Date of filing in State Eng   | ineer's Office JUN 20         | 2008   |   |
| Returned to applicant for a   | correction JUN 26 200         | 8  |   |
| Corrected application filed   | OCT 2 3 2008                  | Map filed OCT 2 3 2008   |   |
| The applicant Kobeh Val   | ley Ranch LLC (               | c/o General Moly, Inc.)  |   |
| 1726 Cole Blvd., Suite  |                               | of Lakewood  |   |
| Colorado 80401  |                               | , hereby make(s) application for   | permission to change                    |
| Siste und Z   | ip ('ede                      |  | -                                       |
| Point of diversion  | Place of usc                  | Manner of use  | of a por                                |
| of water heretofore appropr<br>startify rgtr (is Deave.)<br>Application No. 76003 | iated under (Identify example | ngiz by Petrani, Certificano, Proof or Claura Noa – If Dec                           | rood, gave title of Decree and          |
|   |                               |  |   |
|   |                               |  |   |
|   |                               |  |   |
| The source of water is  | underground                   |  |   |
| <ol> <li>The source of water is</li> <li>The amount of water to</li> </ol>        | £ 00 4                        | Home of mean, life, underground, spring or other anno<br>1280.00 acre-feet ann ually | ini |

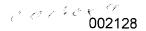
3. The water to be used for <u>Mitting and milling</u> Ingular, power, many, connected, et: If in stat, size randor and had of entrals. Now limit to one response.

4. The water heretofore used for Mining and milling

5. The water is to be diverted at the following point (Describe to being waters #Form todawings of public survey and by norms and destances to a found vectors across If an unmanipulated, a kind be based.) Within the SE 1/4 of the NW 1/4 of Section 19 of T 22N, R 51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 07\*25' West a distance of 14,570 feet. (Well 214)

6. The existing point of diversion is located within (it point of diversion is not changed, do not enswer.)

the SW 1/4 of the SW 1/4 of Section 21, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 43°28' West a distance of 15,620 feet. (Well 204). See map that accompanied Application No. 75979.



| 7.  |   |           |
|-----|---|-----------|
|     | See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.  |           |
|     |   |           |
|     |   |           |
|     | Printing name of the Annual   |           |
| •   | Existing place of use (Describe by logal modificiations. If changing place of use under number of use of arguing pertain describe acrosses to be<br>removed from wrightion }  |           |
|     | The place of use is not changed.  |           |
|     |   |           |
|     |   |           |
|     | Proposed use will be from January 1 to December 31 of each year.  |           |
|     | Month and Day Month and Day   |           |
| 0.  | Existing use permitted from January 1 to December 31 of each year.  |           |
|     | 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.)(Such measure as whether is to be dwared, i.e. dwarins excluse, databas, pipes and  |           |
|     | Burnes or distilled west, pump and measor, sec.)  |           |
|     | Drilled well, pump and pipelines or truck to mine and mill site.  |           |
| 2.  | Estimated cost of works \$3,000,000   |           |
| 3.  | Estimated time required to construct works 3 years  |           |
| 4   | Estimated time required to complete the application of water to beneficial use 5 years  |           |
| 5.  | Provide a detailed description of the proposed project and its water usage (use attachments if necessary).<br>(Failer in provide visibility description may cause a deny a processore.)   |           |
|     | See attached addendum   |           |
|     |   |           |
|     |   |           |
|     | N N   |           |
|     |   |           |
| 6.  | Miscellancous remarks:<br>T5) 358-9491<br>By Debra D. Mauter, C.S.T.  | -73<br>ET |
|     | 75) 358-9491<br>Phone No<br>Phone | CEIVE     |
|     |   |           |
| {7  | 75) 358-9491 By Debra D. Mauter, C.S.T.   | 17.       |
|     | Provide No.   |           |
| Ď   | Maurer @tristateltd.com   |           |
|     | E.mol Tri State Surveying Ltd.  |           |
|     | 1925 E. Prater Way<br>Seet Address of 70 Box  |           |
|     | Sparks, NV 89434  |           |
|     | PPLICATION MUST BE SIGNED Gay, State, Zap Good  |           |
| 3 Y | ' THE APPLICANT OR AGENT  |           |

### \$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: December 23, 2008, by Eureka County

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# 77171

EXHIBIT "A". PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

{ x

| Division | Section       | Township | Range       | Meridian    |
|----------|---------------|----------|-------------|-------------|
| All      | 1-3           | 21N      | 50E         | M.D.M.      |
| Ali      | 10-15         | 21N      | 50E         | M.D.M.      |
| AU       | 22-27         | 21N      | 50E         | M.D.M.      |
| АЛ       | 34-36         | 21N      | 50E         | M.D.M.      |
| All      | 1-3 <b>6</b>  | 21N      | 51É         | ,<br>M.D.M. |
|          |               |          |             |             |
| Afi      | 6 & 7         | 21N      | 52E         | M.D.M.      |
| All      | 18 & 19       | 21N      | 52E         | M.D.M.      |
| All      | 30 & 31       | 21N      | 52E         | M.D.M.      |
| All      | 36            | 21 1/2N  | 51 1/2 E    | M.D.M.      |
| All      | 31 - 36       | 21 1/2N  | 52E         | M.D.M.      |
| All      | 34-36         | 22N      | 50 <b>E</b> | M.D.M.      |
| AJI      | 1-3           | 22N      | 51E         | M.D.M.      |
| All      | 10-15         | 22N      | 51E         | M.D.M.      |
| All      | 20-29         | 22N      | 51E         | M.D.M.      |
| AH       | 31-3 <b>6</b> | 22N      | 51E         | M.D.M.      |
| <b>L</b> | 1             | 22N      | 51 1/2 E    | M.D.M.      |
| All      | 12 & 13       | 22N      | 51 1/2 E    | M.D.M.      |
| All      | 24 & 25       | 22N      | 51 1/2 E    | M.D.M.      |
| Ali      | 36            | 22N      | 51 1/2 E    | M.D.M.      |
| AH       | 1 - 36        | 22N      | 52E         | M.D.M.      |
| All      | 6 & 7         | 22N      | 53E         | M.D.M.      |
| Ali      | 18 & 19       | 22N      | 53E         | M.D.M.      |
| All      | 30 & 31       | 22N      | 53E         | M.D.M.      |
| All      | 34-36         | 23N      | 51E         | M.D.M.      |
| Ałł      | 31            | 21 1/2 N | 53E         | M.D.M.      |

STATE ENGINEERS OFFICE

Page 1 of 1

# RECEIVED MI JUN 20 PH 3: 24 STATE ENGINEERS OFFICE

### ADDENDUM TO ITEM 15 - "REMARKS"

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This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

RECEIVED 1001 JUN 20 PH 3: 24 STATE ENGINEERS OFFICE

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### AMENDED

Application No. 77174

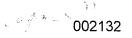
### APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

|   | 1110 007  | CE FOR OFFICE USE ONLY  |
|---|---|---|
| D                                       | ate of filing in State Engineer's Office JU   | N 20 2008   |
| R                                       | sturned to applicant for correctionJUN 26   | 5 2008  |
| С                                       | prrected application filed OCT 2 3 200  | 8 Map filed OCT 2 3 2008 under 77171  |
| The                                     | applicant Koben Valley Ranch LLC  | (c/o General Moly, Inc.)  |
| 1                                       | 726 Cole Blvd., Suite 115   | of Lakewood   |
| c                                       | olorado 80401   | City or Toers   |
|   | State and Zap Code  | hereby make(s) application for permission to change the   |
| X                                       | Point of diversion Place of u   | se 🗖 Massingrof use 🗌 of a portion  |
| Ąţ                                      | plication No. 76485   |   |
| Ą                                       | plication No. 76485   |   |
| •                                       | plication No. 76485   |   |
| )                                       |   | Name of essen, labe, underground, gring or othe unerose<br>of 8, 332 64 acre-feet annually<br>Second Feet, uner lied One second fort comit 448 25 gallors per menute.   |
| 1                                       | The source of water is Underground<br>The amount of water to be changed 2.45 of<br>The water to be used for Mining and milli  | Stephology acre-feet annually<br>Second feet, acre-feet One second feet opeals 446 27 gallons per minute.   |
| 1<br>2.<br>3.                           | The source of water is Underground<br>The amount of water to be changed 2.45 of<br>The water to be used for Mining and milli  | Cfs, 332 64 acre-feet annually<br>Geomotiles, acre-feet One second for could 446 10 gallons per minute.<br>Mg<br>minung, commenced, de. If for stock, state member and ford of energies. Must likel to one response.  |
| A <b>F</b><br>1<br>2.<br>3.<br>4.<br>5. | The source of water is <u>underground</u><br>The amount of water to be changed <u>2.45</u> of<br>The water to be used for <u>Mining and milli</u><br><del>Bradios, power</del> .<br>The water heretofore used for <u>Mining and</u> | Second lice, are led on view for could 448 20 pallons per minute     Second lice, are led on view for could 448 20 pallons per minute     milling     The sock, state member and tend of another Mark limit to one major vec     milling     The sock, state number and tend of another servey and by counts and     point (Describe as being within a 40-are minder serve of public servey and by counts and |

Within the NE 1/4 of the NE 1/4 of Section 36 of T.22N., R 50E., M D.M., or at a point from which the southeast corner of said Section 36 bears South 00°30' East a distance of 4805 feet. (Well 228)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

the NW 1/4 of the SW 1/4 of Section 26, T.22N., R 50E., M D.M., or at a point from which the northwest corner of Section 2, T.21N., R.50E., M.D.M. bears South 10°26' West a distance of 6,760 feet. (Well 209). See map that accompanied Application No. 75979.



|           | Proposed place of tise (Describe by legal modersizes ) If for myseon, state number of screet to be engeted.)   |
|-----------|--|
|           | See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.   |
|           | Existing place of use (Describe by legal subdivisions: If disregue, place of see order senses of see of prigation partial, describe sorange to be reserved from ingerion.<br>The place of use is not changed.  |
|           | Proposed use will be from January 1 to December 31 of each year.   |
| ^         | Words and Day Minist Day   |
|           | Month and Day North and Day  |
| 1.        | Description of proposed works. (Under the provision of NRS 535 010 you may be required to submit plans and specifications of your diversion structure, discher, piper and discrete diversion at the diversion structure, discher, piper and discrete diversion structure, discher, piper and discrete diversion structure, discrete diversion structure, discher, piper and discrete diversion structure, and discrete diversion structure, discrete diversion stru |
|           | Drilled well, pump and pipelines or truck to mine and mill site.   |
| 2.        | Estimated cost of works \$3,000,000  |
| 3.        | Estimated time required to construct works 3 years   |
| 4         | Estimated time required to complete the application of water to beneficial use 5 years   |
|           |  |
| 5.        | Provide a detailed description of the proposed project and its water usage (use attachments if Decessary):<br>(Fallow is provide a detailed description may source a delay as processing.)   |
| 5.        | Provide a detailed description of the proposed project and its water usage (use attachments if necessary):<br>(Falses is provide a detailed description may cause a delay at processing.)<br>See attached addendum   |
| 15.       | See attached addendum  |
| 16.       | See attached addendum     Site of the state                            |
| 16.<br>(7 | See attached addendum     STATE ENGINE                            |
| 16.       | See attached addendum     Si S   |
| 16.<br>(7 | See attached addendum     Sign 20       Miscellancous remarks:     Provide National State Provide State Surveying Ltd.   |

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: December 23, 2008, by Eureka County

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RECEIVED 2001 JUN 20 PH 3: 24 STATE ENGINEERS OFFICE

| Division | Section | Tourstin    | Bassa    | Man dia a |
|----------|---------|-------------|----------|-----------|
| Christon | Section | Township    | Range    | Mendian   |
| All      | 1-3     | 21N         | 50E      | M.D.M.    |
| All      | 10-15   | 21N         | 50E      | M.D.M.    |
| All      | 22-27   | 21N         | 50E      | M.D.M.    |
| All      | 34-36   | 21N         | 50E      | M.D.M.    |
| All      | 1-38    | 21N         | 51E      | M.D.M.    |
| Ali      | 6 & 7   | 21N         | 52E      | M.D.M.    |
| All      | 18 & 19 | 21N         | 52E      | M.D.M.    |
| Ali      | 30 & 31 | 21N         | 52E      | M.D.M.    |
| All      | 35      | 21 1/2N     | 51 1/2 E | M.D.M.    |
| All      | 31 - 36 | 21 1/2N     | 52E      | M.D.M.    |
| All      | 34-36   | 22N         | 50E      | M.D.M.    |
| All      | 1-3     | 22N         | 51E      | M.D.M.    |
| A)I      | 10-15   | 22N         | 51E      | M.D.M.    |
| All      | 20-29   | 2 <b>2N</b> | 51E      | M.D.M.    |
| All      | 31-38   | 22N         | 51E      | M.D.M.    |
| Al       | 1       | 22N         | 51 1/2 E | M.D.M.    |
| All      | 12 & 13 | 22N         | 51 1/2 E | M.D.M.    |
| All      | 24 & 25 | 22N         | 51 1/2 E | M.D.M.    |
| All      | 36      | 22N         | 51 1/2 E | M.D.M.    |
| Ali      | 1 - 36  | 22N         | 52E      | M.D.M.    |
| Ali      | 6 & 7   | 22N         | 53E      | M.D.M.    |
| Ali      | 18 & 19 | 22N         | 53E      | M.D.M.    |
| All      | 30 & 31 | 22N         | 53E      | M.D.N.    |
| All      | 34-36   | 23N         | 51E      | M.D.M.    |
| Ali      | 31      | 21 1/2 N    | 53E      | M.D.M.    |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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STATE ENGINEERS OFFICE

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Page 1 of 1

# 77175

| Division | Section      | Township | Range       | Meridian |
|----------|--------------|----------|-------------|----------|
| All      | 1-3          | 21N      | 50E         | M.D.M.   |
| IIA.     | 10-15        | 21N      | 50E         | M.D.M.   |
| Ali .    | 22-27        | 21N      | 50E         | M.D.M.   |
| Al       | 34-36        | 21N      | 50E         | M.D.M.   |
| All      | 1-3 <b>6</b> | 21N      | 51E         | M.D.M.   |
| ILA      | 6 & 7        | 21N      | 52E         | M.D.M.   |
| All      | 18 & 19      | 21N      | 52E         | M.D.M.   |
| All      | 30 & 31      | 21N      | 52E         | M.D.M.   |
| All      | 36           | 21 1/2N  | 51 1/2 E    | M.D.M.   |
| All      | 31 - 36      | 21 1/2N  | 52E         | M.D.M.   |
| All      | 34-36        | 22N      | 50 <b>E</b> | M.D.M.   |
| Aß       | 1-3          | 22N      | 51E         | M.D.M.   |
| All      | 10-15        | 22N      | 51E         | M.D.M.   |
| Ali      | 20-29        | 22N      | 51E         | N.D.M.   |
| Ali      | 31-38        | 22N      | 51E         | M.D.M.   |
| All      | 1            | 22N      | 51 1/2 E    | M.D.M.   |
| Ali      | 12 & 13      | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25      | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 36           | 22N      | 51 1/2 E    | M.D.M.   |
| Ali      | 1 - 36       | 22N      | 52E         | M.D.M.   |
| All      | 6 & 7        | 22N      | 53E         | M.D.M.   |
| Ali      | 18 & 19      | 22N      | 53E         | M.D.M.   |
| Ali      | 30 & 31      | 22N      | 53E         | M.D.M.   |
| AN       | 34-36        | 23N      | 51E         | M.D.M.   |
| All      | 31           | 21 1/2 N | 53E         | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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STATE ENGINEERS OFFICE

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Page 1 of 1

Application No. 77175

### ADDENDUM TO ITEM 15 - "REMARKS"

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This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

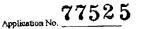
Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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### 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

| State and                   | Cup Code       |           |                             | Tof a portio               |
|-----------------------------|----------------|-----------|-----------------------------|----------------------------|
| Colorado 80401              | - <u>.</u>     |           | ereby make(s) application f | or permission to change th |
| Deset Address               | r P.O. Bax     |           | Cuty or Te                  | (7%)                       |
| 1726 Cole Blvd., Suite      | 115            | of        | Lakewood                    |                            |
| he applicant Kobeh Va       | lley Ranch LLC | (c/o Gen  | eral Moly, inc.)            |                            |
| Corrected application file  | t              | Map filed | OCT 2 3 2008unde            | er 77171                   |
| Returned to applicant for   |                |           |                             |                            |
| Date of filing in State Eng | ineer's Office | 2 3 20    |                             |                            |
|                             | THIS SPACE     | FOR OFF   | FICE USE ONLY               |                            |

of water heretofore appropriated under (identify existing right by Pennic, Centioner, Proof or Claim Non. If Decreed, give this of Decree and identify right to Decree.) Application No. 75990

- 1. The source of water is underground
- The sound of water to be changed
   1.0 cfs, 272.64 acro-feet annually
   Second for water to be changed
   1.0 cfs, 272.64 acro-feet annually
- 3. The water to be used for <u>Mining and milling</u> Implies, conver, where, conversit, etc. If for stort, the mander and find of annuals. Must least to our major size
- 4. The water heretofore used for Mining and milling
- The water is to be diverted at the following point (Describe is being within a 40-are indefining of public survey and by course and database to a found section caract. If an unsurveyed last, it should be insted.)
   Within the SW 1/4 of the NE 1/4 of Section 3, T.21N., R.50E., M.D.M., or at a point from which the northeast corner of said Section 3 bears North 44\*40' East a distance of 3180 feet. (Well 220)
- 6. The existing point of diversion is located within (if print of diversion is not changed, do not surver.)

the NW 1/4 of the SE 1/4 of unsurveyed Section 13, T.22N., R.50E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 07\*27' East a distance of 18,695 feet. (Well 207) See map that accompanied Application No. 75979.

32-512

(9 7 Ex 97 002137

| 7. | Proposed place of use (Describe by legal subdivisions. If for irrigation, state sumber of scree to be irrigated.) |     |
|----|---|-----|
|    | See attached Exhibit "A" and as shown on the map that accompanied Application No. 726                             | 95. |

- Existing place of use (Describe by legal reddivisions. If changing place of use adder masses of use of irrigation permit, describe accesses to reason of from irrigation.)
   The place of use is not changed.
- 9. Proposed use will be from
   January 1
   to
   December 31
   of each year.

   10
   Existing use permitted from
   January 1
   to
   December 31
   of each year.

   Work and Day
   More and Day
   to
   December 31
   of each year.
- 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.)(Sawa cannor in which water a to be diversed, i.e. diversion structure, darber, pipes and flurane or drilled well, pump and mater, as ) Drilled well, pump and pipelines or truck to mine and mill site.
- 12 Estimated cost of works \$3,000,000
- 13. Estimated time required to construct works 3 years
- 14. Estimated time required to complete the application of water to beneficial use 5 years
- Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Patrone to provide a dealled description may cause a deay or processing.)

See attached addendum.

16. Miscellaneous remarks:

glindesmith@tristateltd.com

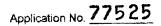
(775) 358-9491

STAJE ENGIN 2008 OCT 23 PH 12 RECE 5 Tri State Surveying Ltd 1925 E. Prater Way Sparks, NV 89434 City, State, Zip Cod

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: December 23, 2008, by Eureka County



### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

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The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

| Division    | Section | Township | Range    | Meridian |
|-------------|---------|----------|----------|----------|
| All         | 1-3     | 21N      | 50E      | M.D.M.   |
| All         | 10-15   | 21N      | 50E      | M.D.M.   |
| All         | 22-27   | 21N      | 50E      | M.D.M.   |
| <b>I</b> IA | 34-36   | 21N      | 50E      | M.D.M.   |
| All         | 1-36    | 21N      | 51E      | M.D.M.   |
| Ail         | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All         | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All         | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All         | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Alt         | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| AR          | 34-38   | 22N      | 50E      | M.D.M.   |
| Alt         | 1-3     | 22N      | 51E      | M.D.M.   |
| AN          | 10-15   | 22N      | 51E      | M.D.M.   |
| All         | 20-29   | 22N      | 51E      | M.D.M.   |
| All         | 31-36   | 22N      | 51E      | M.D.M.   |
| All         | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All         | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| Ali         | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All         | 36      | 22N      | 51 1/2 E | M.D.M.   |
| Ali         | 1 - 36  | 22N      | 52E      | M.D.M.   |
| Alt         | 6 & 7   | 22N      | 53E      | M.D.M.   |
| Alf         | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All         | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All         | 34-36   | 23N      | 51E      | M.D.M.   |
| All         | 31      | 21 1/2 N | 53E      | M.D.M.   |

. \* EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

### IN THE SUPREME COURT OF THE STATE OF NEVADA

EUREKA COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF NEVADA; KENNETH F. BENSON, INDIVIDUALLY; DIAMOND CATTLE COMPANY, LLC, A NEVADA LIMITED LIABILITY COMPANY; AND MICHEL AND MARGARET ANN ETCHEVERRY FAMILY, LP, A NEVADA REGISTERED FOREIGN LIMITED PARTNERSHIP,

Appellants,

vs.

THE STATE OF NEVADA STATE ENGINEER; THE STATE OF NEVADA DIVISION OF WATER RESOURCES; AND KOBEH VALLEY RANCH, LLC, A NEVADA LIMITED LIABILITY COMPANY,

Respondents.

### JOINT APPENDIX Volume 13

KAREN A. PETERSON, NSB 366 <u>kpeterson@allisonmackenzie.com</u> JENNIFER MAHE, NSB 9620 <u>jmahe@allisonmackenzie.com</u> DAWN ELLERBROCK, NSB 7327 <u>dellerbrock@allisonmackenzie.com</u> ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.

Case No. 61324 Electronically Filed Dec 27 2012 09:51 a.m. District Court Case Tracie K. Lindeman CV 1108-15; CV 1 Clerk of Supreme Court CV 1108-157; CV 1112-164; CV 1112-165; CV 1202-170 402 North Division Street Carson City, NV 89703 (775) 687-0202

and

THEODORE BEUTEL, NSB 5222 tbeutel@eurekanv.org Eureka County District Attorney 702 South Main Street P.O. Box 190 Eureka, NV 89316 (775) 237-5315

Attorneys for Appellant, EUREKA COUNTY

# CHRONOLOGICAL APPENDIX TO APPEAL FROM JUDGMENT

| DOCUMENT  | DATE       | VOL | JA NO.  |
|---|------------|-----|---------|
| Petition for Judicial Review  | 08/08/2011 | 1   | 01-06   |
| Notice of Verified Petition for Writ of<br>Prohibition, Complaint and Petition for<br>Judicial Review | 08/10/2011 | 1   | 07- 08  |
| Verified Petition for Writ of<br>Prohibition, Complaint and Petition for<br>Judicial Review           | 08/10/2011 | 1   | 09-59   |
| Summons and Proof of Service, Kobeh<br>Valley Ranch, LLC  | 08/11/2011 | 1   | 60-62   |
| Summons and Proof of Service, Jason<br>King   | 08/11/2011 | 1   | 63-65   |
| Affidavit of Service by Certified Mail  | 08/11/2011 | 1   | 66-68   |
| Notice of Petition for Judicial Review  | 08/11/2011 | 1   | 69-117  |
| Summons and Proof of Service, Kobeh<br>Valley Ranch, LLC  | 08/15/2011 | 1   | 118-120 |
| Summons and Proof of Service, Jason<br>King   | 08/15/2011 | 1   | 121-123 |
| Summons and Proof of Service, The<br>State of Nevada  | 08/17/2011 | 1   | 124-128 |
| First Additional Summons and Proof of<br>Service, State Engineer, Division of<br>Water Resources      | 08/17/2011 | 1   | 129-133 |
| Order Allowing Intervention of Kobeh<br>Valley Ranch, LLC, to Intervene as a<br>Respondent            | 09/14/2011 | 1   | 134-135 |

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| DOCUMENT   | DATE       | VOL  | JA NO.    |
|--|------------|------|-----------|
| Partial Motion to Dismiss, Notice of<br>Intent to Defend   | 09/14/2011 | 1    | 136-140   |
| Order Allowing Intervention of Kobeh<br>Valley Ranch, LLC, as a Party<br>Respondent  | 09/26/2011 | 1    | 141-142   |
| Answer to Verified Petition for Writ of<br>Prohibition, Complaint and Petition for<br>Judicial Review by Kobeh Valley<br>Ranch, LLC  | 09/28/2011 | 1    | 143-149   |
| Answer to Petition for Judicial Review<br>by Kobeh Valley Ranch, LLC   | 09/29/2011 | 1    | 150-154   |
| Answer to Petition for Judicial Review<br>by Kobeh Valley Ranch, LLC   | 09/29/2011 | 1    | 155-160   |
| Order Directing the Consolidation of<br>Action CV1108-156 and Action No.<br>CV1108-157 with Action CV1108-155                        | 10/26/2011 | 1    | 161-162   |
| Summary of Record on Appeal  | 10/27/2011 | 2-26 | 163-5026  |
| Request for and Points and Authorities<br>in Support of Issuance of Writ of<br>Prohibition and in Opposition to<br>Motion to Dismiss | 11/10/2011 | 27   | 5027-5052 |
| Order Setting Briefing Schedule  | 12/02/2011 | 27   | 5053-5055 |
| Reply in Support of Partial Motion to<br>Dismiss and Opposition to Request for<br>Writ of Prohibition                                | 12/15/2011 | 27   | 5056-5061 |

| DOCUMENT  | DATE       | VOL   | JA NO.    |
|---|------------|-------|-----------|
| Kobeh Valley Ranch's Reply to<br>Conley/Morrison's Request for and<br>Points and Authorities in Support of<br>Issuance of Writ of Prohibition and in<br>Opposition to Motion to Dismiss | 12/15/2011 | 27    | 5062-5083 |
| Kobeh Valley Ranch's Joinder in the<br>State of Nevada and Jason King's<br>Partial Motion to Dismiss  | 12/15/2011 | 27    | 5084-5086 |
| Petition for Judicial Review  | 12/29/2011 | 27    | 5087-5091 |
| Petition for Judicial Review  | 12/30/2011 | 27    | 5092-5097 |
| Summons and Proof of Service, The<br>State of Nevada  | 01/11/2012 | 27    | 5098-5100 |
| First Additional Summons and Proof of<br>Service, State Engineer, Division of<br>Water Resources  | 01/11/2012 | 27    | 5101-5103 |
| First Amended Petition for Judicial<br>Review   | 01/12/2012 | 27    | 5104-5111 |
| Opening Brief of Conley Land &<br>Livestock, LLC and Lloyd Morrison   | 01/13/2012 | 27    | 5112-5133 |
| Petitioners Kenneth F. Benson,<br>Diamond Cattle Company, LLC, and<br>Michel and Margaret Ann Etcheverry<br>Family LP's Opening Brief   | 01/13/2012 | 27    | 5134-5177 |
| Eureka County's Opening Brief   | 01/13/2012 | 27    | 5178-5243 |
| Eureka County's Summary of Record<br>on Appeal - CV1112-0164  | 01/13/2012 | 28    | 5244-5420 |
| Eureka County's Supplemental<br>Summary of Record on Appeal -<br>CV1108-155   | 01/13/2012 | 29-30 | 5421-5701 |

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| DOCUMENT  | DATE       | VOL | JA NO.    |
|---|------------|-----|-----------|
| Order Granting Extension  | 01/26/2012 | 31  | 5702-5703 |
| Answer to Petition for Judicial Review  | 01/30/2012 | 31  | 5704-5710 |
| Answer to First Amended Petition for Judicial Review  | 01/30/2012 | 31  | 5711-5717 |
| Supplemental Petition for Judicial<br>Review  | 01/31/2012 | 31  | 5718-5720 |
| Petition for Judicial Review  | 02/01/2012 | 31  | 5721-5727 |
| Summary of Record on Appeal   | 02/03/2012 | 31  | 5728-5733 |
| Record on Appeal, Vol. I, Bates<br>Stamped Pages 1-216  | 02/03/2012 | 31  | 5734-5950 |
| Record on Appeal, Vol. II, Bates<br>Stamped Pages 217-421   | 02/03/2012 | 32  | 5951-6156 |
| Record on Appeal, Vol. III, Bates<br>Stamped Pages 422-661  | 02/03/2012 | 33  | 6157-6397 |
| Answer to Petition to Judicial Review   | 02/23/2012 | 34  | 6398-6403 |
| Answering Brief   | 02/24/2012 | 34  | 6404-6447 |
| Respondent Kobeh Valley Ranch,<br>LLC's Answering Brief   | 02/24/2012 | 34  | 6448-6518 |
| Reply Brief of Conley Land &<br>Livestock, LLC and Lloyd Morrison   | 03/28/2012 | 34  | 6519-6541 |
| Petitioners Kenneth F. Benson,<br>Diamond Cattle Company, LLC, and<br>Michel and Margaret Ann Etcheverry<br>Family LP's Reply Brief | 03/28/2012 | 34  | 6542-6565 |
| Eureka County's Reply Brief   | 03/28/2012 | 34  | 6566-6638 |

| DOCUMENT   | DATE       | VOL | JA NO.    |
|--|------------|-----|-----------|
| Transcript for Petition for Judicial<br>Review   | 04/03/2012 | 35  | 6639-6779 |
| Corrected Answering Brief  | 04/05/2012 | 35  | 6780-6822 |
| Findings of Fact, Conclusions of Law,<br>and Order Denying Petitions for<br>Judicial Review                    | 06/13/2012 | 36  | 6823-6881 |
| Notice of Entry of Findings of Fact,<br>Conclusions of Law, and Order<br>Denying Petitions for Judicial Review | 06/18/2012 | 36  | 6882-6944 |
| Notice of Appeal   | 07/10/2012 | 36  | 6945-6949 |
| Petitioners Benson, Diamond Cattle<br>Co., and Etcheverry Family LP's Notice<br>of Appeal                      | 07/12/2012 | 36  | 6950-6951 |
| Excerpts from Transcript of<br>Proceedings   | 10/13/2008 | 36  | 6952-6964 |

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# ALPHABETICAL APPENDIX TO APPEAL FROM JUDGMENT

| DOCUMENT  | DATE       | VOL   | JA NO.    |
|---|------------|-------|-----------|
| Affidavit of Service by Certified Mail  | 08/11/2011 | 1     | 66-68     |
| Answer to Verified Petition for Writ of<br>Prohibition, Complaint and Petition for<br>Judicial Review by Kobeh Valley<br>Ranch, LLC | 09/28/2011 | 1     | 143-149   |
| Answer to Petition for Judicial Review<br>by Kobeh Valley Ranch, LLC  | 09/29/2011 | 1     | 150-154   |
| Answer to Petition for Judicial Review<br>by Kobeh Valley Ranch, LLC  | 09/29/2011 | 1     | 155-160   |
| Answer to Petition for Judicial Review  | 01/30/2012 | 31    | 5704-5710 |
| Answer to First Amended Petition for Judicial Review  | 01/30/2012 | 31    | 5711-5717 |
| Answer to Petition to Judicial Review   | 02/23/2012 | 34    | 6398-6403 |
| Answering Brief   | 02/24/2012 | 34    | 6404-6447 |
| Corrected Answering Brief   | 04/05/2012 | 35    | 6780-6822 |
| Eureka County's Supplemental<br>Summary of Record on Appeal -<br>CV1108-155   | 01/13/2012 | 29-30 | 5421-5701 |
| Eureka County's Summary of Record<br>on Appeal - CV1112-0164  | 01/13/2012 | 28    | 5244-5420 |
| Eureka County's Opening Brief   | 01/13/2012 | 27    | 5178-5243 |
| Eureka County's Reply Brief   | 03/28/2012 | 34    | 6566-6638 |
| Excerpts from Transcript of<br>Proceedings  | 10/13/2008 | 36    | 6952-6964 |

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| DOCUMENT  | <b>DATE</b> | VOL | <u>JA NO.</u> |
|---|-------------|-----|---------------|
| Findings of Fact, Conclusions of Law,<br>and Order Denying Petitions for<br>Judicial Review   | 06/13/2012  | 36  | 6823-6881     |
| First Additional Summons and Proof<br>of Service, State Engineer, Division of<br>Water Resources  | 08/17/2011  | 1   | 129-133       |
| First Additional Summons and Proof<br>of Service, State Engineer, Division of<br>Water Resources  | 01/11/2012  | 27  | 5101-5103     |
| First Amended Petition for Judicial<br>Review   | 01/12/2012  | 27  | 5104-5111     |
| Kobeh Valley Ranch's Reply to<br>Conley/Morrison's Request for and<br>Points and Authorities in Support of<br>Issuance of Writ of Prohibition and in<br>Opposition to Motion to Dismiss | 12/15/2011  | 27  | 5062-5083     |
| Kobeh Valley Ranch's Joinder in the<br>State of Nevada and Jason King's<br>Partial Motion to Dismiss  | 12/15/2011  | 27  | 5084-5086     |
| Notice of Verified Petition for Writ of<br>Prohibition, Complaint and Petition for<br>Judicial Review   | 08/10/2011  | 1   | 07- 08        |
| Notice of Petition for Judicial Review  | 08/11/2011  | 1   | 69-117        |
| Notice of Entry of Findings of Fact,<br>Conclusions of Law, and Order<br>Denying Petitions for Judicial Review  | 06/18/2012  | 36  | 6882-6944     |
| Notice of Appeal  | 07/10/2012  | 36  | 6945-6949     |
| Opening Brief of Conley Land &<br>Livestock, LLC and Lloyd Morrison   | 01/13/2012  | 27  | 5112-5133     |

| DOCUMENT  | DATE        | VOI |               |
|---|-------------|-----|---------------|
| <u>DOCUMENT</u>   | <u>DATE</u> | VOL | <u>JA NO.</u> |
| Order Allowing Intervention of Kobeh<br>Valley Ranch, LLC, to Intervene as a<br>Respondent  | 09/14/2011  | 1   | 134-135       |
| Order Allowing Intervention of Kobeh<br>Valley Ranch, LLC, as a Party<br>Respondent   | 09/26/2011  | 1   | 141-142       |
| Order Directing the Consolidation of<br>Action CV1108-156 and Action No.<br>CV1108-157 with Action CV1108-155                         | 10/26/2011  | 1   | 161-162       |
| Order Setting Briefing Schedule   | 12/02/2011  | 27  | 5053-5055     |
| Order Granting Extension  | 01/26/2012  | 31  | 5702-5703     |
| Partial Motion to Dismiss, Notice of<br>Intent to Defend  | 09/14/2011  | 1   | 136-140       |
| Petition for Judicial Review  | 08/08/2011  | 1   | 01-06         |
| Petition for Judicial Review  | 12/29/2011  | 27  | 5087-5091     |
| Petition for Judicial Review  | 12/30/2011  | 27  | 5092-5097     |
| Petition for Judicial Review  | 02/01/2012  | 31  | 5721-5727     |
| Petitioners Kenneth F. Benson,<br>Diamond Cattle Company, LLC, and<br>Michel and Margaret Ann Etcheverry<br>Family LP's Opening Brief | 01/13/2012  | 27  | 5134-5177     |
| Petitioners Kenneth F. Benson,<br>Diamond Cattle Company, LLC, and<br>Michel and Margaret Ann Etcheverry<br>Family LP's Reply Brief   | 03/28/2012  | 34  | 6542-6565     |
| Petitioners Benson, Diamond Cattle<br>Co., and Etcheverry Family LP's<br>Notice of Appeal   | 07/12/2012  | 36  | 6950-6951     |

| DOCUMENT   | DATE       | VOL  | JA NO.    |
|--|------------|------|-----------|
| Record on Appeal, Vol. II, Bates<br>Stamped Pages 217-421  | 02/03/2012 | 32   | 5951-6156 |
| Record on Appeal, Vol. I, Bates<br>Stamped Pages 1-216   | 02/03/2012 | 31   | 5734-5950 |
| Record on Appeal, Vol. III, Bates<br>Stamped Pages 422-661   | 02/03/2012 | 33   | 6157-6397 |
| Reply in Support of Partial Motion to<br>Dismiss and Opposition to Request for<br>Writ of Prohibition                                | 12/15/2011 | 27   | 5056-5061 |
| Reply Brief of Conley Land &<br>Livestock, LLC and Lloyd Morrison  | 03/28/2012 | 34   | 6519-6541 |
| Request for and Points and Authorities<br>in Support of Issuance of Writ of<br>Prohibition and in Opposition to<br>Motion to Dismiss | 11/10/2011 | 27   | 5027-5052 |
| Respondent Kobeh Valley Ranch,<br>LLC's Answering Brief  | 02/24/2012 | 34   | 6448-6518 |
| Summary of Record on Appeal  | 10/27/2011 | 2-26 | 163-5026  |
| Summary of Record on Appeal  | 02/03/2012 | 31   | 5728-5733 |
| Summons and Proof of Service, Kobeh<br>Valley Ranch, LLC   | 08/11/2011 | 1    | 60-62     |
| Summons and Proof of Service, Jason<br>King  | 08/11/2011 | 1    | 63-65     |
| Summons and Proof of Service, Jason<br>King  | 08/15/2011 | 1    | 121-123   |
| Summons and Proof of Service, Kobeh<br>Valley Ranch, LLC   | 08/15/2011 | 1    | 118-120   |

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| <b>DOCUMENT</b>   | DATE       | VOL | JA NO.    |
|---|------------|-----|-----------|
| Summons and Proof of Service, The State of Nevada   | 08/17/2011 | 1   | 124-128   |
| Summons and Proof of Service, The State of Nevada   | 01/11/2012 | 27  | 5098-5100 |
| Supplemental Petition for Judicial Review   | 01/31/2012 | 31  | 5718-5720 |
| Transcript for Petition for Judicial<br>Review  | 04/03/2012 | 35  | 6639-6779 |
| Verified Petition for Writ of<br>Prohibition, Complaint and Petition for<br>Judicial Review | 08/10/2011 | 1   | 09-59     |

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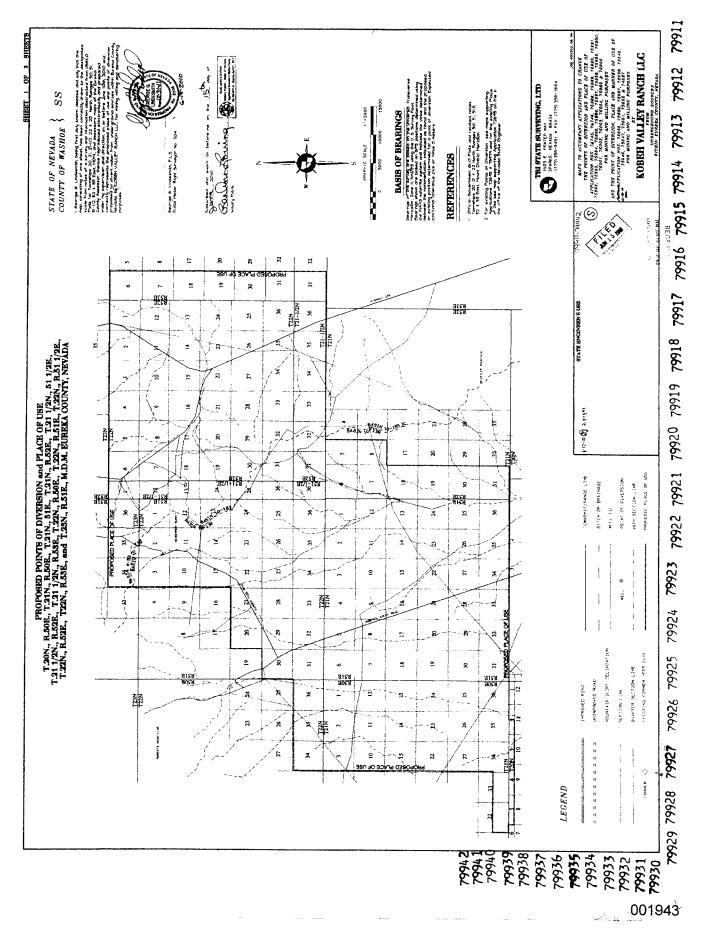
## CERTIFICATE OF APPENDIX (NRAP 30(g)(1)

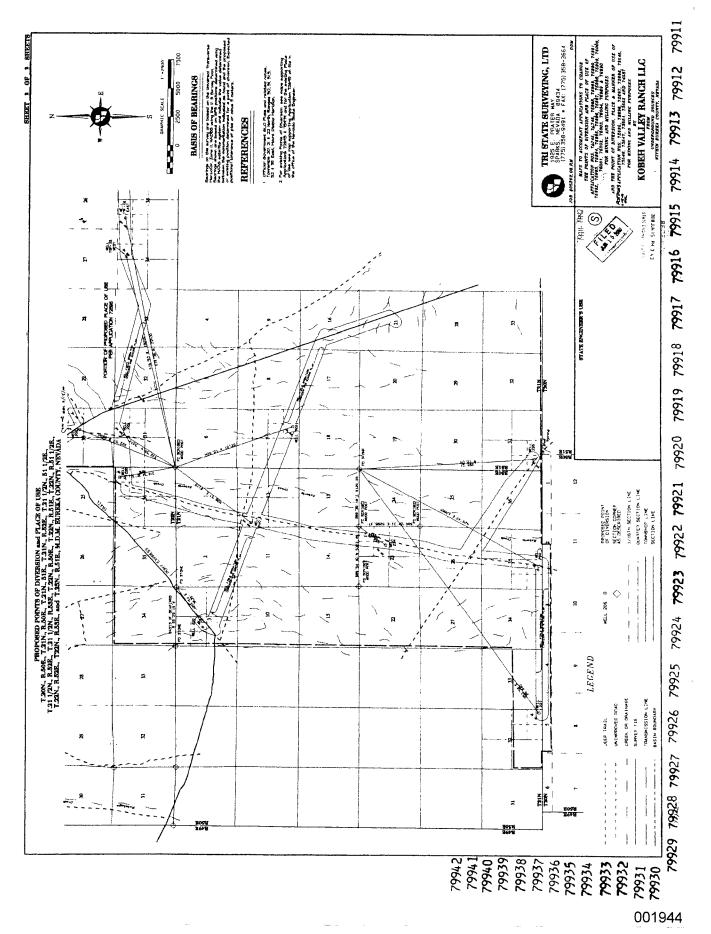
In compliance with NRAP 30(g)(1) I hereby certify that this Appendix consists of true and correct copies of the papers in the District Court file.

DATED: December 21, 2012.

/s/ KAREN A. PETERSON KAREN A. PETERSON, NSB #366 ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD. P.O. Box 646 Carson City, NV 89702

Attorneys for Appellant, EUREKA COUNTY





JA2110

#### THIRD AMENDED No. 72695 APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

| Date of filing in State Engineer's Office | MAY 03 2005 |
|---|-------------|
| Returned to applicant for correction      | MAY 24 2005 |
| Corrected application filed               | DEC 05 2005 |
| Map filed                                 | DEC 05 2005 |

#### \*\*\*\*\*

The applicant Idaho General Mines, Inc. hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

#### \*\*\*\*

1. The source of the proposed appropriation is underground

2. The amount of water applied for is 22.280 cfs/10000 gpm second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Mining, Milling and Dewatering

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point within the SE ¼ of the SE ¼ of Section 35, T. 21 N., R.51E., M.D.M. or at a point from which the southeast corner of said Section 35 bears South 45°00' East a distance of 933 feet.

6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.

7. Use will begin about January 1 and end about December 31 of each year.

8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.

9. Estimated cost of works in excess of \$3,000,000.

10. Estimated time required to construct works 3 years

11. Estimated time required to complete the application of water to beneficial use 5 years

spack4

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/ George G. Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared hk/sam

Protested

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D1946

Division Section Township Range Meridian All 1-3 21N 50E M.D.M. All 10-15 21N 50E M.D.M. All 21N 22-27 50E M.D.M. All 34-36 21N 50E M.D.M. All 1-38 21N 51E M.D.M. All 6 & 7 21N 52E M.D.M. All 18 & 19 21N 52E M.D.M. All 30 & 31 21N 52E M.D.M. All 36 21 1/2N 51 1/2 E M.D.M. All 31 - 36 21 1/2N 52E M.D.M. All 31 21 1/2N 53E M.D.M. All 34-36 22N 50E M.D.M. All 1-3 22N 51E M.D.M. All 10-15 22N 51E M.D.M. All 20-29 22N 51E M.D.M. All 31-38 22N 51E M.D.M. Alf 22N 51 1/2 E M.D.M. 1 12 & 13 Ali 22N 51 1/2 E M.D.M. All 24 & 25 22N 51 1/2 E M.D.M. Alł 36 22N 51 1/2 E M.D.M. Ali 1 - 36 22N 52E M.D.M. All 6&7 22N 53E M.D.M. All 18 & 19 22N 53E M.D.M. 30 & 31 All 22N 53E M.D.M. All 34-38 23N 51E M.D.M.

EXHIBIT "A", PROPOSED PLACE OF USE, IDAHO GENERAL MINES, INC.

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Page 1 of 1

# THIRD AMENDEDNo. 72696APPLICATION FOR PERMITTO APPROPRIATE THE PUBLIC WATERS OF THE STATE OFNEVADA

|  | MAY 03 2005   |
|--|---|
| Returned to applicant for correction   | MAY 24 2005   |
| Corrected application filed  | DEC 05 2005   |
| Map filed  | DEC 05 2005 under 72695   |
| *  | *****   |
| The applicant Idaho General Mine<br>appropriate the public waters of the State of N  | es, Inc. hereby makes application for permission to Nevada, as hereinafter stated. (attached)                                 |
| *  | ****  |
| 1. The source of the proposed appropriation is   | s underground   |
| 2. The amount of water applied for is 22.280   | cfs/10000 gpm second-feet   |
| (a) If stored in reservoir give number   | of acre-feet  |
| B. The water to be used for Mining, Milling a  | and Dewatering  |
| If use is for:   |   |
| (a) Irrigation, state number of acres to   | ) be irrigated  |
| (b) Stockwater, state number and kind  | ls of animals to be watered   |
| (c) Other use (describe fully under No   | 12. "Remarks")  |
| (d) Power:<br>(1) Horsepower developed   |   |
| (2) Point of return of water to  | stream  |
| The water is to be diverted from its source of Section 35, T. 21 N., R.51E., M.D.M. or Section 35 bears North 81° 52' East a dista | at the following point within the NW ¼ of the NW ¼<br>at a point from which the northeast corner of said<br>nce of 4667 feet. |
| Place of Use Refer to EXHIBIT "A". A lescribed sections will be used to devel<br>letermined later.                                 | maximum of approximately 90,000 acres within the<br>lop a mine and mill site. Exact location to be                            |
|  | bout December 31 of each year.  |
| 7. Use will begin about <b>January I</b> and end a   |   |
|  | ell, pump and pipelines or truck to mine and mill   |
| . Description of proposed works Drilled w  |   |
| . Description of proposed works Drilled wite.  | 0,000.  |

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ SC

Protested\_

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EXHIBIT "A", PROPOSED PLACE OF USE, IDAHO GENERAL MINES, INC.

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-38   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| Ali      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| Ail      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-38   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 38      | 22N      | 51 1/2 E | M.D.M.   |
| Ail      | 1 - 38  | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |

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| THIRD AMENDED                                    | No. 72697 |
|--|-----------|
| APPLICATION FOR PERMIT                           |           |
| TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF | NEVADA    |

| Returned to applicant for correction   | MAY 24 2005   |
|--|---|
| Corrected application filed  | DEC 05 2005   |
| Map filed  | DEC 05 2005_under 72695   |
|  | ******  |
| The applicant Idaho General M appropriate the public waters of the State o   | ines, Inc. hereby makes application for permission to f Nevada, as hereinafter stated. (attached)                                   |
|  | *****   |
| 1. The source of the proposed appropriation  | a is underground  |
| 2. The amount of water applied for is 22.2   | 80 cfs/10000 gpm second-feet  |
| (a) If stored in reservoir give number   | er of acre-feet   |
| . The water to be used for Mining, Millin  | g and Dewatering  |
| . If use is for:   |   |
| (a) Irrigation, state number of acres  | to be irrigated   |
| (b) Stockwater, state number and ki  | nds of animals to be watered  |
| (c) Other use (describe fully under N  | No. 12. "Remarks")  |
| (d) Power:<br>(1) Horsepower developed   |   |
| (2) Point of return of water t   | o stream  |
| The water is to be diverted from its source<br>f Section 35, T. 21 N., R.51E., M.D.M. c<br>ection 35 bears South 81° 52' East a dist | e at the following point within the SW ¼ of the SW ¼<br>or at a point from which the southeast corner of said<br>ance of 4667 feet. |
| Place of Use <b>Refer to EXHIBIT "A"</b> . A<br>escribed sections will be used to dev<br>etermined later.                            | a maximum of approximately 90,000 acres within the elop a mine and mill site. Exact location to be                                  |
| . Use will begin about <b>January 1</b> and end  | about <b>December 31</b> of each year.  |
| Description of proposed works Drilled  | well, pump and pipelines or truck to mine and mill  |
| Estimated cost of works in excess of \$3,0   | 00,000.   |
| ). Estimated time required to construct wor  | rks <b>3 years</b>  |
| . Estimated time required to complete the  | application of water to beneficial use 5 years  |
|  |   |
|  |   |

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By

s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ 5C

Protested \_\_\_\_

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| Division | Section      | Township        | Range    | Meridian |
|----------|--------------|-----------------|----------|----------|
| All      | 1-3          | 21N             | 50E      | M.D.M.   |
| All      | 10-15        | 21N             | 50E      | M.D.M.   |
| All      | 22-27        | 21N             | 50E      | M.D.M.   |
| All      | 34-36        | 21N             | 50E      | M.D.M.   |
| All      | 1- <b>36</b> | 21 N            | 51E      | M.D.M.   |
| All      | 6 & 7        | 21N             | 52E      | M.D.M.   |
| All      | 18 & 19      | 21N             | 52E      | M.D.M.   |
| All      | 30 & 31      | 21N             | 52E      | M.D.M.   |
| All      | 36           | 21 1/ <b>2N</b> | 51 1/2 E | M.D.M.   |
| All      | 31 - 36      | 21 1/2N         | 52E      | M.D.M.   |
| All      | 31           | 21 1/2N         | 53E      | M.D.M.   |
| All      | 34-36        | 22N             | 50E      | M.D.M.   |
| All      | 1-3          | 22N             | 51E      | M.D.M.   |
| All      | 10-15        | 22N             | 51E      | M.D.M.   |
| All      | 20-29        | 22N             | 51E      | M.D.M.   |
| All      | 31-36        | 22N             | 51E      | M.D.M.   |
| Ali      | 1            | 22N             | 51 1/2 E | M.D.M.   |
| All      | 12 & 13      | 22N             | 51 1/2 E | M.D.M.   |
| All .    | 24 & 25      | 22N             | 51 1/2 E | M.D.M.   |
| Ali      | 38           | 22N             | 51 1/2 E | M.D.M.   |
| All      | 1 - 36       | 22N             | 52E      | M.D.M.   |
| All      | 6&7          | 22N             | 53E      | M.D.M.   |
| All      | 18 & 19      | 22N             | 53E      | M.D.M.   |
| All      | 30 & 31      | 22N             | 53E      | M.D.M.   |
| All      | 34-36        | 23N             | 51E      | M.D.M.   |

Page 1 of 1

#### THIRD AMENDED No. 72698 APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

| Date of filing in State Engineer's Office   | MAY 03 2005   |
|---|---|
| Returned to applicant for correction  | MAY 24 2005   |
| Corrected application filed   | DEC 05 2005   |
| Map filed   | DEC 05 2005 under 72695   |
| ***   | *****   |
| The applicant Idaho General Mines<br>appropriate the public waters of the State of Ne | <b>5.</b> Inc. hereby makes application for permission to evada, as hereinafter stated. (attached)  |
| ***   | ****  |
| 1. The source of the proposed appropriation is  | underground   |
| 2. The amount of water applied for is 22.280 c  | fs/10000 gpm second-feet  |
| (a) If stored in reservoir give number of   | f acre-feet   |
| 3. The water to be used for Mining, Milling an  | nd Dewatering   |
| 4. If use is for:   |   |
| (a) Irrigation, state number of acres to  | be irrigated  |
| (b) Stockwater, state number and kinds  | of animals to be watered  |
| (c) Other use (describe fully under No.   | 12. "Remarks")  |
| (d) Power:<br>(1) Horsepower developed  |   |
| (2) Point of return of water to s   | tream   |
|   | at the following point within the NE <sup>1/4</sup> of the NE <sup>1/4</sup><br>at a point from which the northeast corner of sai<br>ace of 933 feet. |
|   | naximum of approximately 90,000 acres within th<br>op a mine and mill site. Exact location to b   |
| 7. Use will begin about January 1 and end ab  | bout December 31 of each year.  |
| 8. Description of proposed works Drilled we site.                                     | ll, pump and pipelines or truck to mine and mi  |
| 9. Estimated cost of works in excess of \$3,000                                       | ),000.  |
| 10. Estimated time required to construct works  | s 3 years   |
| 11. Estimated time required to complete the ap  | oplication of water to beneficial use 5 years   |
|   |   |

101954 46 D1954

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

Ву

s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ dr

Protested\_

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| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| Ali      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| Ail      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31      | 21 1/2N  | 52E      | M.D.M.   |
| All      | 25-27   | 22N      | 50E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| Ali      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| Ali      | 6-8     | 22N      | 52E      | M.D.M.   |
| All      | 13-36   | 22N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-38   | 23N      | 51E      | M.D.M.   |

Page 1 of 1

D1956

# No. 73545

| APPLICATION FOR PERMIT                                  |
|---|
| TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA |

| Corrected application filed  |   |
|--|---|
| Map filed DEC 05 2005 under 7269:  | 5                                       |
| *****  |   |
| The applicant Idaho General Mines, Inc. hereby makes application appropriate the public waters of the State of Nevada, as hereinafter stated. (attack  | for permission to<br><b>red)</b>        |
| ******   |   |
| 1. The source of the proposed appropriation is <b>underground</b>  |   |
| 2. The amount of water applied for is 22.280 cfs/10000 gpm second-feet   |   |
| (a) If stored in reservoir give number of acre-feet  |   |
| 3. The water to be used for Mining, Milling and Dewatering   |   |
| 4. If use is for:  |   |
| (a) Irrigation, state number of acres to be irrigated  |   |
| (b) Stockwater, state number and kinds of animals to be watered  |   |
| (c) Other use (describe fully under No. 12. "Remarks")   |   |
| (d) Power:<br>(1) Horsepower developed   |   |
| (2) Point of return of water to stream   |   |
| 5. The water is to be diverted from its source at the following point within the S<br>Section 10, T.20N., R.51E., M.D.M. or at a point from which the southeast<br>35 T21N., R51E M.D.M. bears North 42° 18' East a distance of 7107 feet. | E¼ of the SE¼ of<br>corner of Section   |
| 5. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,00   | 0 acres within the<br>ct location to be |
| described sections will be used to develop a mine and mill site. Exa-<br>determined later.   |   |
|  |   |
| determined later.  | to mine and mill                        |
| <ul> <li>determined later.</li> <li>7. Use will begin about January 1 and end about December 31 of each year</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck</li> </ul>                                | to mine and mill                        |
| determined later.<br>7. Use will begin about January 1 and end about December 31 of each year<br>8. Description of proposed works Drilled well, pump and pipelines or truck<br>site.   | to mine and mill                        |

D1957

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/ George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ 6C

Protested \_\_\_\_\_

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| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50Ē      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| Ail      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |

Page 1 of 1

| Date of filing in State Engin                      | neer's Office DEC 05 2005  |
|--|--|
| eturned to applicant for co                        | prrection  |
| Corrected application filed_                       |  |
| tap filed  | DEC 05 2005 under 72695  |
|  | ****   |
| The applicant Idah<br>ppropriate the public waters | o General Mines, Inc. hereby makes application for permission rs of the State of Nevada, as hereinafter stated. (attached)   |
|  | ****   |
| The source of the propose                          | ed appropriation is <b>underground</b>   |
| The amount of water appl.                          | lied for is 22.280 cfs/10000 gpm second-feet   |
| (a) If stored in reserv                            | voir give number of acre-feet  |
| The water to be used for N                         | Mining, Milling and Dewatering   |
| If use is for:                                     |  |
| (a) Irrigation, state n                            | number of acres to be irrigated  |
| (b) Stockwater, state                              | number and kinds of animals to be watered  |
| (c) Other use (describ                             | be fully under No. 12. "Remarks")  |
| (d) Power:<br>(1) Horsepow                         | ver developed  |
| (2) Point of re                                    | return of water to stream  |
| ection 11, T.20N., R.51E.,                         | d from its source at the following point within the SW¼ of the SE½, M.D.M. or at a point from which the southeast corner of Sect bears North 08° 49' East a distance of 5360 feet. |
|  | CHIBIT "A". A maximum of approximately 90,000 acres within<br>e used to develop a mine and mill site. Exact location to  |
| . Use will begin about <b>Jan</b> i                | uary 1 and end about December 31 of each year.   |
| Description of proposed v                          | works Drilled well, pump and pipelines or truck to mine and r  |
| Estimated cost of works in                         | n excess of \$3,000,000.   |
| ). Estimated time required t                       | to construct works 3 years   |
| . Estimated time required t                        | to complete the application of water to beneficial use 5 years   |

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/ George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/SC

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Protested \_\_\_\_

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| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| Ali      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| Alt      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 38      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 8 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-38   | 23N      | 51E      | M.D.M.   |

Page 1 of 1

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01962

| No. | 73547 |
|-----|-------|
|     |       |

#### APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

| Returned           | to applicant for correction  |
|--------------------|--|
| Correcte           | d application filed  |
| Map file           | dDEC 05 2005 under 72695   |
|                    | *****  |
| ]<br>appropri      | The applicant Idaho General Mines, Inc. hereby makes application for permission ate the public waters of the State of Nevada, as hereinafter stated. (attached)  |
|                    | *****  |
| 1. The sc          | surce of the proposed appropriation is <b>underground</b>  |
| 2. The ar          | nount of water applied for is 22.280 cfs/10000 gpm second-feet   |
| (;                 | a) If stored in reservoir give number of acre-feet   |
| 3. The w           | ater to be used for Mining, Milling and Dewatering   |
| 4. If use i        | s for:   |
| (2                 | i) Irrigation, state number of acres to be irrigated   |
| (t                 | ) Stockwater, state number and kinds of animals to be watered  |
| (0                 | ) Other use (describe fully under No. 12. "Remarks")   |
| (0                 | l) Power:<br>(1) Horsepower developed  |
|                    | (2) Point of return of water to stream   |
| of Sectio          | ater is to be diverted from its source at the following point within the SE½ of the NW n 11, T.20N., R.51E., M.D.M. or at a point from which the southeast corner of 5, T.21N., R.51E., M.D.M. bears North 39° 06' East a distance of 3383 feet. |
| described          | f Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the sections will be used to develop a mine and mill site. Exact location to be deter.  |
| 7. Use w           | ill begin about Janaury 1 and end about December 31 of each year.  |
| 8. Descri<br>site. | ption of proposed works Drilled well, pump and pipelines or truck to mine and mi   |
| 9. Estima          | ted cost of works in excess of \$3,000,000.  |
| 10. Estim          | ated time required to construct works 3 years  |
|                    | ated time required to complete the application of water to beneficial use 5 years  |

JA2129

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl SC

Protested

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JA2130

73547

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| Ail      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 38 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-38   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M,D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| AII      | 34-36   | 23N      | 51E      | M.D.M.   |

i i E EXHIBIT "A", PROPOSED PLACE OF USE, IDAHO GENERAL MINES, INC.

Page 1 of 1

\_\_\_\_01965

| APPLICATION FOR PERMIT                           |        |
|--|--------|
| TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF | NEVADA |

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| Retu         | rned to applicant for correction   |
|--------------|--|
| Corr         | ected application filed  |
| Мар          | filedDEC 05 2005 under 72695   |
|              | *****  |
| аррго        | The applicant Idaho General Mines, Inc. hereby makes application for permission to opriate the public waters of the State of Nevada, as hereinafter stated. (attached)   |
|              | *****  |
| I. Th        | e source of the proposed appropriation is <b>underground</b>   |
| 2. Th        | e amount of water applied for is 22.280 cfs/10000 gpm second-feet  |
|              | (a) If stored in reservoir give number of acre-feet  |
| 3. Th        | e water to be used for Mining, Milling and Dewatering  |
| l. If i      | ise is for   |
|              | (a) Irrigation, state number of acres to be irrigated  |
|              | (b) Stockwater, state number and kinds of animals to be watered  |
|              | (c) Other use (describe fully under No. 12. "Remarks")   |
|              | (d) Power:<br>(1) Horsepower developed   |
|              | (2) Point of return of water to stream   |
| of Se        | e water is to be diverted from its source at the following point within the NE¼ of the SW½<br>ction35, T.21N., R.51E., M.D.M. or at a point from which the southeast corner of said<br>on 35 bears South 59° 02' East a distance of 3848 feet. |
| lescr        | ce of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the<br>ibed sections will be used to develop a mine and mill site. Exact location to be<br>mined later.   |
| 7. Us        | e will begin about Janaury 1 and end about December 31 of each year.   |
| . De<br>ite. | scription of proposed works Drilled well, pump and pipelines or truck to mine and mil  |
| . Est        | imated cost of works in excess of \$3,000,000.   |
| 0. Es        | timated time required to construct works 3 years   |
| 1. F«        | timated time required to complete the application of water to beneficial use 5 years   |

01966

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12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ SC

Protested \_

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| Division | Section | Township | Range       | Meridian |
|----------|---------|----------|-------------|----------|
| All      | 1-3     | 21N      | 50E         | M.D.M.   |
| All      | 10-15   | 21N      | 50E         | M.D.M.   |
| All      | 22-27   | 21N      | 50E         | M.D.M.   |
| All      | 34-36   | 21N      | 50E         | M.D.M.   |
| All      | 1-36    | 21N      | 51E         | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E         | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E         | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E         | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E    | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E         | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E         | M.D.M.   |
| All      | 34-36   | 22N      | 50E         | M.D.M.   |
| All      | 1-3     | 22N      | 51E         | M.D.M.   |
| All      | 10-15   | 22N      | 51E         | M.D.M.   |
| All      | 20-29   | 22N      | 51E         | M.D.M.   |
| All      | 31-38   | 22N      | 51E         | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E         | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E         | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E         | M,D.M.   |
| All      | 30 & 31 | 22N      | 5 <b>3E</b> | M.D.M.   |
| All      | 34-38   | 23N      | 51É         | M.D.M.   |

Page 1 of 1

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|              | APPLICATION FOR PERMIT<br>TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA   |
|--------------|---|
| Da           | te of filing in State Engineer's Office DEC 05 2005   |
| Re           | rumed to applicant for correction   |
|              | rrected application filed   |
|              | p filed DEC 05 2005 under 72695   |
|              | *****   |
| app          | The applicant Idaho General Mines, Inc. hereby makes application for permission to ropriate the public waters of the State of Nevada, as hereinafter stated. (attached)   |
|              | ****  |
| 11           | he source of the proposed appropriation is <b>underground</b>   |
| 2. 1         | The amount of water applied for is 22.280 cfs/10000 gpm second-feet   |
|              | (a) If stored in reservoir give number of acre-feet   |
| 3. 1         | he water to be used for Mining, Milling and Dewatering  |
| 4. I         | fuse is for   |
|              | (a) Irrigation, state number of acres to be irrigated   |
|              | (b) Stockwater, state number and kinds of animals to be watered   |
|              | (c) Other use (describe fully under No. 12. "Remarks")  |
|              | (d) Power:<br>(1) Horsepower developed  |
|              | (2) Point of return of water to stream  |
| Sec          | he water is to be diverted from its source at the following point within the NE¼ of the NE¼ of tion 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said tion 26 hears North 45° 00' East a distance of 934 feet. |
| des          | lace of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the cribed sections will be used to develop a mine and mill site. Exact location to be ermined later.  |
| 7. T         | Se will begin about Janaury 1 and end about December 31 of each year.   |
| 8. E<br>site | Description of proposed works Drilled well, pump and pipelines or truck to mine and mill  |
| 9. E         | stimated cost of works in excess of \$3,000,000.  |
|              | Estimated time required to construct works 3 years  |
| 10.          | and required to consider works of yours   |

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ SC

Protested \_

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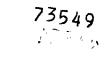


EXHIBIT "A", PROPOSED PLACE OF USE, IDAHO GENERAL MINES, INC.

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-38   | 21N      | 50E      | M.D.M.   |
| Ali      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52Ë      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 38 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| Ali      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| Ali      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |

Page 1 of 1

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| APPLICATION FOR PERMIT<br>TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA         Date of filing in State Engineer's Office       DEC 05 2005         Returned to applicant for correction       Corrected application filed         Corrected application filed       DEC 05 2005 under 72695         Map filed       State paplication for permission to appropriate the public waters of the state of for Mining, Milling and Dewatering         I fuse is for:       (a) Irrigation, state number of acres to be irrigated         (b) Stockwater, state number of acres to be irrigated       (b) Other use (describe fully under No. 12. "Remarks")  |   | No. 73550   |
|--|---|---|
| Returned to applicant for correction         Corrected application filed         Map filed       DEC 05 2005 under 72695         Map filed       DEC 05 2005 under 72695         Map filed       DEC 05 2005 under 72695         The applicant Idaho General Mines, Inc. hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (attached)         In the source of the proposed appropriation is underground   |   |   |
| Corrected application filed         Map filed       DEC 05 2005 under 72695  | Date of filing in State Engineer's Office   | DEC 05 2005   |
| Map filed       DEC 05 2005 under 72695  | Returned to applicant for correction  |   |
| <ul> <li>Trease and the public waters of the State of Nevada, as hereinafter stated. (attached)</li> <li>Trease</li> <li>The source of the proposed appropriation is underground</li> <li>The amount of water applied for is 22.280 cfs/10000 gpm second-feet <ul> <li>(a) If stored in reservoir give number of acre-feet</li> </ul> </li> <li>The water to be used for Mining, Milling and Dewatering</li> <li>If use is for: <ul> <li>(a) Irrigation, state number of acres to be irrigated</li> <li>(b) Stockwater, state number of acres to be irrigated</li> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power: <ul> <li>(e) Power:</li> <li>(f) Horsepower developed</li> <li>(f) Point of return of water to stream</li> </ul> </li> <li>Stockwater is to be diverted from its source at the following point within the NW¼ of the NW¼ of the SW¼ of t</li></ul></li></ul> | Corrected application filed   |   |
| The applicant Idaho General Mines, Inc. hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (attached)   | Map filed   | DEC 05 2005 under 72695   |
| <ul> <li>appropriate the public waters of the State of Nevada, as hereinafter stated. (attached)</li> <li>************************************</li></ul>   | *******   | **  |
| <ol> <li>The source of the proposed appropriation is underground</li> <li>The amount of water applied for is 22.280 cfs/10000 gpm second-feet         <ul> <li>(a) If stored in reservoir give number of acre-feet</li> <li>The water to be used for Mining, Milling and Dewatering</li> <li>If use is for:                 <ul></ul></li></ul></li></ol>  | The applicant Idaho General Mines, Inc. appropriate the public waters of the State of Nevada, a | hereby makes application for permission to shereinafter stated. (attached)            |
| <ol> <li>2. The amount of water applied for is 22.280 cfs/10000 gpm second-feet         <ul> <li>(a) If stored in reservoir give number of acre-feet</li> </ul> </li> <li>3. The water to be used for Mining, Milling and Dewatering</li> <li>4. If use is for:         <ul> <li>(a) Irrigation, state number of acres to be irrigated</li> <li>(b) Stockwater, state number and kinds of animals to be watered</li> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power:                 <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52° East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7 Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ol>  | ******  | **  |
| <ul> <li>(a) If stored in reservoir give number of acre-feet</li> <li>3. The water to be used for Mining, Milling and Dewatering</li> <li>4. If use is for: <ul> <li>(a) Irrigation, state number of acres to be irrigated</li> <li>(b) Stockwater, state number and kinds of animals to be watered</li> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power: <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> </ul> </li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7 Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>  | 1. The source of the proposed appropriation is underg   | round   |
| <ul> <li>3. The water to be used for Mining, Milling and Dewatering</li> <li>4. If use is for: <ul> <li>(a) Irrigation, state number of acres to be irrigated</li> <li>(b) Stockwater, state number and kinds of animals to be watered</li> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power: <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52° East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> </ul> </li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>  | 2. The amount of water applied for is 22.280 cfs/1000   | 0 gpm second-feet   |
| <ul> <li>4. If use is for:</li> <li>(a) Irrigation, state number of acres to be irrigated</li> <li>(b) Stockwater, state number and kinds of animals to be watered</li> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power: <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined fater.</li> <li>7. Use will begin about Janaary I and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>  | (a) If stored in reservoir give number of acre-fe   | et  |
| <ul> <li>(a) Irrigation, state number of acres to be irrigated</li> <li>(b) Stockwater, state number and kinds of animals to be watered</li> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power: <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW% of the NW% of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>   | 3. The water to be used for Mining, Milling and Dew   | atering   |
| <ul> <li>(b) Stockwater, state number and kinds of animals to be watered</li> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power: <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>  | 4. If use is for:   |   |
| <ul> <li>(c) Other use (describe fully under No. 12. "Remarks")</li> <li>(d) Power: <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW% of the NW% of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXH1BIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>   | (a) Irrigation, state number of acres to be irriga  | ted   |
| <ul> <li>(d) Power: <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> </li> <li>5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined fater.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>   | (b) Stockwater, state number and kinds of anim  | als to be watered   |
| <ul> <li>(1) Horsepower developed</li> <li>(2) Point of return of water to stream</li> </ul> 5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet. 6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined fater. 7. Use will begin about Janaury 1 and end about December 31 of each year. 8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.   | (c) Other use (describe fully under No. 12. "Re   | marks")   |
| <ul> <li>5. The water is to be diverted from its source at the following point within the NW¼ of the NW¼ of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>   |   |   |
| <ul> <li>of Section 26, T.21N., R.51E., M.D.M. or at a point from which the northeast corner of said Section 26 bears North 81° 52' East a distance of 4667 feet.</li> <li>6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>   | (2) Point of return of water to stream  |   |
| <ul> <li>described sections will be used to develop a mine and mill site. Exact location to be determined later.</li> <li>7. Use will begin about Janaury 1 and end about December 31 of each year.</li> <li>8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.</li> </ul>  | of Section 26, T.21N., R.51E., M.D.M. or at a poin  | f from which the northeast corner of said   |
| 8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.  | described sections will be used to develop a mi   | n of approximately 90,000 acres within the<br>ine and mill site. Exact location to be |
| site.  | 7. Use will begin about <b>Janaury</b> 1 and end about <b>Dec</b>                               | ember 31 of each year.  |
| 9. Estimated cost of works in excess of \$3,000,000.   |   | p and pipelines or truck to mine and mill   |
|  | 9. Estimated cost of works in excess of \$3,000,000.  |   |
| 10. Estimated time required to construct works 3 years   | 10. Estimated time required to construct works 3 years  |   |
| 11. Estimated time required to complete the application of water to beneficial use 5 years   | 11. Estimated time required to complete the application   | of water to beneficial use 5 years  |
|  |   | Copy ex ?   |

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12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/ George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ SC

Protested \_\_\_\_

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| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-38   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| Ali      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-38   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| Ali      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 38      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| Ali      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| Ali      | 34-36   | 23N      | 51E      | M.D.M.   |

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# No. 73551

| APPLICATION FOR PERMIT                                  |
|---|
| TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA |

| Returned to            | applicant for correction  |
|------------------------|---|
| Corrected a            | pplication filed  |
| Map filed_             | DEC 05 2005 under 72695   |
|                        | *****   |
|                        | applicant Idaho General Mines, Inc. hereby makes application for permission to the public waters of the State of Nevada, as hereinafter stated. (attached)  |
|                        | ****  |
| 1. The sour            | ce of the proposed appropriation is <b>underground</b>  |
| 2. The amo             | unt of water applied for is 22.280 cfs/10000 gpm second-feet  |
| (a) I                  | f stored in reservoir give number of acre-feet  |
| 3. The wate            | r to be used for Mining, Milling and Dewatering   |
| 4. If use is f         | òr:   |
| (a)                    | Irrigation, state number of acres to be irrigated   |
| (b) S                  | Stockwater, state number and kinds of animals to be watered   |
| (c) (                  | Other use (describe fully under No. 12. "Remarks")  |
| (d) I                  | Power:<br>(1) Horsepower developed  |
|                        | (2) Point of return of water to stream  |
| of Section 2           | r is to be diverted from its source at the following point within the NE½ of the SW½<br>26, T.21N,. R.51E., M.D.M. or at a point from which the northeast corner of said<br>bears North 45° 00' East a distance of 4667 feet. |
|                        | Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the sections will be used to develop a mine and mill site. Exact location to be later.   |
| 7. Use will            | begin about January 1 and end about December 31 of each year.   |
| 8. Descriptio<br>site. | on of proposed works Drilled well, pump and pipelines or truck to mine and mill   |
| 9. Estimated           | cost of works in excess of \$3,000,000.   |
| 10. Estimate           | d time required to construct works 3 years  |
| 11. Estimate           | d time required to complete the application of water to beneficial use 5 years  |

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ SC

Protested

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| Division | Section        | Township | Range    | Meridian |
|----------|----------------|----------|----------|----------|
| All      | 1-3            | 21N      | 50E      | M.D.M.   |
| All      | 10-15          | 21N      | 50E      | M.D.M.   |
| All      | 22-27          | 21N      | 50E      | M.D.M.   |
| All      | 34-36          | 21N      | 50E      | M.D.M.   |
| All      | 1-36           | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7          | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19        | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31        | 21N      | 52E      | M.D.M.   |
| Aił      | 38             | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Ait      | 31 - <b>36</b> | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31             | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-38          | 22N      | 50E      | M.D.M.   |
| All      | 1-3            | 22N      | 51E      | M.D.M.   |
| All      | 10-15          | 22N      | 51E      | M.D.M.   |
| All      | 20-29          | 22N      | 51E      | M.D.M.   |
| All      | 31-36          | 22N      | 51E      | M.D.M.   |
| All      | 1              | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13        | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25        | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36             | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 ~ 36         | 22N      | 52E      | M.D.M.   |
| All      | 6&7            | 22N      | 53E      | M.D.M.   |
| AII .    | 18 & 19        | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31        | 22N      | 53E      | M.D.M.   |
| All      | 34-38          | 23N      | 51E      | M.D.M.   |

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Page 1 of 1

\_\_\_\_01977

# No. 73552

| APPLICATION FOR PERMIT                             |               |
|--|---------------|
| TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF N | <b>NEVADA</b> |

| Returned to                              | o applicant for correction  |
|--|---|
| Corrected :                              | application filed   |
| Map filed_                               | DEC.05 2005 under 72695   |
|  | ****  |
| The                                      | e applicant Idaho General Mines, Inc. hereby makes application for permission to<br>the public waters of the State of Nevada, as hereinafter stated. (attached)   |
|  | ****  |
| 1. The sour                              | ce of the proposed appropriation is <b>underground</b>  |
| 2. The amo                               | unt of water applied for is 22.280 cfs/10000 gpm second-fect  |
| (a)                                      | If stored in reservoir give number of acrc-fect   |
| 3. The wate                              | er to be used for Mining, Milling and Dewatering  |
| 4. If use is t                           | for:  |
| (a)                                      | Irrigation, state number of acres to be irrigated   |
| (b)                                      | Stockwater, state number and kinds of animals to be watered   |
| (c) (                                    | Other use (describe fully under No. 12. "Remarks")  |
| (d) ]                                    | Power:<br>(1) Horsepower developed  |
|  | (2) Point of return of water to stream  |
| Section 23,                              | r is to be diverted from its source at the following point within the NE¼ of the SE¼ of .<br>T.21N., R.51E., M.D.M. or at a point from which the southeast corner of said bears South 18° 26' East a distance of 2087 feet. |
| 5. Place of 1<br>lescribed<br>letermined | Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the sections will be used to develop a mine and mill site. Exact location to be later.   |
| 7 Use will                               | begin about January 1 and end about December 31 of each year.   |
| . Descripti<br>ite.                      | on of proposed works Drilled well, pump and pipelines or truck to mine and mill   |
| . Estimated                              | t cost of works in excess of \$3,000,000.   |
| 0. Estimate                              | ed time required to construct works 3 years   |
|  | ed time required to complete the application of water to beneficial use 5 years   |

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all four existing applications and eight new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/George G Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, Nevada 89434

Compared gkl/ SC

Protested

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EXHIBIT "A", PROPOSED PLACE OF USE, IDAHO GENERAL MINES, INC.

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| Ail      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| Ali      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 8 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Aii      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-38   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M,D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |

Page 1 of 1

ı II

### No. 74587

#### APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

| Date of filing in State Engineer's Office | AUG 02 2006 |
|---|-------------|
| Returned to applicant for correction      |             |
| Corrected application filed               |             |
| Map filed                                 | AUG 21 2006 |
| •   |             |

\*\*\*\*\*\*

The applicant Idaho General Mines, Inc. hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (attached)

1. The source of the proposed appropriation is underground

2. The amount of water applied for is 22.280 cfs / 10000 gpm second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Mining, Milling and Dewatering

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point within the NE ¼ of the NW ¼ of Section 7, T. 21 N., R.52E., M.D.M. or at a point from which the southwest corner of Section 18 T21N R52E MDM bears South 9°35'20" West a distance of 10,841 feet.

6. Place of Use Refer to EXHIBIT "A". A maximum of approximately 90,000 acres within the described sections will be used to develop a mine and mill site. Exact location to be determined later.

7. Use will begin about January 1 and end December 31 of each year.

8. Description of proposed works Drilled well, pump and pipelines or truck to mine and mill site.

9. Estimated cost of works in excess of \$3,000,000.

10. Estimated time required to construct works 3 years

11. Estimated time required to complete the application of water to beneficial use 5 years

Engliger 55 001981

12. Remarks: Water will be diverted from well and will be used in mine development, dust control and milling. Aggregate total for water appropriated under all twelve existing applications and this new applications shall not exceed 22.280 cfs or 10,000 gpm combined annual duty.

By s/ George G. Lindesmith George G. Lindesmith Tri State Surveying 1925 E. Prater Way Sparks, NV 89434

Compared gkl/ dr

Protested \_

\*\*\*\*\*\*

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| Ali      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-38   | 21N      | 50E      | M.D.M.   |
| Ail      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6&7     | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 31      | 21 1/2N  | 53E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6&7     | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| Ail      | 34-36   | 23N      | 51E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, IDAHO GENERAL MINES, INC.

Page 1 of 1

### 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

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| тн  | IIS SPACE FOR OFFICE USE ONLY   |
|---|---|
| Date of filing in State Engineer's Office   | JUN 2 9 2007  |
| Returned to applicant for correction  |   |
| Corrected application filed   | Map filed JUL 1 1 2007 under 75979  |
| The applicant Kobeh Valley Ranch LL   | c   |
| 10 North Post Street, Suite 610   | of Spokane  |
| Developed No DO Dev No.   | City or Toym  |
| Washington 99201  | hereby makes application for permission to change the   |
|   |   |
| Point of Diversion, Place and Manner  | of Use  |
| of water borntofore engrangisted up der   | Dormit No. 54092  |
| of water heretofore appropriated under  | Permit No. 54093<br>Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree                          |
|   |   |
| and identify right in Decree.   |   |
| <ol> <li>The source of water is <u>undergrour</u></li> <li>The amount of water to be changed</li> </ol> | nd<br>Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 235.906 million gallons annually                                    |
|   | Second feet, acre-feet. One second foot equals 448.83 gallons per minute.   |
| 3. The water to be used for Mining a  | nd milling<br>r, minung, commercial, ctc. If for stock state number and kind of animals. Must limit to one major use.                             |
| irrigation, pose  | r, mining, commercial, etc. if for stock state number and kind of animals, blust limit to one major use.<br>Addition and Domnestic                |
| 4. The water heretofore used for Mini   | If for stock, state number and kind of animals.   |
|   | wing point within the SE 1/4 of the NW 1/4 of Section 21, T.22N.<br>Describe as being within a 40-acre subdivision of public survey and by course |
| R.51E., M.D.M., or at a point from whi  | ich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,   |
| and distance to a section corner. If on unsurveyed land, it   |   |
| bears South 41°50' West a distance of   | IT 18,200 1881. (VVCII 203)   |
|   |   |
| 6. The existing point of diversion is loca  | ted within the NE 1/4 of the SW 1/4 of Section 35, T.22N., R.50E.,  |
|   | If point of diversion is not changed, do not answer.  |
| M.D.M., or at a point from which the  | SW corner of Section 34, T.22N., R.50E., M.D.M. bears South   |
| 75°27'18" West a distance of 8022.03  | feet. Refer to map supporting Applications 54093 and 54094,   |
| filed December 19, 1989, in the State   | Engineer's Office.  |

· 0/ 1 001984

|                  |   |  |  | rigation state number of acres to be in  |  |
|------------------|---|--|--|--|--|
| ee               | attached Exhibit "A" a  | nd as shown on the ma  | p that accom   | panied Application No. 7   | 2695.  |
| •••••            |   |  |  |  |  |
|                  |   |  |  |  |  |
|                  |   |  |  |  |  |
| 3.               | Existing place of use Po  | ortions of Sections 25 &   | 26, T.22N., R  | .49E, M.D.M., portions of  | Sections 2, 3, 4   |
| 1                | 0. 11. 14. 15. 21. 22. 27.  |  |  | for irrigation, state number of acres in<br>and portions of Section  |  |
| e a              | nd/or manner of use of irrigation per   | mit, describe acreage to be removed  | from irrigation.   | and portions of occurrin   | 3 00 Q 04, 1120  |
| .5               | OE., M.D.M Refer to m   | ap supporting Applicati  | ions 54093 ar  | id 54094, filed December   | 19, 19 <b>89</b> , in  |
| 18               | State Engineer's Office   | ) <b>.</b>   |  |  |  |
|                  |   |  |  |  |  |
|                  |   |  |  |  |  |
| €.               | Use will be from  | January 1<br>Month and Day   | to   | December 31  | of each year   |
|                  |   | Month and Day  |  | Month and Day  |  |
| ).               | Use permitted from  | January 1<br>Month and Day   | to   | December 31<br>Month and Day   | of each yea  |
| Ι.               |   |  |  | 10 you may be required to sul  | mit plans and  |
|                  |   |  |  |  |  |
|                  | specifications of your dive   | ersion or storage works.)  | Drilled wel  | 1, pump and pipelines or<br>to manner in which water is to be dive   | truck to mine  |
|                  | and mill site.  |  |  |  |  |
|                  |   |  |  |  |  |
|                  | ditches and flumes, drilled well w  |  | _  |  |  |
| ₽.               | ditches and flumes, drilled well w  | ith pump and motor, etc.<br>in excess of \$3,000,00  | 0.   |  |  |
|                  | ditches and flumes, drilled well w  | in excess of \$3,000,00  | 0.<br>/6ars  |  |  |
|                  | ditches and flumes, drilled well w<br>Estimated cost of works   | in excess of \$3,000,00  |  | If well completed, describe well.  |  |
|                  | ditches and flumes, drilled well w<br>Estimated cost of works   | in excess of \$3,000,00  |  | If well completed, describe well.  |  |
| 3.               | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to   | in excess of \$3,000,00  | /68/15   |  |  |
| 3.<br>           | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to   | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | ved or annual  |
| 3.<br>           | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to   | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  |  | ved or annual  |
| ).               | diches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other th   | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | ved or annual  |
| ).               | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | ved or annual  |
| ).               | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | ved or annual  |
| ).               | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | ved or annual  |
| ).               | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | ved or annual  |
| 3.<br><br>5.<br> | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | ved or annual  |
| 3.<br>4.<br>5.   | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | 20<br>50<br>197<br>197<br>197<br>197<br>197  |
| 3.<br>4.<br>5.   | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | 20<br>50<br>197<br>197<br>197<br>197<br>197  |
| 3.<br>4.<br>5.   | ditches and flumes, drilled well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other that<br>amptive use.                                      | in excess of \$3,000,00<br>o construct works <u>3 y</u><br>o complete the application o                                  | vears  | ficial use 5 years   | 120<br>Sau<br>1907<br>   |
| 3.<br>4.<br>5.   | ditches and flumes, driffed well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other th<br>amptive use.<br>attached addendum.<br>(775) 368-948 | in excess of \$3,000,00<br>o construct works <u>3</u> y<br>o complete the application o<br>han irrigation or stock water | vears  | ficial use 5 years   | 120<br>Sau<br>1907<br>   |
| 3.<br>4.<br>5.   | ditches and flumes, drifted well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other th<br>amptive use.<br>attached addendum.                  | in excess of \$3,000,00<br>o construct works <u>3</u> y<br>o complete the application o<br>han irrigation or stock water | of water to benering, state number of benering b | ficial use <u>5 years</u><br>ber and type of units to be ser   | in<br>in<br>in<br>in<br>in<br>in<br>in<br>in<br>in<br>in<br>in<br>in<br>in<br>i  |
| 3.<br>4.<br>5.   | ditches and flumes, driffed well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other th<br>amptive use.<br>attached addendum.<br>(775) 368-948 | in excess of \$3,000,00<br>o construct works <u>3</u> y<br>o complete the application o<br>han irrigation or stock water | of water to benering, state number of benering b | ficial use 5 years<br>ber and type of units to be ser<br>where the ser<br>Signature of Agers, George (C. Dh<br>Surveying 1925 E. Prate | En altra antico de la companya de la |
| 3.<br>4.<br>5.   | ditches and flumes, driffed well w<br>Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other th<br>amptive use.<br>attached addendum.<br>(775) 368-948 | in excess of \$3,000,00<br>o construct works <u>3</u> y<br>o complete the application o<br>han irrigation or stock water | of water to bener<br>ring, state numb<br>By  | ficial use <u>5 years</u><br>ber and type of units to be ser   | En altra antico de la companya de la |

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-95)

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Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

2007 JUL 2 J . G. 3: 43

**ninessisten**isies internetice etc.

| Division | Section       | Township | Range    | Meridian        |
|----------|---------------|----------|----------|-----------------|
| Ali      | 1-3           | 21N      | 50E      | M.D.M.          |
| All      | 10-15         | 21N      | 50E      | M.D.M.          |
| All      | 22-27         | 21N      | 50E      | M.D.M.          |
| Ali      | 34-36         | 21N      | 50E      | M.D.M.          |
| All      | 1-36          | 21N      | 51E      | M.D.M.          |
| All      | 6 & 7         | 21N      | 52E      | M.D.M.          |
| All      | 18 & 19       | 21N      | 52E      | M.D.M.          |
| All      | 30 & 31       | 21N      | 52E      | M.D.M.          |
| All      | 36            | 21 1/2N  | 51 1/2 E | M.D.M.          |
| All      | 31 - 36       | 21 1/2N  | 52E      | M.D.M.          |
| Ali      | 34-36         | 22N      | 50E      | M.D.M.          |
| Ali      | 1-3           | 22N      | 51E      | M.D.M.          |
| Ali      | 10-15         | 22N      | 51E      | M.D.M.          |
| All      | 20-29         | 22N      | 51E      | M.D.M.          |
| All      | 31-3 <b>6</b> | 22N      | 51E      | M.D.M.          |
| All      | 1             | 22N      | 51 1/2 E | M.D.M.          |
| All      | 12 & 13       | 22N      | 51 1/2 E | M.D.M.          |
| All      | 24 & 25       | 22N      | 51 1/2 E | M.D.M.          |
| All      | 36            | 22N      | 51 1/2 E | M.D.M.          |
| All      | 1 - 36        | 22N      | 52E      | M.D.M.          |
| All      | 6 & 7         | 22N      | 53E      | M.D.M.          |
| All      | 18 & 19       | 22N      | 53E      | M.D.M.          |
| All      | 30 & 31       | 22N      | 53E      | M.D.M.          |
| All      | 34-36         | 23N      | 51E      | M.D. <b>M</b> . |
| All      | 31            | 21 1/2 N | 53E      | M.D.M.          |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

userse services

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Page 1 of 1

### 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

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| ·····  |   |
|--|---|
| THIS   | SPACE FOR OFFICE USE ONLY   |
| Date of filing in State Engineer's Office  | JUN 2 9 2007  |
| Returned to applicant for correction   |   |
| Corrected application filed  | Map filed JUL 1 1 2007 under 75979  |
| The applicant Kobeh Valley Ranch LLC   |   |
| 10 North Post Street, Suite 610  | of Spokane  |
| Street and No. or P.O. Bay No.   | City or Town  |
| Washington 99201   | hereby makes application for permission to change the   |
|  |   |
| Point of Diversion, Place and Manner of  | fUse  |
| of water heretofore appropriated under   | Permit No. 54094  |
| or water necessore appropriated unker  | Identify existing right by Permit, Cortificate, Proof or Claim Nos. If Decreed, give title of Decree  |
|  |   |
| and identify right in Decree.  |   |
| 3. The water to be used for Mining and   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 235.906 million gallons annually<br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.<br>I milling  |
|  | ining, commercial, etc. If for stock state number and kind of animala. Must limit to one major use.   |
| 4. The water heretofore used for Mining  | If for stock, state number and kind of animals.   |
|  | ng point within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by zourse  |
| R.51E., M.D.M., or at a point from which   | h the southwest corner of Section 31, T.22N., R.51E., M.D.M.,   |
| and distance to a section corner. If on unsurveyed land, it sho<br>bears South 27°21' West a distance of § |   |
| DEALS SUUTI LI LI WEST & UISTANCE OF   | 0,720 IEBL (11011 200)  |
| M.D.M., or at a point from which the S 1   | 4 within the SW 1/4 of the SW 1/4 of Section 22, T.22N., R.50E.,<br>If point of diversion is not changed, do not answer.<br>1/4 corner of Section 28, T.22N., R.50E., M.D.M. bears South<br>et. Refer to map supporting Applications 54093 and 54094, |
| filed December 19, 1989, in the State Er   |   |

139-EU

Lefs -001988

|                          | attached Exhibit "A" a  |  |  | igation state number of acros to be ar<br>panied Application No. 7   |  |
|--------------------------|---|--|--|--|--|
| , 1                      | 0, 11, 14, 15, 21, 22, 27   | Describe by legal sub-                                       | divisions. If permit is R.50E., M.D.M.   | .49E, M.D.M., portions of<br>for infgation, state number of scree in<br>and portions of Section                                      | rigated. If changing place of                            |
|                          |   | ·····  | tions 54093 an   | d 54094, filed December  | 19, 1989, in   |
| 1e                       | State Engineer's Office   | 8.   |  |  |  |
| <br>9.                   | Use will be from  | January 1<br>Month and Day                                   | to   | December 31<br>Morth and Day   | of each year.  |
| 0.                       | Use permitted from  | January 1<br>Month and Day                                   | to   | December 31<br>Month and Day   | of each year.  |
| 1.                       | Description of proposed   |  | ns of NRS 535.0  | 10 you may be required to sul  | bmit plans and   |
|                          |   | ersion or storage works )                                    |  | l, pump and pipelines or   |  |
|                          |   | or a cruge ( or as)  | Stat   | te manner in which water is to be dive   | ried, i.e. diversion structure                           |
|                          | and mill site.<br>disches and fumes, drilled well   | with pump and motor, etc.                                    |  |  |  |
| ^                        | Estimated cost of works   | in excess of \$3,000,00                                      | 00.  |  |  |
| 9.                       |   |  |  |  |  |
|                          | Estimated time required   | to construct works3  | years  | If well completed, describe well.  |  |
|                          | Estimated time required   | to construct works3  | years  |  |  |
| 3.<br>.4.<br>5.          | Estimated time required<br>Estimated time required  | to complete the application                                  | years<br>of water to bencl   |  | ved or annual  |
| 3.<br>(4.                | Estimated time required<br>Estimated time required<br>Remarks: For use other  | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  | vcd or annual  |
| 3.<br>4.<br>5.<br>on     | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  | ved or annual  |
| 3.<br>4.<br>5.           | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  | ved or annual  |
| 3.<br>4.<br>5.           | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  |  |
| 3.<br>4.<br>5.           | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  |  |
| 3.<br>4.<br>5.<br>on     | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  |  |
| (4.<br>15.               | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  |  |
| 3.<br>4.<br>5.<br>on     | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application                                  | years<br>of water to bencl   | ficial use <b>5 years</b>  |  |
| 3.<br>4.<br>5.<br>on     | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application<br>than irrigation or stock wate | years<br>of water to bencl   | ficial use <b>5 years</b>  |  |
| (4.<br>15.               | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.                                       | to complete the application<br>than irrigation or stock wate | years<br>of water to benef<br>ering, state numb<br>By                          | ficial use <u>5 years</u><br>ber and type of units to be set   |  |
| 3.<br>(4.                | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.<br>attached addendum.<br>(775) 358-94 | to complete the application<br>than irrigation or stock wate | years<br>of water to benef<br>ering, state numb<br>By                          | ficial use 5 years<br>ber and type of units to be ser<br>where the ser<br>Agaature of Agent, George C. Li<br>Surveying 1925 E. Prato | E<br>E<br>E<br>E<br>adomiti<br>ar Way                    |
| (4.<br>15.               | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.<br>attached addendum.<br>(775) 358-94 | to complete the application<br>than irrigation or stock wate | years<br>of water to beneficiary<br>ering, state numb<br>By<br>By<br>Tri State | Signature of Agent, George C. Li<br>Street and No. or P.O. Ibox  | E<br>E<br>E<br>E<br>adomiti<br>ar Way                    |
| 13.<br>(4.<br>15.<br>See | Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.<br>attached addendum.<br>(775) 358-94 | to complete the application<br>than irrigation or stock wate | years<br>of water to beneficiary<br>ering, state numb<br>By<br>By<br>Tri State | ficial use 5 years<br>ber and type of units to be ser<br>where the ser<br>Agaature of Agent, George C. Li<br>Surveying 1925 E. Prato | C)<br>C)<br>C)<br>C)<br>C)<br>C)<br>C)<br>C)<br>C)<br>C) |

Application No.

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section | Township    | Range    | Meridian |
|----------|---------|-------------|----------|----------|
| Ali      | 1-3     | 21N         | 50E      | M.D.M.   |
| All      | 10-15   | 21N         | 50E      | M.D.M.   |
| Ali      | 22-27   | 21N         | 50E      | M.D.M.   |
| All      | 34-36   | 21N         | 50E      | M.D.M.   |
| All      | 1-36    | 21N         | 51E      | M.D.M.   |
| All      | 687     | 21N         | 52E      | M.D.M.   |
| All      | 18 & 19 | 21 <b>N</b> | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N         | 52E      | M.D.M.   |
| Ali      | 36      | 21 1/2N     | 51 1/2 E | M.D.M.   |
| All      | 31 - 36 | 21 1/2N     | 52E      | M.D.M.   |
| All      | 34-36   | 22N         | 50E      | M.D.M.   |
| All      | 1-3     | 22N         | 51E      | M.D.M.   |
| All      | 10-15   | 22N         | 51E      | M.D.M.   |
| All      | 20-29   | 22N         | 51E      | M.D.M.   |
| Ali      | 31-36   | 22N         | 51E      | M.D.M.   |
| All      | 1       | 22N         | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N         | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N         | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N         | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N         | 52E      | M.D.M.   |
| Ali      | 68.7    | 22N         | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N         | 53E      | M.D.M.   |
| Ali      | 30 & 31 | 22N         | 53E      | M.D.M.   |
| All      | 34-36   | 23N         | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N    | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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10:01 4 53 D LOD

Page 1 of 1

| Serial | NO. 7 | 5 | 9 | -9 | θ |  |
|--------|-------|---|---|----|---|--|
|--------|-------|---|---|----|---|--|

### 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

.

| TH  | IS SPACE FOR OFFICE USE ONLY  |
|---|---|
| Date of filing in State Engineer's Office   | JUN 2 9 2007  |
| Returned to applicant for correction  |   |
| Corrected application filed   | Map filed JUL 1 1 2007 under 75979  |
| The applicant Kobeh Valley Ranch LLC  | ;   |
| 10 North Post Street, Suite 610   | of Spokane  |
| Street and No. or P.O. Box No.  | City or Town<br>hereby makes application for permission to change the   |
| Point of Diversion, Place and Manner  | of Use  |
| of water heretofore appropriated under  | Permit No. 60281<br>Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give ritle of Decre   |
| and identify right in Decree  |   |
| 1. The source of water is undergroun  |   |
| 2. The amount of water to be changed  | Name of stream, lake, underground, spring or other sources.<br><b>1.0 cfs, 58.84 million gallons annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irrigation, poser.</li> </ol>  | Name of stream, lake, underground, spring or other sources.<br><b>1.0 cfs, 63.84 million gallons annually</b><br>Second feet, acre feet. One second foot equals 448.83 gallons per minute<br>and milling<br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irrigation, poser,</li> <li>The water heretofore used for Mining</li> </ol>  | Name of stream, lake, underground, spring or other sources.<br><b>1.0 cfs, 53.84 million gallons annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons por minute<br>id milling<br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ig, milling and domestic<br>If for stock, state number and kind of animals.<br>wing point within the NW 1/4 of the SE 1/4 of unsurveyed Section  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for <u>Mining an</u><br/>Impation poser,</li> <li>The water heretofore used for <u>Mining</u></li> <li>The water is to be diverted at the follow</li> </ol>  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 53.84 million gallons annually<br>Second feet, acre-feet. One second foot equals 448.83 gallons por minute<br>ind milling<br>maining commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for stock, state number and kind of animals.<br>wing point<br>within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Describe as being within a 40-acre subdivision of public survey and by cour<br>th from which the southwest corner of Section 31, T.22N., R.51E.,   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irrigation, pose,</li> <li>The water beretofore used for Mining</li> <li>The water is to be diverted at the follow</li> <li>T.22N., R.50E., M.D.M., or at a point and distance to a section error. If on unsurveyed land, it a</li> </ol>  | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 68.84 million gallons annually Second feet, acre feet. One second foot equals 448.83 gallons per minute d milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Within the NW 1/4 of the SE 1/4 of unsurveyed Section Describe as being within a 40-acre subdivision of public survey and by court tt from which the southwest corner of Section 31, T.22N., R.61E., hould be stated  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Imation, poser,</li> <li>The water beretofore used for Mining</li> <li>The water beretofore used for Mining</li> <li>The water is to be diverted at the follow</li> <li>13, T.22N., R.50E., M.D.M., or at a point<br/>and distance to a section ormer. If on unsurveyed land, it is</li> <li>M.D.M., bears South 07°27' East a dist</li> </ol>   | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 68.84 million gallons annually Second feet, acre feet. One second foot equals 448.83 gallons per minute d milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Within the NW 1/4 of the SE 1/4 of unsurveyed Section Tf from which the southwest corner of Section 31, T.22N., R.61E., hould be stated Lance of 18,696 feet. (Well 207) cd within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E.,  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irregation, poser.</li> <li>The water beretofore used for Mining</li> <li>The water is to be diverted at the follow</li> <li>T. 22N., R.58E., M.D.M., or at a point and distance to a section ormer. If on unsurveyed lead, it is</li> <li>M.D.M., bears South 07°27' East a distinct for the existing point of diversion is located</li> </ol>  | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 68.84 million gallons annually Second feet, acre-feet. One second fock equals 448.83 gallons per manute ad milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use, ng, milling and domestic If for stock, state number and kind of animals. wing point within the NW 1/4 of the SE 1/4 of unsurveyed Section the stated tance of 18,896 feet. (Well 207) Cd within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E., If point of diversion is not changed, do not usever.   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irrigation, poser.</li> <li>The water heretofore used for Mining</li> <li>The water heretofore used for Mining</li> <li>The water is to be diverted at the follow</li> <li>T. 22N., R.50E., M.D.M., or at a point and distance to a section corner. If on unsurveyed land, it is</li> <li>M.D.M., bears South 07°27' East a disting</li> <li>The existing point of diversion is located in the N.D.M., or at a point from which the N</li> </ol> | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 68,84 million gallons annually<br>Second foct, acre-feet. One second foct equals 448.83 gallons por munute<br>ad milling<br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for stock, state number and kind of animals.<br>Wing point<br>within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Describe as being within a 40-acre subdivision of public survey and by cour-<br>st from which the southwest corner of Section 31, T.22N., R.51E.,<br>about be stated.<br>tance of 18,895 feet. (Well 207)<br>ed within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E.,<br>If point of diversion is not changed, do not surver.<br>IE corner of Section 27, T.22N., R.49E., M.D.M. bears North   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irrigation, poser.</li> <li>The water heretofore used for Mining</li> <li>The water heretofore used for Mining</li> <li>The water is to be diverted at the follow</li> <li>T.22N., R.50E., M.D.M., or at a point and distance to a section ormer. If on unsurveyed land, its</li> <li>M.D.M., bears South 07°27' East a dist</li> <li>The existing point of diversion is locat</li> <li>M.D.M., or at a point from which the N</li> </ol>        | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 68.84 million gallons annually Second feet, acre feet. One second foot equals 448.83 gallons per minute d milling mining, commercial, etc. If for stock date number and kind of animals. Must limit to one major use, ing, milling and domestic If for stock, state number and kind of animals. Within the NW 1/4 of the SE 1/4 of unsurveyed Section Describe as being within a 40-acre subdivision of public survey and by count it from which the southwest corner of Section 31, T.22N., R.61E., should be stated tance of 18,695 feet. (Well 207) cd within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E., If point of diversion is not changed, do not surver. IE corner of Section 27, T.22N., R.49E., M.D.M. bears North set. Refer to map supporting Applications 60281 and 60282, |

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001992

| e |  | Describe by legal s                                | subdivisions. If for                     | irrigation state number of acres to be irri                             | gaicd  |
|---|--|--|--|---|--|
|   | e attached Exhibit "A" a                               | and as shown on the ma                             | p that accon                             | npanied Application No. 72  |  |
|   |  |  |  |   |  |
|   |  |  |  |   | a * 1 Marg * 40 a con con con a da a por - * 4 por - o con |
|   | Existing place of use w                                | ithin Sections 22, 23, 26                          | , 27, NE 1/4 :                           | SE 1/4 Section 28 and Sec   | tion 34, T.22N.,   |
| 4 | ISE., M.D.M. Refer to n                                | Describe by legal subd<br>nap supporting Applicati | ivisions. If permit i<br>iors 51918, fil | is for irregation, siste number of acres irred June 26, 1985. Portion   | igated. If changing places of Sections 2.                  |
|   | and/or manner of use of imigation pe                   | ermit, describe acreage to be removed              | from urigation.                          |   |  |
|   |  |  |  | 11, 14, 15, 21, 22, 27, 28, 2   |  |
|   | OE., M.D.M. and portion                                | ns of Sections 33 & 34, 1                          | .23N., R.50E                             | ., M.D.M Refer to map su  | pporting   |
|   | plications 54093 and 54                                | 1994, filed December 19,                           | 1989.                                    |   |  |
|   | Use will be from                                       | January 1<br>Month and Day                         | 10                                       | December 31   | of each yea  |
|   | Use permitted from                                     | January 1<br>Month and Day                         | to                                       | December 31   | of each year   |
|   | Description of proposed v                              | Month and Day<br>Works. (Under the provision       | s of NRS 535 (                           | Month and Day<br>010 you may be required to sub                         |  |
|   |  |  |  |   |  |
|   | specifications of your div                             | ersion or storage works.)                          | Drilled we                               | II, pump and pipelines or t<br>ate manner in which water is to be diver | truck to mine  |
|   | and mill site.   | with many and material                             |  |   |  |
|   |  | in excess of \$3,000,00                            | 0.                                       |   |  |
|   | Estimated time required t                              | to construct modes 3                               |  | ·····   | af i B - af Ani, Mar Maryad har h <u>ar</u> ar (r          |
|   | Estimated mile required (                              | o construct works 3 y                              | rears                                    | If well campieted, describe well.                                       |  |
|   |  |  |  |   |  |
|   | Estimated time required t                              | to complete the application o                      | of water to berk                         | eficial use 5 years   |  |
|   |  |  |  |   |  |
|   |  | han irrigation or stock water                      | ring, state num                          | ber and type of units to be serv  | ed or annual   |
| k | sumptive use.  |  |  |   | ed or annual   |
| Ľ | Remarks: For use other t<br>sumptive use.              |  |  | ber and type of units to be serv  | ed or annual   |
| Ľ | sumptive use.  |  |  |   | ed or annual   |
| Ľ | sumptive use.  |  |  |   | ed or annual   |
| k | sumptive use.  |  |  |   | ed or annual   |
| Ľ | sumptive use.  |  |  |   | ed or annual   |
| Ľ | sumptive use.  |  |  |   | ed or annual   |
| Ľ | sumptive use.  |  |  |   | ed or annual   |
| Ľ | sumptive use.<br>e attached addendum.<br>(775) 358-94: |  |  |   | ed or annual   |
| Ľ | sumptive use.  |  | ву                                       | y June of Agent Coorge C. 1 the   | 52)<br>  |
| Ľ | sumptive use.<br>e attached addendum.<br>(775) 358-94: |  | ву                                       | n Dun Cima  | Earneth<br>Karneth<br>Way                                  |
|   | sumptive use.<br>e attached addendum.<br>(775) 358-94: | 91   | By<br>Tri State                          | Signature of Agent Coorge C. Lab<br>Surveying 1925 E. Prates            | Earnetts<br>Way  |

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\$150 FILING FEE MUST ACCOMPANY APPLICATION

(C)-1583A (Rev. 10-95)

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Application No.

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

竹:S-F-C-S-F-L902

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| Ali      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6&7     | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Ałł      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| IIA      | 34-38   | 22N      | 50E      | M,D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 38      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 687     | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| Ali      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

- 2004

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物:013-02101093

Page 1 of 1

### Senai No. 4.5991

### 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

|   | тні   | IS SPACE FOR OFFICE USE ONLY   |                 |
|---|---|--|-----------------|
| Date of   | filing in State Engineer's Office   | JUN 2 9 2007   |                 |
| Returne   | d to applicant for correction   |  |                 |
| Correcte  | d application filed   | Map filed JUL 1 1 2007 under 75979   |                 |
| The applica   | nt Kobeh Valley Ranch LLC   |  |                 |
|   |   | of Spokane   |                 |
|   |   |  |                 |
| Washingto   | n 99201   | bereby makes application for permission to change the  |                 |
|   |   |  |                 |
| Point of D  | version, Place and Manner   | of Use   |                 |
| of water her  | etofore appropriated under  | Permit No. 60282   |                 |
| UN WAREN LICT   | corore appropriated distri  | Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give trile of Decree   |                 |
|   |   |  |                 |
| and identify rig  | t in Decree.  |  |                 |
|   |   |  |                 |
|   |   |  |                 |
|   |   |  |                 |
|   |   |  |                 |
|   |   |  |                 |
|   |   |  |                 |
|   |   |  |                 |
| 1. The sc   | urce of water is <u>undergroun</u>  |  |                 |
|   |   | Name of stream, lake, underground, spring or other sources.  | RE              |
|   |   |  | RE<br>per<br>fa |
| 2. The ar   | nount of water to be changed  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <del>80.04 million gallons annually</del> 235.906 MGA<br>Second feet, acre-feet. One second foot equals 448 K3 gallons per misute.<br>ad milling   | RE<br>pc'<br>fa |
| 2. The ar   | nount of water to be changed  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <del>30.04</del> million gailons annousity 235.906 MGA<br>Second foet, acre-foet. One second foot equals 448 83 gallons per minute.  | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> </ol>   | nount of water to be changed  | Name of stream, lake, underground, spring or other sources.<br><b>1.0 cfs, <del>00.04</del> million gallours annousing 235.906 MGA</b><br>Second feet, acre-feet. One second foot equals 448 K3 gallons per minute.<br>Id milling<br>minung, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>rg, milling and domestic  | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> </ol>  | nount of water to be changed  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <del>00.04</del> million gations announcestig 235.906 MGA<br>Second feet, acre-feet. One second foot equals 448 K3 gattons per minute.<br>Id milling<br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use<br>ng, milling and domestic<br>If for stock, state number and kind of animals.   | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> </ol>  | nount of water to be changed  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <del>30.04</del> million gations annuality 235.906 MGA<br>Second feet, acre-feet. One second foot equals 448 K3 gations per minute.<br>Id milling<br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use<br>ng, milling and domestic<br>If for stock, state number and kind of animals.<br>wing point within the NW 1/4 of the SE 1/4 of unsurveyed Section  | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> <li>The w</li> </ol>   | nount of water to be changed  | Name of stream, lake, underground, spring or other sources. 1.0 cfs, <del>30.04</del> million gations annuality 235.906 MGA Second feet, acre-feet. One second foot equals 448 K3 gations per minute. ad milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. ag, milling and domestic If for stock, state number and kind of animals. wing point within the NW 1/4 of the SE 1/4 of unsurveyed Section Describe as being within a 40-acre subdivision of public survey and by course  | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> </ol>   | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, poser,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br>, <b>R.50E., M.D.M., or at a poin</b>   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 60.64 million gallons annually 235.706 MGA<br>Second foet, acre-foet. One second foot equals 448 K3 gallons per misure.<br>Id milling<br>mining, commercial, etc. If for sock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for sock, state number and kind of animals.<br>wing point<br>within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Describe as being within a 40-acre subdivision of public survey and by course<br>nt from which the southwest corner of Section 31, T.22N., R.51E.,  | RE<br>pc'<br>fæ |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> </ol>  | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E., M.D.M., or at a poin</b><br>a section corner. If on unsurveyed land, it a   | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 60.64 million gallons annousing 235.906 MGA Second feet, acre-feet. One second feet equals 448 K3 gallons per minute. Id milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Wing point Within the NW 1/4 of the SE 1/4 of unsurveyed Section Deacribe as being within a 40-acre subdivision of public survey and by course th from which the southwest corner of Section 31, T.22N., R.51E., should be stated.  | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li><b>13, T.22N.</b></li> </ol>  | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E., M.D.M., or at a poin</b><br>a section corner. If on unsurveyed land, it a   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 60.64 million gallons annually 235.706 MGA<br>Second foet, acre-foet. One second foot equals 448 K3 gallons per misure.<br>Id milling<br>mining, commercial, etc. If for sock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for sock, state number and kind of animals.<br>wing point<br>within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Describe as being within a 40-acre subdivision of public survey and by course<br>nt from which the southwest corner of Section 31, T.22N., R.51E.,  | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li><b>13, T.22N.</b></li> </ol>  | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E., M.D.M., or at a poin</b><br>a section corner. If on unsurveyed land, it a   | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 60.64 million gallons annousing 235.906 MGA Second feet, acre-feet. One second feet equals 448 K3 gallons per minute. Id milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Wing point Within the NW 1/4 of the SE 1/4 of unsurveyed Section Deacribe as being within a 40-acre subdivision of public survey and by course th from which the southwest corner of Section 31, T.22N., R.51E., should be stated.  | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li><b>13, T.22N.</b></li> <li>and dutance to M.D.M., be</li> </ol>   | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E., M.D.M., or at a poin</b><br>a section conter. If on unsurveyed land, it s<br>ares South 07°27' East a dist  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 60.64 million gallons annually 235.906 MGA<br>Second foet, acre-foet. One second foot equals 448 K3 gallons per misure.<br>If milling<br>mining, commercial, etc. If for sock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for sock, state number and kind of animals.<br>within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Describe as being within a 40-acre subdivision of public survey and by course<br>nt from which the southwest corner of Section 31, T.22N., R.51E.,<br>should be stated.<br>tance of 18,695 feet. (Well 207)   | RE<br>per<br>fæ |
| <ol> <li>The ar</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li>The w</li> <li><b>13, T.22N.</b></li> <li>and dutance to M.D.M., be</li> </ol>   | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E., M.D.M., or at a poin</b><br>a section conter. If on unsurveyed land, it s<br>ares South 07°27' East a dist  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 60.64 million gallons annousing 235.906 MGA<br>Second feet, acre-feet. One second feet equals 448 K3 gallons per minute.<br>In minute, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>If for stock, state number and kind of animals.<br>Wing point within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Deacribe as being within a 40-acre subdivision of public survey and by course<br>nt from which the southwest corner of Section 31, T.22N., R.51E.,<br>should be stated.<br>tance of 18,595 feet. (Well 207)<br>ed within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E.,   | RE<br>pct<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The comparison</li> </ol>   | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E.</b> , M.D.M., or at a point<br>a section conter. If on unsurveyed land, it is<br>that is South 07°27' East a disti-<br>disting point of diversion is locate                        | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 60.64 million gallons annousing 235.906 MGA Second feet, acre-feet. One second feet equals 448 K3 gallons per minute. Id milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Wing point Within the NW 1/4 of the SE 1/4 of unsurvey and by course about be stated. tance of 18,695 feet. (Well 207) ed within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E., If point of diversion is not changed, do not arrawor.  | RE<br>pc1<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li>The c</li> </ol>   | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Irrgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E.</b> , M.D.M., or at a point<br>a section conter. If on unsurveyed land, it is<br>that is South 07°27' East a disti-<br>disting point of diversion is locate                        | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 60.64 million gallons annousing 235.906 MGA<br>Second feet, acre-feet. One second feet equals 448 K3 gallons per minute.<br>In minute, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>If for stock, state number and kind of animals.<br>Wing point within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Deacribe as being within a 40-acre subdivision of public survey and by course<br>nt from which the southwest corner of Section 31, T.22N., R.51E.,<br>should be stated.<br>tance of 18,595 feet. (Well 207)<br>ed within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E.,   | RE<br>per<br>fa |
| <ol> <li>The ar</li> <li>The w</li> <li< td=""><td>nount of water to be changed<br/>ater to be used for <u>Mining an</u><br/>Imgation, pose,<br/>ater heretofore used for <u>Minin</u><br/>ater is to be diverted at the follow<br/><b>R.50E., M.D.M., or at a poin</b><br/>a section corner. If on unsurveyed land, it is<br/>area South 07°27' East a dist<br/>disting point of diversion is locate<br/>at a point from which the N</td><td>Name of stream, lake, underground, spring or other sources. 1.0 cfs, 60.64 million gallons annousing 235.906 MGA Second feet, acre-feet. One second feet equals 448 K3 gallons per minute. Id milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Wing point Within the NW 1/4 of the SE 1/4 of unsurvey and by course about be stated. tance of 18,695 feet. (Well 207) ed within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E., If point of diversion is not changed, do not arrawor.</td><td>per fa</td></li<></ol> | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Imgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E., M.D.M., or at a poin</b><br>a section corner. If on unsurveyed land, it is<br>area South 07°27' East a dist<br>disting point of diversion is locate<br>at a point from which the N | Name of stream, lake, underground, spring or other sources. 1.0 cfs, 60.64 million gallons annousing 235.906 MGA Second feet, acre-feet. One second feet equals 448 K3 gallons per minute. Id milling mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Wing point Within the NW 1/4 of the SE 1/4 of unsurvey and by course about be stated. tance of 18,695 feet. (Well 207) ed within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E., If point of diversion is not changed, do not arrawor.  | per fa          |
| <ol> <li>The ar</li> <li>The w</li> <li>The c:</li> <li>M.D.M., or</li> <li>59°59'54"</li> </ol>  | nount of water to be changed<br>ater to be used for <u>Mining an</u><br>Imgation, pose,<br>ater heretofore used for <u>Minin</u><br>ater is to be diverted at the follow<br><b>R.50E., M.D.M., or at a poin</b><br>a section corner. If on unsurveyed land, it is<br>area South 07°27' East a dist<br>disting point of diversion is locate<br>at a point from which the N | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, 60.64 millionr gallons annousing 235.906 MGA<br>Second foet, acre-feet. One second foet equals 448 K3 gallons per minute.<br>If minung, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for stock, state number and kind of animals.<br>within the NW 1/4 of the SE 1/4 of unsurveyed Section<br>Dearnie as being within a 40-acre subdivision of public survey and by course<br>nt from which the southwest corner of Section 31, T.22N., R.51E.,<br>should be stated.<br>Ed within the NW 1/4 of the SW 1/4 of Section 27, T.22N., R.49E.,<br>If point of diversion is not changed, do not answer.<br>JE corner of Section 27, T.22N., R.49E., M.D.M. bears North<br>eet. Refer to map supporting Applications 60281 and 60282, | RE<br>per<br>fa |

001996

| jee                                     | attached Exhibit "A" an   | d as shown on the m   | subdivisions. If for irrigatio<br>ap that accompani   | ed Application No. 72  | <b>:6</b> 95.   |
|---|---|---|---|--|---|
|   |   |   |   |  |   |
|   | Existing place of use with  | hin Sections 22 23 2  | 6 27 NE 1/4 RE 1/4  | A Section 78 and Sect  | tion 34 T 22N   |
|   |   | Describe by legal sub   | divisions. If permit is for irri  | igation, state number of acres im  | gated. If changing place of   |
| se a                                    | 9E., M.D.M Refer to ma<br>ad/or manner of use of irrigation perm  | ut, describe acreage to be remove   | ed from unigation.  |  |   |
|   | 8, T.22N., R.49E., M.D.M.   |   |   |  |   |
| ₹.5                                     | E., M.D.M. and portions   | of Sections 33 & 34,  | T.23N., R.50E., M.(   | D.M., Refer to map su  | ipporting   |
| \pj                                     | lications 54093 and 540   | 94, filed December 19   | , 1989.   |  |   |
| 9.                                      | Use will be from  | January 1   | to  | December 31  | of each year.   |
| 10.                                     | Use permitted from  |   |   |  | of each year.   |
| 11.                                     |   | -   |   |  | mit plans and   |
|   | specifications of your divers   | -   | -<br>-  |  |   |
|   |   | SION OF STOPAGE WORKS.)   |   | mp and pipelines or<br>mer in which water is to be diver   |   |
|   | and mill site,  |   |   | ******   |   |
|   | ditches and flumes, drilled well with   | h rearrow and motion etc.   |   |  |   |
| 9.                                      | ditches and flumes, drilled well with<br>Estimated cost of works  |   | 00.   |  |   |
|   | Estimated cost of works   | in excess of \$3,000,0  |   |  |   |
|   |   | in excess of \$3,000,0  | years   | ll completed, describe well.   |   |
| 13.                                     | Estimated cost of works   | in excess of \$3,000,00<br>construct works 3  | years<br>If we  |  | Ŀ.  |
| 1 <b>3</b> .<br>                        | Estimated cost of works   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application                                | years<br>If we<br>of water to beneficial  | use <u>5 years</u>   | cot or affinal  |
| 13.<br> 4.<br> 5.                       | Estimated cost of works   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application                                | years<br>If we<br>of water to beneficial  | use <u>5 years</u>   | col or admual   |
| 13.<br>14.<br>15.<br>cons               | Estimated cost of works   | in excess of \$3,000,0<br>construct works 3<br>complete the application<br>an irrigation or stock wate        | years<br>If we<br>of water to beneficial<br>ering, state number ar  | use <u>5 years</u>   | red or atmai  |
| 13.<br>14.<br>15.                       | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wate | years<br>If we<br>of water to beneficial<br>ering, state number ar  | use <b>5 years</b><br>nd type of units to be serv  |   |
| 13.<br>14.<br>15.<br>cons               | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wate | years<br>If we<br>of water to beneficial<br>ering, state number an  | use <u>5 years</u><br>Id type of units to be serv  | red or aimual   |
| 13.<br>14.<br>15.<br>cons               | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wate | years<br>If we<br>of water to beneficial<br>ering, state number ar  | use <u>5 years</u><br>Id type of units to be serv  |   |
| 13.<br>14.<br>15.                       | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wate | years<br>If we<br>of water to beneficial<br>ering, state number an  | use <u>5 years</u><br>Id type of units to be serv  |   |
| 13.<br>14.<br>15.                       | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wate | years<br>If we<br>of water to beneficial<br>ering, state number an  | use <u>5 years</u><br>Id type of units to be serv  |   |
| 13.<br>14.<br>15.                       | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wate | years<br>If we<br>of water to beneficial<br>ering, state number an  | use <u>5 years</u><br>Id type of units to be serv  |   |
| 13.<br>14.<br>15.                       | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.   | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wat  | years<br>If we<br>of water to beneficial<br>ering, state number an  | use <u>5 years</u><br>Id type of units to be serv  |   |
| 13.<br>14.<br>15.                       | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.<br>attached addendum.<br>(775) 358-9491               | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wat  | years<br>If we<br>of water to beneficial<br>ering, state number ar<br>By  | use <u>5 years</u><br>Id type of units to be serv  |   |
| 13.<br>14.<br>15.<br>cons<br><b>See</b> | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.<br>attached addendum.<br>(775) 358-9491<br>Phone No.  | in excess of \$3,000,0<br>construct works <u>3</u><br>complete the application<br>an irrigation or stock wate | years<br>If we<br>of water to beneficial<br>ering, state number ar<br>By  | use <u>5 years</u><br>nd type of units to be serv<br><i>use</i> <u>5 years</u><br>nd type of units to be serv<br><i>use</i> <u>5 years</u><br><u>5 y</u> | e<br>way  |
| 13.<br>14.<br>15.<br>cons<br><b>See</b> | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.<br>attached addendum.<br>(775) 358-9491               | in excess of \$3,000,0<br>construct works 3<br>complete the application<br>in irrigation or stock wate        | years<br>If we<br>of water to beneficial<br>ering, state number ar<br>By<br>By<br>Tri State Surv<br>Sparks, Nevan | use <u>5 years</u><br>nd type of units to be serv<br><i>Multiple</i><br>patture of Agent, Ceorge G. Lin<br>reying 1925 E. Prate<br>Street and No., or P.O. Box N<br>da 89434<br>City, State, Zap Code No.  | e<br>way  |
| 13.<br>14.<br>15.<br>cons<br><b>See</b> | Estimated cost of works<br>Estimated time required to<br>Estimated time required to<br>Remarks: For use other tha<br>umptive use.<br>attached addendurn.<br>(775) 358-9491<br>Phone No. | in excess of \$3,000,0<br>construct works 3<br>complete the application<br>in irrigation or stock wate        | years<br>If we<br>of water to beneficial<br>ering, state number ar<br>By<br>By<br>Tri State Surv<br>Sparks, Neva  | use <u>5 years</u><br>Ind type of units to be served<br>and type of units to be served<br>by the served of the served<br>and type of units to be served<br>and type of units   | E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E<br>E |

Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

14 S ... 62 . 1. 132

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6 & 7   | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Ali      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-36   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6&7     | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| Ali      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| AN       | 34-36   | 23N      | 51É      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

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Senal No. 75992

### 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

| Date of filing in State Engineer's Office JUN 2.9.2007 Returned to applicant for correction Corrected application filed Map filed JUL 1 1 2007 under The applicant Kobeh Valley Ranch LLC The applicant Kobeh Valley Ranch LLC The applicant Kobeh Valley Ranch LLC The applicant Street, Suite 610 of Spokane Street and No. or P.O Box No. City or Town Washington 99201 hereby makes application for permission to State and Zip Code No. Point of Diversion, Place and Manner of Use of water heretofore appropriated under Permit No. 60283 Identify existing right by Permit, Cartificate, Proof or Claim Nos. If Dear and identify right in Decree. The amount of water to be changed 1.0 cfs, 88.84 million gallons annually Second fort, service, mining, commercial, cer If for stock state number and kind of annuals. Must Integrate, proof and milling Irrigation, poor, mining, commercial, cer If for stock state number and kind of annuals. Must Integrate, prover, mining, commercial, cere If for stock state number and kind of annuals. Must  | : 75979              |
|--|----------------------|
| Corrected application filed Map filed <u>JUL 1 1 2007</u> under<br>The applicant <u>Kobeh Valley Ranch LLC</u><br>10 North Post Street, Suite 610 of <u>Spokane</u><br>Street and No. or P.O Box No.<br>Nashington 99201 hereby makes application for permission to<br>State and Zep Code No.<br>Point of Diversion, Place and Manner of Use<br>of water heretofore appropriated under <u>Permit No. 60283</u><br>Identify existing right by Permit, Certificate, Proof or Claim Noe. If Decre<br>and identify right in Decree.<br>1. The source of water is <u>underground</u><br>2. The amount of water to be changed <u>1.0 cfs, 88.84 million gallons annually</u><br>Second feet, acre feet. One second foot cepait 448 83 gallors per<br>3. The water to be used for <u>Mining and milling</u><br>Irrigation, power, mining, commercial, ec. If for stock state number and kind of stimats Mas I   | 75979                |
| he applicant Kobeh Valley Ranch LLC O North Post Street, Suite 610 Street and No. or P.O. Box No. City or Town Vashington 99201 State and Zip Code No. City or Town Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for permission to State and Zip Code No. City or Town (Nates application for claim Nos. If Decree (Nates application for claim Nos. If Decree (Nates application for permission for claim Nos. If Decree (Nates application for permission for claim Nos. If Decree (Nates application for permission for claim Nos. If Decree (Nates application for permission f | : 75979              |
| O North Post Street, Suite 610     Street and No. or P.O. Box No.     //ashington 99201     //ashington 99201     //ashington 99201     //ashington, Place and Manner of Use     // water heretofore appropriated under     // Permit No. 60283     //dentify existing right by Permit, Certificate, Proof or Claim Noe. If Decre     // didentify right in Decree.      // The source of water is underground     // Name of stream, lake, underground, spring or other sources.     // The amount of water to be changed     // 1.0 cfs, 88.84 million gallons annually     // Second feet, are-feet. One second foot equals 448.83 gallons per     // Ungation, poer, mining, commercial, ec. If for stock state number and kind of streams.  |                      |
| Street and No. or P.O. Box No. City or Iown Jashington 99201hereby makes application for permission to State and Zip Code No. Oint of Diversion, Place and Manner of Use I water heretofore appropriated underPermit No. 60283 I dentify existing right by Permit, Certificate, Proof or Claim Noe. If Decre didentify right in Decree. I. The source of water isName of stream, lake, underground, spring or other sources. The amount of water to be changedName of stream, lake, underground, spring or other sources. The water to be used for   |                      |
| Street and No. or P.O. Box No. City or Lown<br>Vashington 99201 hereby makes application for permission to<br>State and Zip Code No.<br>oint of Diversion, Place and Manner of Use<br>f water heretofore appropriated under <u>Permit No. 60283</u><br>Identify existing right by Permit, Certificate, Proof or Claim Noe. If Deere<br>ad identify right in Decree.<br>1. The source of water is <u>underground</u><br>Name of stream, lake, underground, spring or other sources.<br>2. The amount of water to be changed <u>1.0 cfs, 88.84 million gallons annually</u><br>Second feet, acre-feet. One second foot equals 448.83 gallons per<br>3. The water to be used for <u>Mining and milling</u><br>Irrigation, power, mining, commercial, ec. If for stock state number and kind of stimuts. Must live and state number and kind of stimuts. Must live and state number and kind of stimuts.   |                      |
| Point of Diversion, Place and Manner of Use         If water beretofore appropriated under       Permit No. 60283         Identify existing right by Permit, Certificate, Proof or Claim Noe. If Decree         ad identify right in Decree.         1. The source of water is underground         Name of stream, lake, underground, spring or other sources.         2. The amount of water to be changed       1.0 cfs, 88.84 million gallons annually<br>Second foet, acre-feet. One second foet ceast 448.83 gallors per         3. The water to be used for Mining and milling<br>Urrigation, power, mining, commercial, ec. If for stock state number and kind of stimatis. Must line   | change the           |
| I dentify existing right by Permit, Cartificate, Proof or Claim Nos. If Decre<br>ad identify right in Decree.  I. The source of water is underground Name of stream, lake, underground, spring or other sources. I. The amount of water to be changed I. Offs, 88.84 million gallons annually Second feet, acre-feet. One second foot equals 448.83 gallons per 3. The water to be used for Mining and milling Irrigation, power, mining, commercial, ec. If for stock state number and kind of stimats. Must let  |                      |
| 1. The source of water is  | d, give title of Der |
| 1. The source of water is underground         Name of stream, lake, underground, spring or other sources.         2. The amount of water to be changed       1.0 cfs, 88.84 million gallons annually<br>Second feet, are feet. One second foot equals 448.83 gallons per         3. The water to be used for Mining and milling<br>Urgation, poer, mining, commercial, ec. If for stock state number and kind of snimals. Must line and state sumber and kind of snimals.  |                      |
| 3. The water to be used for <b>Mining and milling</b><br>Irrigation, poser, mining, commercial, etc. If for stock state number and kind of animals. Must l   |                      |
|  |                      |
| 4. The water heretofore used for Mining, milling and domestic<br>If for stock, state number and kind of animals.   |                      |
| 5. The water is to be diverted at the following point within the NW 1/4 of the SW 1/4 of Secti<br>Describe as being within a 40-scre subdivision of public   | n 26, T.22N          |
| R.50E., M.D.M., or at a point from which the northwest corner of Section 2, T.21N., R.50E  |                      |
| nd distance to a section corner. If on unsurveyed land, it should be stated.<br>Dears South 10°26' West a distance of 6,760 feet. (Well 209)   |                      |
| 6. The existing point of diversion is located within the NE 1/4 of the SE 1/4 of Section 28, T.  |                      |
| If point of diversion is not changed, do not a<br>M.D.M., or at a point from which the NE corner of Section 27, T.22N., R.49E., M.D.M. beau  | 22N., R.49E.         |
| 59°59'54" East a distance of 6396.67 feet. Refer to map supporting Applications 60281 a  | ww.cr.               |
| filed January 4, 1985, in the State Engineer's Office. Filed under 49/62   | swer.<br>s North     |

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| . 49E., M.D.M Refer to map supporting Application<br>and/or numer of use of impation period, describe accesse to be reasoned to<br>26, T.22N., R.49E., M.D.M., portions of Sections 2<br>.50E., M.D.M. and portions of Sections 33 & 34, T.<br>.pplications 54093 and 54094, filed December 19, 1  | 27, NE 1/4 S<br>visiona. If pertant is<br>pon 51918, file<br>from irrigition.<br>1, 3, 4, 9, 10,<br>23N., R.50E.<br>1989.<br>to<br>to<br>of NRS 535.0<br>Drilled well<br>Stat   | E 1/4 Section 28 and Sec<br>for imgation, state number of acres in<br>rd June 28, 1985. Portion<br>11, 14, 15, 21, 22, 27, 28, 2<br>, M.D.M Refer to map as<br>December 31<br>Month and Day<br>December 31<br>Month and Day                                 | tion 34, T.22N.,<br>igated If changing place<br>is of Sections 21<br>29 and 30, T.22N<br>upporting<br>of cach year<br>of each year<br>mit plans and<br>truck to mine |
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| and mill site.<br>ditches and flumes, drilled well with pump and motor, etc  | Sta   |   |  |
| ditches and flumea, drilled well with pump and motor, etc  |   |   |  |
| Estimated cost of works in excess of \$3,000,000   |   |   |  |
|  | ł.  |   |  |
| 3. Estimated time required to construct works <b>3 ye</b>  | ears  | 16  |  |
|  |   | If well completed, describe well.   |  |
| Estimated time required to complete the application of   | water to benef  | ficial usc 5 years  |  |
| 5. Remarks: For use other than irrigation or stock wateri  |   |   | od or annual   |
| insumptive use.  | ing, since north  | or and type or main to be set   |  |
| e attached addendum,   |   |   |  |
|  |   |   |  |
|  |   |   |  |
|  |   |   | <u>(</u> );  |
| ······································   |   |   | ······································   |
|  | 71  |   |  |
|  |   | AVA   | $\square$  |
| (775) 358-9491   | By  | mill underpr  | Q  |
| Phone No.  | Tri State   | /Isignature of Agent, George G. Lin<br>Surveying 1925 E. Prate  | r Way  |
|  |   | Street and No., or P.O. Box )   | vo.  |
| PPLICATION MUST BE SIGNED  | sparks, N   | City, State, Zip Code No.   |  |

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rav. 10-95)

Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

14 ST 1 ST 1993

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| All      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| Ali      | 22-27   | 21N      | 50E      | M.D.M.   |
| All      | 34-38   | 21N      | 50E      | M.D.M.   |
| Ali      | 1-38    | 21N      | 51E      | M.D.M.   |
| All      | 6&7     | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| All      | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Ail      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-38   | 22N      | 50E      | M.D.M.   |
| All      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
| All      | 20-29   | 22N      | 51E      | M.D.M.   |
| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| Ali      | 6&7     | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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2012019 16 2:44

Page 1 of 1

### 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

| THE   | S SPACE FOR OFFICE USE ONLY   |
|---|---|
| Date of filing in State Engineer's Office   | JUN 2 9 2007  |
| Returned to applicant for correction  |   |
| Corrected application filed   | Map filed JUL 1 1 2007 under 75979  |
| he applicant Kobeh Valley Ranch LLC   |   |
|   |   |
|   | of Spokane<br>City or Town  |
| Vashington 99201  | hereby makes application for permission to change the   |
|   |   |
| oint of Diversion, Place and Manner of  | of Use  |
| 6   | Dormit No. 60284  |
| f water heretofore appropriated under   | Permit No. 60284<br>Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree  |
|   |   |
| ad identify right in Decree.  |   |
|   |   |
| The source of water is underground  | d   |
|   | Name of stream, lake, underground, spring or other sources.   |
|   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs. <del>88.84 million gallons annually</del> 235,906 MGA   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining and</li> </ol>  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>83.84 million gallons annually Z35</b> , 906 MGA<br>Second foot, acro-feet. One second foot equals 448.83 gallons per minute.<br>d milling   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining and</li> </ol>  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>\$8.84</b> million gallons annually <b>Z35</b> , 90G MGA<br>Second foet, acro-feet. One second foot equals 448.83 gallons per minute.  |
| 2. The amount of water to be changed  | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, \$3.84 million gallons annually 2.35, 906 MGA<br>Second foot, acro-feet. One second foot equals 448.83 gallons per minute.<br>d milling<br>minute, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irrigation, pose, 1</li> <li>The water heretofore used for Mining</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br><b>1.0 cfs., \$3.64 million gallons annually 2.35</b> , 906 MGA<br>Scoord foot, acro-feet. One second foot equals 448.83 gallons per minute.<br><b>d milling</b><br>minute, commercial, etc. If for stock state number and kind of animals. Must limit to one major use,<br><b>ng, milling and domestic</b><br>If for stock, state number and kind of animals.   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining an<br/>Irrigation, pose, 1</li> <li>The water heretofore used for Mining</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br><b>1.0 cfs, \$3.64 million gallons annually 2.35</b> , 906 MGA<br>Scould feet, acro-feet. One second foot equals 448.83 gallons per minute.<br><b>d milling</b><br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br><b>ig, milling and domestic</b><br>If for stock, state number and kind of animals.<br>Ving point within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for <u>Mining am</u><br/>Irriguion, poer, 1</li> <li>The water heretofore used for <u>Mining</u></li> <li>The water is to be diverted at the follow</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>\$3.84</b> million gallons annually <b>Z35</b> , 906 M G A<br>Second foet, acro-feet. One second foot equals 448.33 gallons per minute.<br>d milling<br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for stock, state number and kind of animals.<br>Within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for <u>Mining am</u><br/>Irriguion, poer, 1</li> <li>The water heretofore used for <u>Mining</u></li> <li>The water is to be diverted at the follow</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>\$3.84</b> million gallons annually <b>Z35</b> , 906 M GA<br>Second foet, acro-feet. One second foot equals 448.33 gallons per minute.<br>d milling<br>mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for stock, state number and kind of animals.<br>Within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course<br>ch the northwest corner of Section 2, T.21N., R.50E., M.D.M.,   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining am<br/>Imputer, poer, 1</li> <li>The water heretofore used for Mining</li> <li>The water is to be diverted at the follow</li> <li>R.50E., M.D.M., or at a point from which</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>43.84 million gallons annually Z35</b> , 906 MGA<br>Second foet, are-feet. One second foot equals 448.33 gallons per minute.<br>d milling<br>minung, commercial, etc. If for stock state number and kind of animals.<br>Must limit to one major use.<br>If for stock, state number and kind of animals.<br>Within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course<br>ch the northwest corner of Section 2, T.21N., R.50E., M.D.M.,<br>bouid be stated.  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for <u>Mining am</u><br/>Irrigation, poer, 1</li> <li>The water heretofore used for <u>Minin</u></li> <li>The water is to be diverted at the follow</li> <li><b>R.50E.</b>, M.D.M., or at a point from which<br/>distance to a section corner. If on unsurveyed land, it al</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>43.84 million gallons annually Z35</b> , 906 M GA<br>Second foet, are-feet. One second foot equals 448.33 gallons per minute.<br>d milling<br>minung, commercial, etc. If for stock state number and kind of animals.<br>Must limit to one major use.<br>If for stock, state number and kind of animals.<br>Within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course<br>ch the northwest corner of Section 2, T.21N., R.50E., M.D.M.,<br>bouid be stated.   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for <u>Mining am</u><br/>Irriguion, poer, 1</li> <li>The water heretofore used for <u>Minin</u></li> <li>The water is to be diverted at the follow</li> <li>The water is to be diverted at the follow</li> <li>SOE., M.D.M., or at a point from which<br/>ad distance to a section corner. If on unsurveyed land, it al<br/>bears South 10°26' West a distance of</li> </ol> | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>83.84</b> million gallons annually <b>Z35</b> , 906 M G-A<br>Second foet, are-feet. One second foot equals 448.33 gallons per minute.<br>d milling<br>minung, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ng, milling and domestic<br>If for stock, state number and kind of animals.<br>within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course<br>the northwest corner of Section 2, T.21N., R.50E., M.D.M.,<br>abouid be stated.<br>6,760 feet. (Well 209)  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for <u>Mining am</u><br/>Irriguion, poer, 1</li> <li>The water heretofore used for <u>Minin</u></li> <li>The water is to be diverted at the follow</li> <li>The water is to be diverted at the follow</li> <li>SOE., M.D.M., or at a point from which<br/>ad distance to a section corner. If on unsurveyed land, it al<br/>bears South 10°26' West a distance of</li> </ol> | Name of stream, lake, underground, spring or other sources.<br>1.0 cfs, <b>43.84 million gallons annually Z35</b> , 906 M GA<br>Second foet, are-feet. One second foot equals 448.33 gallons per minute.<br>d milling<br>minung, commercial, etc. If for stock state number and kind of animals.<br>Must limit to one major use.<br>If for stock, state number and kind of animals.<br>Within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course<br>ch the northwest corner of Section 2, T.21N., R.50E., M.D.M.,<br>bouid be stated.   |
| <ol> <li>The amount of water to be changed</li></ol>  | Name of stream, lake, underground, spring or other sources. 1.0 cfs, <b>48.84</b> million gallons annually <b>2.35</b> , 906 MGA<br>Second foot, acre-feet. One second foot equals 448.83 gallons per minute. d milling minug, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Within the NW 1/4 of the SW 1/4 of Section 26, T.22N., Bescribe as being within a 40-acre subdivision of public survey and by course the the northwest corner of Section 2, T.21N., R.50E., M.D.M., bouild be stated. 6,760 feet. (Well 209) ed within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E., If point of diversion is not charged, do not answer. |
| <ol> <li>The amount of water to be changed</li></ol>  | Name of stream, lake, underground, spring or other sources. 1.0 cfs, <b>\$3.84</b> million gallons annually <b>Z35</b> , 906 MGA<br>Second foot, are-feet. One second foot equals 448.83 gallons per minute. d milling minute, commercial, etc. If for stock state number and kind of animals. Must himst to one major use. if for stock, sate number and kind of animals. Within the NW 1/4 of the SW 1/4 of Section 26, T.22N., Describe as being within a 40-acre subdivision of public survey and by course ch the northwest corner of Section 2, T.21N., R.50E., M.D.M., bouild be stated (5,760 feet. (Weil 209) ed within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E., If point of diversion is not changed, do not answer.   |
| <ol> <li>The amount of water to be changed</li></ol>  | Name of stream, lake, underground, spring or other sources. 1.0 cfs, <b>48.84</b> million gallons annually <b>2.35</b> , 906 MGA<br>Second foot, acre-feet. One second foot equals 448.83 gallons per minute. d milling minug, commercial, etc. If for stock state number and kind of animals. Must limit to one major use. If for stock, state number and kind of animals. Within the NW 1/4 of the SW 1/4 of Section 26, T.22N., Bescribe as being within a 40-acre subdivision of public survey and by course the the northwest corner of Section 2, T.21N., R.50E., M.D.M., bouild be stated. 6,760 feet. (Well 209) ed within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E., If point of diversion is not charged, do not answer. |

apy ex 2 002004

Vil.

| e attached Exhibit "A" ;   |  |   | gation state number of acres to be irr   |  |
|--|--|---|--|--|
|  | and as shown on the ma                                       | p that accomp   | anied Application No. /  | 2695.  |
|  | , .  | ivisions. If permit is f  | or irrigation, state number of acres in  | rigated. If changing plac  |
| and/or manner of use of irrigation p   | map supporting Applicati                                     | from irrigation.  |  |  |
| -  | M., portions of Sections                                     |   |  |  |
|  | 4094, filed December 19,                                     |   | m.D.m. Relef to map a  |  |
|  | January 1  |   | December 31  | of each yea  |
| Use permitted from   | Month and Day<br>January 1<br>Month and Day                  | to  | Month and Day<br>December 31<br>Month and Day  | of each yea  |
| Description of proposed  | works. (Under the provision                                  | s of NRS 535.01   |  | omit plans and   |
| specifications of your div   | version or storage works.)                                   | Drilled well  | , pump and pipelines or  | truck to mine  |
| and mill site.<br>ditches and flumes, drilled well   | with pump and motor, etc.                                    |   |  |  |
| Estimated cost of works  |  | 0.  |  |  |
|  |  |   |  |  |
| Estimated time required  | to construct works 3   | /ears   |  |  |
| Estimated time required  | to construct works3  |   | If well completed, describe well   |  |
|  | to construct works 3   | /ears   |  |  |
| Estimated time required  | to complete the application of                               | years   | icial use <b>5 years</b>   | ved or annual  |
| Estimated time required<br>Remarks: For use other<br>nsumptive use.  |  | years   | icial use <b>5 years</b>   | ved or annual  |
| Estimated time required<br>Remarks: For use other<br>nsumptive use.  | to complete the application of than irrigation or stock wate | years   | icial use <b>5 years</b>   | ved or annual  |
| Estimated time required<br>Remarks: For use other<br>nsumptive use.  | to complete the application of than irrigation or stock wate | vears   | icial use <b>5 years</b>   | ved or annual  |
| Estimated time required<br>Remarks: For use other<br>nsumptive use.  | to complete the application of than irrigation or stock wate | vears   | icial use <b>5 years</b>   | ved or annual  |
| Estimated time required<br>Remarks: For use other<br>insumptive use.   | to complete the application of than irrigation or stock wate | vears   | icial use <b>5 years</b>   | ved or annual  |
| Estimated time required<br>Remarks: For use other<br>insumptive use.   | to complete the application of than irrigation or stock wate | vears   | icial use <b>5 years</b>   | ved or annual  |
| Estimated time required<br>Remarks: For use other<br>insumptive use.   | to complete the application of than irrigation or stock wate | vears   | icial use <b>5 years</b>   |  |
| <ul> <li>Estimated time required</li> <li>Remarks: For use other nsumptive use.</li> <li>attached addendum.</li> <li>(775) 368-94</li> </ul> | to complete the application of than irrigation or stock wate | years   | icial use <u>5 years</u><br>er and type of units to be ser<br><i>Multiple of Agent Coorge C. La</i><br>Surveying 1925 E. Prate | The second secon |
| <ol> <li>Estimated time required</li> <li>Remarks: For use other msumptive use.</li> <li>ee attached addendum.</li> </ol>                    | to complete the application of than irrigation or stock wate | years<br>of water to benef<br>ring, state numb<br>By JUL<br>Tri State | icial use <u>5 years</u><br>er and type of units to be ser   | The second secon |

-4-945

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-95)

Application No.

### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587 previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

SH:SUI 67 101002

| Division | Section | Township | Range    | Meridian |
|----------|---------|----------|----------|----------|
| Ali      | 1-3     | 21N      | 50E      | M.D.M.   |
| All      | 10-15   | 21N      | 50E      | M.D.M.   |
| All      | 22-27   | 21N      | 50E      | M.D.M.   |
| Alf      | 34-36   | 21N      | 50E      | M.D.M.   |
| All      | 1-36    | 21N      | 51E      | M.D.M.   |
| All      | 6&7     | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19 | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31 | 21N      | 52E      | M.D.M.   |
| ЫA       | 36      | 21 1/2N  | 51 1/2 E | M.D.M.   |
| Ail      | 31 - 36 | 21 1/2N  | 52E      | M.D.M.   |
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| Ali      | 1-3     | 22N      | 51E      | M.D.M.   |
| All      | 10-15   | 22N      | 51E      | M.D.M.   |
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| All      | 31-36   | 22N      | 51E      | M.D.M.   |
| All      | 1       | 22N      | 51 1/2 E | M.D.M.   |
| All      | 12 & 13 | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25 | 22N      | 51 1/2 E | M.D.M.   |
| Ali      | 36      | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36  | 22N      | 52E      | M.D.M.   |
| All      | 6 & 7   | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19 | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31 | 22N      | 53E      | M.D.M.   |
| All      | 34-36   | 23N      | 51E      | M.D.M.   |
| All      | 31      | 21 1/2 N | 53E      | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

Serial No. 75994

### 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

| Т  | HIS SPACE FOR OFFICE USE ONLY   |
|--|---|
| Date of filing in State Engineer's Office  | e JUN 2 9 2007  |
|  |   |
| Returned to applicant for correction   | 1111  |
| Corrected application filed  | Map filed JUL 1 1 2007 under 75979  |
| The applicant Kobeh Valley Ranch Ll  | _C  |
|  |   |
| O North Post Street, Suite 610<br>Street and No. or P.O. Box No.   | of Spokane<br>City or Town  |
| Vashington 99201   | hereby makes application for permission to change the   |
| State and Zip Code No.   | mandala and an  |
| oint of Diversion, Place and Manne   | r of Use  |
| f maker konstafore an and stated and a   | Dermit No. 60285  |
| f water heretofore appropriated under  | Permit No. 60285<br>Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree  |
|  |   |
| ad identify right in Decree.   |   |
|  |   |
|  |   |
|  |   |
|  |   |
|  |   |
|  |   |
| 1. The source of water is undergrou  | Ind Name of stream, lake, underground, spring or other sources.   |
| 2. The amount of water to be changed   |   |
|  | Second feet, acre-feet. One second foot equals 448.83 gallons per minute.   |
| 3. The water to be used for Mining a   | and milling   |
| Irrigation, poe  | er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.  |
| 4. The water heretofore used for Min   | ing, milling and domestic   |
|  | If for stock, state number and kind of animals.   |
| 5. The water is to be diverted at the follo  | owing point within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course   |
|  | Describe as being writiss a worked estonivision in pointe sis vey and by obtaine  |
| SAE MIDM or at a point from wh   | tich the northwest corner of Section 2 T 21N R 50F M D M  |
|  | t should be stated.   |
| id distance to a soction corner. If on unsurveyed land,  | it should be stated.  |
| nd distance to a section corner. If on unsurveyed land,  | it should be stated.  |
| nd distance to a section corner. If on unsurveyed land,  | it should be stated.  |
| nd distance to a soction corner. If on unsurveyed land,<br>sears South 10°26' West a distance o  | n should be stated<br>of 6,760 feet. (Well 209)   |
| nd distance to a soction corner. If on unsurveyed land,<br>sears South 10°26' West a distance o  | n should be stated<br>of 6,760 feet. (Well 209)<br>ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,  |
| nd distance to a soction corner. If on unsurveyed land,<br>sears South 10°26' West a distance of<br>6. The existing point of diversion is loce   | ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,   |
| nd distance to a soction corner. If on unsurveyed land,<br>soars South 10°26' West a distance of<br>6. The existing point of diversion is loce   | n should be stated<br>of 6,760 feet. (Well 209)<br>ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,  |
| nd distance to a soction corner. If on unsurveyed land,<br>bears South 10°26' West a distance of<br>6. The existing point of diversion is loc<br>M.D.M., or at a point from which the                                      | ated within   |
| nd distance to a soction corner. If on unsurveyed land,<br>bears South 10°26' West a distance of<br>6. The existing point of diversion is loc<br>M.D.M., or at a point from which the                                      | in should be stated<br>of 6,760 feet. (Well 209)<br>ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,<br>If point of diversion is not changed, do not answor.<br>NE corner of Section 27, T.22N., R.49E., M.D.M. bears North<br>feet. Refer to map supporting Applications 60281 and 60282,   |
| ad distance to a socion corner. If on unsurveyed land,<br>ears South 10°26' West a distance of<br>5. The existing point of diversion is loc<br>1.D.M., or at a point from which the  | in should be stated<br>of 6,760 feet. (Well 209)<br>ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,<br>If point of diversion is not changed, do not answor.<br>NE corner of Section 27, T.22N., R.49E., M.D.M. bears North<br>feet. Refer to map supporting Applications 60281 and 60282,   |
| d distance to a section corner. If on unsurveyed land,<br>exarts South 10°26' West a distance of<br>The existing point of diversion is loc<br>I.D.M., or at a point from which the<br>9°59'54" East a distance of 6396.67  | in should be stated<br>of 6,760 feet. (Well 209)<br>ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,<br>If point of diversion is not changed, do not asswor.<br>NE corner of Section 27, T.22N., R.49E., M.D.M. bears North<br>feet. Refer to map supporting Applications 60281 and 60282,   |
| distance to a section corner. If on unsurveyed land,<br>ears South 10°26' West a distance of<br>The existing point of diversion is loc<br>.D.M., or at a point from which the<br>P°59'54" East a distance of 6396.67       | in should be stated<br>of 6,760 feet. (Well 209)<br>ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,<br>If point of diversion is not changed, do not asswer.<br>NE corner of Section 27, T.22N., R.49E., M.D.M. bears North<br>feet. Refer to map supporting Applications 60281 and 60282,<br>ingineer's Office. Alap filed under 49162- |
| d distance to a section corner. If on unsurveyed land,<br>ears South 10°26' West a distance of<br>b. The existing point of diversion is loc<br>1.D.M., or at a point from which the<br>9°59'54" East a distance of 6396.87 | it should be stated<br>of 6,760 feet. (Well 209)<br>ated within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,<br>If point of diversion is not changed, do not answer.<br>NE corner of Section 27, T.22N., R.49E., M.D.M. bears North<br>feet. Refer to map supporting Applications 60281 and 60282,   |

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|            | auduneu campir a ai  | nd as shown on the maj              | o that accomp                     | igation state number of acres to be irri<br>anied Application No. 72 | 2695.                     |
|------------|--|-------------------------------------|-----------------------------------|--|---------------------------|
| ••••       |  |                                     |                                   |  |                           |
|            |  | Describe by legal subdi             | visions. If permit is             | E 1/4 Section 28 and Sec<br>for irrigation, state number of acres in | igated. If changing place |
| c au       | d/or manner of use of irrigation per   | mit, describe acreage to be removed | from irrigation.                  | d June 26, 1985. Portion   |                           |
| 20         | 3, T.22N., R.49E., M.D.M   | ., portions of Sections ?           | 2, 3, 4, 9, 10, 1                 | 11, 14, 15, 21, 22, 27, 28, 2  | 29 and 30, T.22N          |
|            |  |                                     |                                   | M.D.M Refer to map se  | upporting                 |
| <u>P</u> F | lications 54093 and 540  | 94, filed December 19,              | 1989.                             |  |                           |
| Э.         | Use will be from   | January 1<br>Month and Day          | 10                                | December 31<br>Month and Day   | of each year.             |
| Э.         |  | January 1<br>Month and Day          |                                   |  | of each year.             |
| Ι.         |  |                                     |                                   | 0 you may be required to sub   | omit plans and            |
|            | specifications of your diver   | rsion or storage works.)            |                                   | , pump and pipelines or  |                           |
|            | and mill site.   |                                     |                                   |  |                           |
| 9.         | ditches and flumes, drilled well w<br>Estimated cost of works                    |                                     | ).                                |  |                           |
|            |  |                                     |                                   |  |                           |
| 3.         | Estimated time required to   | construct works <u>3 y</u>          | ears                              | If well completed, describe well.                                    |                           |
|            |  |                                     |                                   |  |                           |
| <br>4.     | Estimated time required to   | o complete the application o        | f water to benef                  | icial use <b>5 years</b>   |                           |
| 5.         | Remarks: For use other th  |                                     |                                   | icial use 5 years<br>er and type of units to be ser                  | ved or annual             |
| 5.<br>ons  |  |                                     |                                   |  | ved or annual             |
| 5.<br>ons  | Remarks: For use other th<br>umptive use.  |                                     |                                   |  | ved or annual             |
| 5.<br>ns   | Remarks: For use other th<br>umptive use.  |                                     |                                   |  | ved or annual             |
| 5.<br>ons  | Remarks: For use other th<br>umptive use.  |                                     |                                   |  |                           |
| 5.<br>ons  | Remarks: For use other th<br>umptive use.  |                                     |                                   |  | ved or annual             |
| 5.<br>ons  | Remarks: For use other th<br>umptive use.  |                                     |                                   |  | ved or annual             |
| 5.<br>ons  | Remarks: For use other th<br>umptive use.  | van irrigation or stock water       |                                   |  | 8,5<br>                   |
| 5.<br>ons  | Remarks: For use other th<br>umptive use.<br>attached addendum.<br>(775) 358-949 | van irrigation or stock water       | ing, state numb                   | er and type of units to be ser                                       | -<br>-<br>-               |
| 5.<br>ons  | Remarks: For use other th<br>umptive use.<br>attached addendum.<br>(775) 358-949 | van irrigation or stock water       | ng, state numb<br>By<br>Tri State | er and type of units to be ser                                       | -<br>-<br>-               |

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(0)-1583A (Rev. 10-95)

Application No.

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#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section        | Township     | Range       | Meridian |
|----------|----------------|--------------|-------------|----------|
| All      | 1-3            | 21N          | 50E         | M.D.M.   |
| All      | 10-15          | 21N          | 50E         | M.D.M.   |
| All      | 22-27          | 21N          | 50E         | M.D.M.   |
| All      | 34-36          | 21N          | 50E         | M.D.M.   |
| All      | 1- <b>36</b>   | 21N          | 51E         | M.D.M.   |
| All      | 6&7            | 21N          | 52E         | M.D.M.   |
| Ail      | 18 & 19        | 21N          | 52E         | M.D.M.   |
| All      | 30 & 31        | 21N          | 52E         | M.D.M.   |
| All      | 36             | 21 1/2N      | 51 1/2 E    | M.D.M.   |
| All      | 31 - 36        | 21 1/2N      | 52 <b>E</b> | M.D.M.   |
| All      | 34-36          | 22N          | 50E         | M.D.M.   |
| All      | 1-3            | 2 <b>2</b> N | 51E         | M.D.M.   |
| All      | 10-15          | 22N          | 51E         | M.D.M.   |
| All      | 20-29          | 22N          | 51E         | M.D.M.   |
| All      | 31-36          | 22N          | 51E         | M.D.M.   |
| All      | 1              | 22N          | 51 1/2 E    | M.D.M.   |
| All      | 12 & 13        | 22N          | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25        | 22N          | 51 1/2 E    | M.D.M.   |
| All      | 36             | 22N          | 51 1/2 E    | M.D.M.   |
| All      | 1 - 3 <b>6</b> | 22N          | 52E         | M.D.M.   |
| All      | 6 & 7          | 22N          | 53E         | M.D.M.   |
| All      | 18 & 19        | 22N          | 53E         | M.D.M.   |
| Ali      | 30 & 31        | 22N          | 53E         | M.D.M.   |
| All      | 34-36          | 23N          | 51E         | M.D.M.   |
| All      | 31             | 21 1/2 N     | 53E         | M.D.M.   |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

### 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

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| THI  | IS SPACE FOR OFFICE USE ONLY   |
|--|--|
| Date of filing in State Engineer's Office  | JUN 2 9 2007   |
| Returned to applicant for correction   |  |
| Corrected application filed  | Map filed JUL 1 1 2007 under 75979   |
| · · · · ·  |  |
| he applicant Kobeh Valley Ranch LLC  |  |
| 0 North Post Street, Suite 610<br>Street and No. or P.O. Box No.                                       | of Spokane   |
| Washington 99201   | hereby makes application for permission to change the  |
|  |  |
|  | of Use   |
| of water heretofore appropriated under   | Permit No. 60286   |
| a notes manufacto appropriates ander   | Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give trile of Decree   |
| and identify right in Decree.  |  |
|  |  |
| <ol> <li>The source of water is <u>undergroun</u></li> <li>The amount of water to be changed</li></ol> | Name of stream, lake, underground, spring or other sources.<br><b>1.0 cfs, 88.84 million gallons annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.   |
| 4. The water heretofore used for Minin   | mining, commercial, etc. If for succe succe number and which of minings, processingly one of the succe succe number and which of the succe succe number and which of the succe succe number and which of the succe succession and the succession of th |
|  | If for stock, state number and kind of animals.  |
| 5. The water is to be diverted at the follow   | wing point within the NW 1/4 of the SW 1/4 of Section 26, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course   |
| R.50E., M.D.M., or at a point from which   | ch the northwest corner of Section 2, T.21N., R.50E., M.D.M.,  |
| and distance to a section corner. If on unsurveyed land, it s  | should be stated.  |
| bears South 10°28' West a distance of  | i 6,/ou teet. (Well ZUY)   |
|  |  |
| 6. The existing point of diversion is locat  | ed within the NE 1/4 of the SE 1/4 of Section 28, T.22N., R.49E.,  |
|  | If point of diversion is not changed, do not answer.   |
| M.D.M., or at a point from which the N   | E corner of Section 27, T.22N., R.49E., M.D.M. bears North   |
| 59°59'54'' East a distance of 6396.67 f  | eet. Refer to map supporting Applications 60281 and 60282,   |
| filed January 4, 1985, in the State Eng  | ineer's Office. Map filed under 49162  |
| filed January 4, 1985, in the State Eng  | incersomice. Map tiled under 47162   |
|  |  |
|  |  |

C C/ 5 C002012

|                           | Proposed place of use  |   |   |  |                  |  |  |
|---------------------------|--|---|---|--|------------------|--|--|
| مم                        | attached Exhibit "A" :   |   |   | igation state number of acres to be in<br>panied Application No. 7   |                  |  |  |
|                           |  | and as shown on the ma  | p utat accomp   | amed Application No. 7   | 2005.            |  |  |
|                           |  | ****  |   |  |                  |  |  |
|                           |  |   |   |  |                  |  |  |
|                           |  |   |   |  |                  |  |  |
| 8.                        | Existing place of use w  | vithin Sections 22, 23, 26<br>Describe by legal subc  | 5, 27, NE 1/4 S   | E 1/4 Section 28 and Sec<br>for irrigation, state number of acres in | tion 34, T.22N., |  |  |
| ₹.4                       | 9E., M.D.M. Refer to n   | nap supporting Applicat   | ion 51918, file   | d June 26, 1985. Portio  |                  |  |  |
|                           |  | ermit, describe acreage to be removed   |   | 11, 14, 15, 21, 22, 27, 28,  | 29 and 30. T.22N |  |  |
|                           |  | , portions of occions   | 2, 0, 4, 0, 10,   |  |                  |  |  |
| 7.5                       | 0E., M.D.M. and portion  | ns of Sections 33 & 34, "   | T.23N., R.50E.  | , M.D.M., Refer to map s   | upporting        |  |  |
| <b>\p</b> p               | lications 54093 and 54   | 4094, filed December 19,  | 1989.   |  |                  |  |  |
| 9                         | lise will be from  | January 1   | 10  | December 31  | of each year.    |  |  |
|                           |  | January 1<br>Month and Day  |   |  |                  |  |  |
| 10.                       | Use permitted from   | January 1<br>Month and Day  | ۵   | December 31<br>Month and Day   | of each year.    |  |  |
| 11.                       |  |   |   | 10 you may be required to su   | bmit plans and   |  |  |
|                           | • • • • • • • • • • •  |   |   |  |                  |  |  |
|                           | specifications of your diversion or storage works.) Drilled well, pump and pipelines or truck to mine State manner in which water is to be diversed, i.e. diversion structure, |   |   |  |                  |  |  |
|                           | and mill site.   |   |   |  |                  |  |  |
|                           |  | ***************************************   |   |  |                  |  |  |
| 9.                        | ditches and flumes, drilled well<br>Estimated cost of works  |   |   |  |                  |  |  |
|                           | Estimated cost of works  | in excess of \$3,000,00   |   |  |                  |  |  |
|                           | Estimated cost of works  |   |   | If well completed, describe well.                                    |                  |  |  |
|                           | Estimated cost of works  | in excess of \$3,000,00   |   | If well completed, describe well.                                    |                  |  |  |
| 13.                       | Estimated cost of works<br>Estimated time required   | in excess of \$3,000,00<br>to construct works 3   | years   |  |                  |  |  |
| 13.<br>                   | Estimated cost of works<br>Estimated time required<br>Estimated time required  | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   |                  |  |  |
| 13.<br>14.<br>15,         | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other  | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   |  |                  |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   |                  |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other  | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   |                  |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   |                  |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   |                  |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   | ved of annual    |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   | ved of appnual   |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   | ved of annual    |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | in excess of \$3,000,00<br>to construct works 3<br>to complete the application                                  | years   | ficial usc 5 years   | ved of annual    |  |  |
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| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | In excess of \$3,000,00<br>to construct works 3<br>to complete the application<br>than irrigation or stock wate | years   | ficial usc 5 years   | ved of annual    |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | In excess of \$3,000,00<br>to construct works 3<br>to complete the application<br>than irrigation or stock wate | years<br>of water to bene<br>ering, state numb<br>By                    | ficial use 5 years<br>ber and type of units to be se                 | ryed or annual   |  |  |
| 13.<br>14.<br>15.<br>2011 | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other<br>sumptive use.   | In excess of \$3,000,00<br>to construct works 3<br>to complete the application<br>than irrigation or stock wate | years<br>of water to bene<br>ering, state numb<br>By<br>By<br>Tri State | ficial use <b>5 years</b><br>ber and type of units to be se          | ryed or annual   |  |  |

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Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

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| Division | Section      | Township    | Range          | Meridian                |
|----------|--------------|-------------|----------------|-------------------------|
| All      | 1-3          | 21N         | 50E            | M.D.M.                  |
| All      | 10-15        | 21N         | 50E            | M.D.M.                  |
| All      | 22-27        | 21N         | 50E            | M.D.M.                  |
| All      | 34-36        | 21N         | 50E            | M.D.M.                  |
| All      | 1-3 <b>6</b> | 21N         | 51E            | M.D.M.                  |
| All      | 6&7          | 21N         | 52E            | M.D.M.                  |
| All      | 18 & 19      | 21N         | 52E            | M.D.M.                  |
| AN       | 30 & 31      | 21 <b>N</b> | 52E            | M.D.M.                  |
| IIA      | 36           | 21 1/2N     | 51 1/2 E       | M.D.M.                  |
| All      | 31 - 36      | 21 1/2N     | 52E            | M.D.M.                  |
| All      | 34-36        | 2 <b>2N</b> | 50E            | M.D.M.                  |
| All      | 1-3          | 22N         | 51E            | M.D.M.                  |
| All      | 10-15        | 22N         | 51E            | M.D.M.                  |
| All      | 20-29        | 22N         | 51E            | M.D.M.                  |
| All      | 31-36        | 22N         | 51E            | M.D.M.                  |
| All      | 1            | 22N         | 51 1/2 E       | M.D.M.                  |
| All      | 12 & 13      | 22N         | 51 1/2 E       | M.D.M.                  |
| Alt      | 24 & 25      | 22N         | 51 1/2 E       | M.D.M.                  |
| All      | 36           | 22N         | 51 1/2 E       | M.D.M.                  |
| 70       | 50           | 2214        | <b>91</b> HE C |                         |
| Ali      | 1 - 36       | 22N         | 5 <b>2E</b>    | <b>M</b> .D. <b>M</b> . |
| All      | 6 & 7        | 22N         | 53E            | M.D.M.                  |
| All      | 18 & 19      | 22N         | 53E            | M.D.M.                  |
| Ail      | 30 & 31      | 22N         | 53E            | M.D.M.                  |
| All      | 34-36        | 23N         | 51E            | M.D.M.                  |
| All      | 31           | 21 1/2 N    | 53E            | M.D.M.                  |

EXHIBIT "A", PROPOSED PLACE OF USE, KOBEH VALLEY RANCH LLC

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Page 1 of 1

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| THIS SPACE F   | OR OFFICE USE ONLY  |
|--|---|
| Date of filing in State Engineer's Office JUN  | 2 9 2007  |
| Returned to applicant for correction   |   |
| Corrected application filed  | Map filed JUL 11 2007 under 75979   |
| The applicant Kobeh Valley Ranch LLC   |   |
| 10 North Post Street, Suite 610  | of Spokane  |
| Street and No. or P.O. Box No.   | City or Town<br>hereby makes application for permission to change the   |
| Point of Diversion, Place and Manner of Use  |   |
| of water heretofore appropriated under Permit Ne   | b. 72580<br>Insting right by Permit, Certificate, Proof or Claim Nos If Docreed, give title of Docree   |
| and identify right in Decroe.  |   |
| 2. The amount of water to be changed   | e of stream, lake, underground, spring or other sources.<br>300.76 acre feet annually<br>cond feet, acre-feet. One second foot equals 448.83 gallons per minute.      |
| 3. The water to be used for Mining and milling<br>Irrigation, poser, mining, comme   | rcial, etc. If for stock state number and kind of animals. Must limit to one major use.   |
| <ol> <li>The water heretofore used for <u>irrigation and d</u></li> <li>The water is to be diverted at the following point</li> </ol>  | If for stock, state number and kind of animals.<br>within the SW 1/4 of the SW 1/4 of Section 21, T.22N.,   |
| R.51E., M.D.M., or at a point from which the sou<br>and distance to a section corner. If on unsurveyed land, it should be stated<br>bears South 43°28' West a distance of 15,620 fee |   |
|  | the SE 1/4 of the SE 1/4 of Section 15, T.19N., R.47E.,<br>If point of diversion is not changed, do not answer.<br>T East, 4172.92 from the SW corner of said Section |
| 15 (Well No. 4). Refer to map supporting Applic  | ations 72580 through 72588, filed April 12, 2005, in  |
| the State Engineer's Office.   |   |

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| ee         |  | Describe by legal            | subdivisions. If for in                 | rigation state number of acres to be irri  | gated.                   |
|------------|--|------------------------------|---|--|--------------------------|
|            | attached Exhibit "A" a                               | nd as shown on the ma        | p that accom                            | panied Application No. 72  | 2695.                    |
|            | Existing place of use                                | ithin the E 1/2 of Centin    | - 45. 46. 6 4/                          |  | MAY A /A NIE 4/A         |
| E          | 1/4 NE 1/4, and N 1/2 S                              | Describe by legal subc       | tivisions. If permit is<br>and SW 1/4 c | 2 N 1/2, a portion of the N<br>for impation, state number of acros in<br>of Section 22; N 1/2 of Sec | ignted. If changing plac |
|            |  |                              |   | p supporting Application   | s 72580 through          |
| 25         | 88, filed April 12, 2005,                            | in the State Engineer's      | Office.                                 |  |                          |
| 9          | Use will be from                                     | January 1<br>Month and Day   | to                                      | December 31<br>Month and Day   | of each yea              |
| 0.         | Use permitted from                                   | January 1<br>Month and Day   | to                                      |  | of each yea              |
| 1.         | Description of proposed w                            |                              | is of NRS 535.0                         | 10 you may be required to sub  | mit plans and            |
|            | specifications of your dive                          | ersion or storage works.)    |   | I, pump and pipelines or<br>to manner in which water is to be diver                                  |                          |
|            | and mill site,<br>ditches and flumes, drilled well w | with mumm and motor etc      |   |  |                          |
| 9.         |  | in excess of \$3,000,00      | 0.                                      |  |                          |
| 3.         | Estimated time required to                           | o construct works 3          | years                                   | if well completed, describe well.  |                          |
| <b>1</b> . | Estimated time required to                           | o complete the application ( | of water to bene                        | ficial use 5 years   |                          |
|            |  | han irrigation or stock wate | ring, state num                         | ber and type of units to be serv   | ved or annual            |
| nis        | umptive use.<br>attached addendum.                   |                              |   |  | 201                      |
| ~~         |  |                              |   |  |                          |
| 96         |  |                              |   |  |                          |
| <b>3e</b>  |  |                              |   |  |                          |
| <b>9e</b>  |  |                              |   |  | C-2                      |
|            |  |                              |   |  | ्र                       |
|            | (775) 358-949  |                              | By                                      | hour Ander   | $\mathcal{O}$            |
| <b>30</b>  | (775) 358-941<br>Phone No.                           | <u>31</u>                    |   | Signature of Agent, George G. Lin  | destration               |
|            |  | B1                           | Tri State                               |  | demetts<br>r Way         |

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## 25996

Application No.

SH 10 M 1 67 CA 100

## ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

| Division | Section       | Township        | Range    | Meridian |
|----------|---------------|-----------------|----------|----------|
| All      | 1-3           | 21N             | 50E      | M.D.M.   |
| All      | 10-15         | 21N             | 50E      | M.D.M.   |
| All      | 22-27         | 21N             | 50E      | M.D.M.   |
| All      | 34-38         | 21N             | 50E      | M.D.M.   |
| All      | 1-36          | 21N             | 51E      | M.D.M.   |
| All      | 6&7           | 21N             | 52E      | M.D.M.   |
| All      | 18 & 19       | 21N             | 52E      | M.D.M.   |
| All      | 30 & 31       | 21N             | 52E      | M.D.M.   |
| All      | 36            | 21 1/2N         | 51 1/2 E | M.D.M.   |
| All      | 31 - 36       | 21 1/ <b>2N</b> | 52E      | M.D.M.   |
| All      | 34-38         | 22N             | 50E      | M.D.M.   |
| All      | 1-3           | 22N             | 51E      | M.D.M.   |
| All      | 10-15         | 22N             | 51E      | M.D.M.   |
| Ali      | 20-29         | 22N             | 51E      | M.D.M.   |
| All      | 31- <b>36</b> | 22N             | 51E      | M.D.M.   |
| All      | 1             | 22N             | 51 1/2 E | M.D.M.   |
| All      | 12 & 13       | 22N             | 51 1/2 E | M.D.M.   |
| All      | 24 & 25       | 22N             | 51 1/2 E | M.D.M.   |
| Ali      | 36            | 2 <b>2N</b>     | 51 1/2 E | M.D.M.   |
| All      | 1 - 36        | 22N             | 52E      | M.D.M.   |
| All      | 6&7           | 22N             | 53E      | M.D.M.   |
| All      | 18 & 19       | 22N             | 53E      | M.D.M.   |
| All      | 30 & 31       | 22N             | 53E      | M.D.M.   |
| All      | 34-36         | 23N             | 51E      | M.D.M.   |
| All      | 31            | 21 1/2 N        | 53E      | M.D.M.   |

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Page 1 of 1

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Serial No. 5 . 7 .7 .7 .5

### 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  | JUN 2 9 2007   |
| Returned to applicant for correction   |  |
| • •  |  |
| Corrected application filed  | Map filed JUL 11 2007 under 75979  |
|  |  |
| The applicant Kobeh Valley Ranch LLC   |  |
| 10 North Post Street, Suite 610  | of Spokane   |
| Street and No. or P.O. Box No.<br>Washington 99201   | City or Town<br>hereby makes application for permission to change the  |
| State and Zip Code No.   | incredy makes appreation for permassion in change me   |
| Point of Diversion, Place and Manner of  | f Use  |
| of water heretofore appropriated under   | Permit No. 72581   |
|  | Identify existing right by Permit, Certuficate, Proof or Claim Nos. If Decreed, give title of Decree   |
| and identify neht in Decree.   |  |
|  |  |
|  |  |
| 1. The source of water is <u>underground</u>   |  |
|  | Name of stream, lake, undergrownd, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually  |
| 2. The amount of water to be changed4  | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, acre-feet. One second foot equals 448.83 gallons per manute.   |
| 2. The amount of water to be changed4  | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, acre-feet. One second foot equals 448.83 gallons per manute.   |
| 2. The amount of water to be changed4  | Name of stream, lake, underground, spring or other exarces.<br><b>4.70 cfs, 1,142.4 acre feet annually</b><br>Second feet, acre-feet. One second foot equals 448 83 gallons per minute.<br><b>milling</b><br>imang, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br><b>ion and domestic</b>  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining and<br/>Irrigation, poer, m</li> <li>The water heretofore used for Irrigation</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br><b>4.70 cfs, 1,142.4 acre feet annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.<br><b>milling</b><br><b>iming commercial, etc. If for stock state number and kind of animals</b> . Must limit to one major use.<br><b>ion and domestic</b><br>If for stock, state number and kind of animals.<br>If for stock, state number and kind of animals.<br>If for stock, state number and kind of animals.  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining and<br/>Impation, pose, m</li> <li>The water heretofore used for Irrigati</li> <li>The water is to be diverted at the following</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, acre-feet. One second foot equals 448 83 gallons per minute.<br>milling<br>immig commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>Ion and domestic<br>If for stock, state number and kind of animals.<br>ing point within the SE 1/4 of the NW 1/4 of Section 21, T.22N.,<br>Describe as being within a 40-scre subdivision of public survey and by course  |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining and<br/>Impation, power, m</li> <li>The water heretofore used for Irrigation</li> <li>The water is to be diverted at the following R.51E., M.D.M., or at a point from which and distance to a section corner. If on unsurveyed land, it should be a section corner. If on unsurveyed land, it should be a section corner.</li> </ol> | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, arre-feet. One second foot equals 448 83 gallons per minute.<br>I milling<br>ming, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>If for stock, state number and kind of animals.<br>If for stock, state number and kind of animals.<br>Describe as being within a 40-arec subdivision of public survey and by course<br>in the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>public be stated.   |
| <ol> <li>The amount of water to be changed</li></ol>   | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, arre-feet. One second foot equals 448 83 gallons per minute.<br>I milling<br>ming, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>If for stock, state number and kind of animals.<br>If for stock, state number and kind of animals.<br>Describe as being within a 40-arec subdivision of public survey and by course<br>in the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>public be stated.   |
| <ol> <li>The amount of water to be changed</li> <li>The water to be used for Mining and<br/>Impation, pose, m</li> <li>The water heretofore used for Irrigati</li> <li>The water is to be diverted at the following</li> </ol>   | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, arre-feet. One second foot equals 448 83 gallons per minute.<br>I milling<br>ming, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>If for stock, state number and kind of animals.<br>If for stock, state number and kind of animals.<br>Describe as being within a 40-arec subdivision of public survey and by course<br>in the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>public be stated.   |
| <ol> <li>The amount of water to be changed</li></ol>   | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1, 142.4 acre feet annually<br>Second feet, arre-feet. One second foot equals 448 83 gallons per minute.<br>I milling<br>image commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>I for stock, state number and kind of animals.<br>I for stock, state number and ki |
| <ol> <li>The amount of water to be changed</li></ol>   | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, are-feet. One second foot equals 448.83 gallons per minute.<br>I milling<br>image commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>I for stock, state number and kind of animals. Must limit to one major use.<br>I for stock, state number and kind of animals.<br>I for |
| <ol> <li>The amount of water to be changed</li></ol>   | Name of stream, lake, underground, spring or other evarces.<br>4.70 cfs, 1, 142.4 acre feet annually<br>Second feet, arre-feet. One second foot equals 448 83 gallons per minute.<br>milling<br>inning, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>It for stock, state number and kind of animals.<br>It for stock, state number and kind of animals.<br>Describe as being within a 40-sec subdivision of public survey and by course<br>in the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>ould be stated.<br>18,260 feet. (Well 203)<br>1 within the NW 1/4 of the NE 1/4 of Section 23, T.19N., R.47E.,<br>Urpout of diversion is not changed, do not answer.  |
| <ol> <li>The amount of water to be changed</li></ol>   | Name of stream, lake, underground, spring or other sources.<br>4.70 cfs, 1,142.4 acre feet annually<br>Second feet, arre-feet. One second foot equals 448.83 gallons per minute.<br>Imilling<br>inning commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>ion and domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>If for stock, state number and kind of animals.<br>If for stock, state number and kind of animals.    |

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2619 EX 65 \_'S EXHIBITS\_ DATE: 002020

| 600      |  |                                   |   | tion state number of acres to be irrig          |  |
|----------|--|-----------------------------------|---|---|--|
|          | attached Exhibit "A" and   | d as shown on the ma              | ap that accompa   | nied Application No. 72                         | 695.   |
|          |  |                                   |   |   |  |
|          |  |                                   |   |   |  |
|          | Existing place of use with 1/4 NE 1/4, and N 1/2 S 1/  | Describe by legal sub             | divisions. If permit is for                               | irrigation, state number of acres irri          | gated. If changing place   |
|          | nd/or manner of use of irrigation perm<br>1/4 of Section 24, all in 1  | it, describe acreage to be remove | of from irrigation.                                       |   |  |
|          | 88, filed April 12, 2005, in   | ****                              |   |   |  |
|          |  |                                   |   | • •   |  |
|          | Use will be from   | January 1<br>Month and Day        | to  | December 31<br>Month and Day                    | of each year   |
|          | Use permitted from   | January 1<br>Month and Day        | to  | December 31<br>Month and Day                    | of each year   |
|          | Description of proposed wo   |                                   | ns of NRS 535.010   | you may be required to sub                      | mit plans and  |
|          | specifications of your divers  | sion or storage works.)           |   | pump and pipelines or                           |  |
|          | and mill site.<br>ditches and flumes, driffed well with  | h mum and mater at a              |   |   |  |
|          | Estimated cost of works  |                                   | 00.   |   |  |
|          |  |                                   |   |   |  |
|          | Estimated time required to   |                                   | years   |   |  |
| •        | Estimated time required to   |                                   | years   | well completed, describe well                   |  |
| • ••     | Estimated time required to<br>Estimated time required to   | construct works 3                 | years<br>If   |   | <u>52</u>  |
|          | Estimated time required to<br>Remarks: For use other that  | construct works 3                 | years<br>if<br>of water to benefic                        | ial use 5 years                                 | /ed or annual  |
|          | Estimated time required to<br>Remarks: For use other tha<br>aumptive use.  | construct works 3                 | years<br>if<br>of water to benefic                        | ial use 5 years                                 | vet or annual  |
|          | Estimated time required to<br>Remarks: For use other that  | construct works 3                 | years<br>if<br>of water to benefic                        | ial use 5 years                                 | vet or annual  |
|          | Estimated time required to<br>Remarks: For use other tha<br>aumptive use.  | construct works 3                 | years<br>if<br>of water to benefic                        | ial use 5 years                                 | vet or annual  |
|          | Estimated time required to<br>Remarks: For use other tha<br>aumptive use.  | construct works 3                 | years<br>of water to benefic<br>ering, state number       | ial use 5 years<br>and type of units to be serv | ved or annual  |
| 1        | Estimated time required to<br>Remarks: For use other tha<br>aumptive use.  | construct works 3                 | years<br>of water to benefic<br>ering, state number       | ial use 5 years<br>and type of units to be serv | ved or annual  |
|          | Estimated time required to<br>Remarks: For use other tha<br>aumptive use.  | construct works 3                 | years<br>of water to benefic<br>ering, state number       | ial use 5 years<br>and type of units to be serv | ved or annual  |
|          | Estimated time required to<br>Remarks: For use other tha<br>amptive use.<br>attached addendum.<br>(775) 358-9491 | construct works3                  | years<br>of water to benefic<br>ering, state number       | and type of units to be serv                    | ved or annual  |
|          | Estimated time required to<br>Remarks: For use other that<br>sumptive use.                                       | construct works3                  | years<br>of water to benefic<br>ering, state number<br>By | and type of units to be serv                    |  |
| 5.<br>5. | Estimated time required to<br>Remarks: For use other tha<br>amptive use.<br>attached addendum.<br>(775) 358-9491 | construct works3                  | years<br>of water to benefic<br>ering, state number<br>By | and type of units to be serv                    | E Control Cont |

S150 FILING FEE MUST ACCOMPANY APPLICATION

(C)-1583A (Rev 10-85)

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#### Application No.

## ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Division | Section           | Township | Range    | Meridian |
|----------|-------------------|----------|----------|----------|
| All      | 1-3               | 21N      | 50E      | M.D.M.   |
| Alt      | 10-15             | 21N      | 50E      | M.D.M.   |
| All      | 22-27             | 21N      | 50E      | M.D.M.   |
| All      | 34-36             | 21N      | 50E      | M.D.M.   |
| All      | 1-36              | 21N      | 51E      | M.D.M.   |
| Ali      | 6&7               | 21N      | 52E      | M.D.M.   |
| All      | 18 & 19           | 21N      | 52E      | M.D.M.   |
| All      | 30 & 31           | 21N      | 52E      | M.D.M.   |
| All      | 36                | 21 1/2N  | 51 1/2 E | M.D.M.   |
| All      | 31 - 36           | 21 1/2N  | 52E      | M.D.M.   |
| All      | 34-36             | 22N      | 50E      | M.D.M.   |
| All      | 1-3               | 22N      | 51E      | M.D.M.   |
| All      | 10-15             | 22N      | 51E      | M.D.M.   |
| All      | 20-29             | 22N      | 51E      | M.D.M.   |
| Ail      | 31-3 <del>6</del> | 22N      | 51E      | M.D.M.   |
| All      | 1                 | 22N      | 51 1/2 E | M.D.M.   |
| Ail      | 12 & 13           | 22N      | 51 1/2 E | M.D.M.   |
| All      | 24 & 25           | 22N      | 51 1/2 E | M.D.M.   |
| Ail      | 36                | 22N      | 51 1/2 E | M.D.M.   |
| All      | 1 - 36            | 22N      | 52E      | M.D.M.   |
| All      | 6&7               | 22N      | 53E      | M.D.M.   |
| All      | 18 & 19           | 22N      | 53E      | M.D.M.   |
| All      | 30 & 31           | 22N      | 53E      | M.D.M.   |
| All      | 34-36             | 23N      | 51E      | M.D.M.   |
| All      | 31                | 21 1/2 N | 53E      | M.D.M.   |

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Page 1 of 1

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| ТН   | US SPACE FOR OFFICE USE ONLY   |
|--|--|
| Date of filing in State Engineer's Office                      | JUN 2 9 2007   |
| Returned to applicant for correction                           |  |
| Corrected application filed                                    | Map filed JUL 11 2007 under 75979  |
| The applicant Kobeh Valley Ranch LL                            | c  |
| 10 North Post Street Suite 610                                 | of Spokane   |
| Street and No. or P.O. Box No.                                 | City or Town   |
| Washington 99201   | hereby makes application for permission to change the  |
| State and Zip Code No.<br>Point of Diversion, Place and Manner | of Use   |
|  |  |
| of water heretofore appropriated under                         | Permit No. 72582   |
|  | Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree   |
| and identify right in Decree.                                  |  |
| ). The source of water is undergrour                           | 1d<br>Name of stream, lake, underground, spring or other nources.  |
| 2. The amount of water to be changed                           |  |
| 2 The surface is used for Mining as                            | Second feet, acre-feet. One second foot equals 448.83 gallons per minute.  |
| 3. The water to be used for Mining at<br>Impation, poser       | nd Milling<br>, mming, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.                                |
| 4. The water heretofore used for Irriga                        | ation  |
|  | If for stock, state number and kind of animals.  |
| 5. The water is to be diverted at the follo                    | wing point within the SE 1/4 of the NW 1/4 of Section 21, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course |
| R.51E., M.D.M., or at a point from whi                         | ch the southwest corner of Section 31, T.22N., R.51E., M.D.M.,   |
| and distance to a section corner. If on unsurveyed land, it    | should be stated.  |
| bears South 41°50' West a distance o                           | f 18,260 feet. (Well 203)  |
|  |  |
| 4 The quisting point of discussion is long                     |  |
|  | ted within the NW 1/4 of the NE 1/4 of Section 23, T.19N., R.47E.,<br>If point of diversion is not changed, do not answer.                         |
|  | th 71°32'59" East, 4147.14 feet from the NW corner of said Section   |
| 23 (Well No. 1). Refer to map support                          | ting Applications 72580 through 72588, filed April 12, 2005, in  |
|  |  |
| the State Engineer's Office.                                   |  |
|  |  |

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|                |   |   |   | rigation state number of acres to be in   |                              |
|----------------|---|---|---|---|------------------------------|
| 3              | attached Exhibit "A" a  | and as shown on the ma  | p that accom  | panied Application No. 7  | 72695.                       |
|                |   |   |   |   |                              |
|                |   |   |   |   |                              |
| ۰.             | Existing place of use w   |   |   | 2 N 1/2, a portion of the i   |                              |
|                |   | 1/2 of Section 21; N 1/2<br>ormit, describe acreage to be removed   |   | of Section 22; N 1/2 of Se  | ction 23 and                 |
|                |   |   | •   | p supporting Application  | ns 72580 through             |
| 2              | 88, filed April 12, 2005.   | , in the State Engineer's   | Office.   |   |                              |
| •              |   |   |   |   | ,                            |
| ŀ.             | Use will be from  | January 1<br>Month and Day  | to  | December 31   | of each year                 |
| Э.             |   |   | 10  | Month and Day   | of each year                 |
|                | Ose permanent nom   | January 1<br>Month and Day  |   | Month and Day   | Of COULT YEAR                |
| Ι.             |   |   |   | 10 you may be required to su  | ibmit plans and              |
|                | specifications of your div  | crsion or storage works.)   |   | II, pump and pipelines o  |                              |
|                | and mill site.  |   | SU  | ate manner in which water is to be div  | erted, i.e. orversion struct |
|                | ditches and flumes, drilled well  | with nump and motor, etc.   | *******   |   |                              |
|                |   |   |   |   |                              |
| 9.             |   | in excess of \$3,000,00   | 0.  |   |                              |
|                |   | in excess of \$3,000,00   | 10.<br>years  |   |                              |
|                | Estimated cost of works   | in excess of \$3,000,00   |   | If well completed, describe well.   |                              |
| 3.             | Estimated cost of works<br>Estimated time required  | in excess of \$3,000,00<br>to construct works 3   | years.  | If well completed, describe well.<br>Ficial use <b>5 years</b>  |                              |
| 3.<br>4.<br>5, | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other   | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | -<br>   | rved or annual               |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   | rved or annual               |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other   | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   | rved or annual               |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   | rved or annual               |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   | rved or annual               |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   |                              |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   |                              |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   |                              |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | in excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of                                  | years   | eficial use 5 years   |                              |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other (<br>sumptive use.<br>attached addendum.                    | In excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of<br>than irrigation or stock wate | years   | eficial use 5 years   |                              |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other t<br>sumptive use.  | In excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of<br>than irrigation or stock wate | years   | eficial use 5 years   |                              |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other is<br>sumptive use.<br>• attached addendum.<br>(775) 358-94 | In excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of<br>than irrigation or stock wate | years<br>of water to bene<br>ering, state num<br>By | ficial use <b>5 years</b><br>ber and type of units to be se<br>when the second seco | E Way                        |
| 3.<br>4.<br>5. | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other is<br>sumptive use.<br>• attached addendum.<br>(775) 358-94 | In excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of<br>than irrigation or stock wate | years<br>of water to bene<br>ering, state num<br>By | ficial use <b>5 years</b><br>ber and type of units to be se<br>ber and type of units to be se<br><u>ber and type of units to be se</u><br><u>ber and type of units to be se</u><br><u>ber and type of units to be se</u><br><u>ber and type of units to be se</u><br><u>stepatistic of Agent, George G. L</u><br><u>Surveying 1925 E. Prat</u><br><u>Struct and No., or P.O. Box</u>  | E Way                        |
| .4.            | Estimated cost of works<br>Estimated time required<br>Estimated time required<br>Remarks: For use other is<br>sumptive use.<br>• attached addendum.<br>(775) 358-94 | In excess of \$3,000,00<br>to construct works <u>3</u><br>to complete the application of<br>than irrigation or stock wate | years<br>of water to bene<br>ering, state num<br>By | ficial use <b>5 years</b><br>ber and type of units to be se<br>when the second seco | Er Way                       |

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1563A (Rev. 10-95)

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Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

9年18日167日1月1833

| Division | Section       | Township | Range       | Meridian |
|----------|---------------|----------|-------------|----------|
| All      | 1-3           | 21N      | 50E         | M.D.M.   |
| All      | 10-15         | 21N      | 50E         | M.D.M.   |
| All      | 22-27         | 21N      | 50E         | M.D.M.   |
| Alł      | 34-38         | 21N      | 50E         | M.D.M.   |
| All      | 1-38          | 21N      | 51E         | M.D.M.   |
| All      | 6&7           | 21N      | 5 <b>2E</b> | M.D.M.   |
| Al       | 18 & 19       | 21N      | 52E         | M.D.M.   |
| All      | 30 & 31       | 21N      | 52E         | M.D.M.   |
| All      | 36            | 21 1/2N  | 51 1/2 E    | M.D.M.   |
| All      | 31 - 36       | 21 1/2N  | 52E         | M.D.M.   |
| All      | 34-38         | 22N      | 50E         | M.D.M.   |
| All      | 1-3           | 22N      | 51E         | M.D.M.   |
| All      | 10-15         | 22N      | 51E         | M.D.M.   |
| All      | 20-29         | 22N      | 51E         | M.D.M.   |
| All      | 31-36         | 22N      | 51E         | M.D.M.   |
| All      | 1             | 22N      | 51 1/2 E    | M.D.M.   |
| Alt      | 12 & 13       | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 24 & 25       | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 36            | 22N      | 51 1/2 E    | M.D.M.   |
| All      | 1 - <b>36</b> | 22N      | 52E         | M.D.M.   |
| Ali      | 6&7           | 22N      | 53E         | M.D.M.   |
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| All      | 30 & 31       | 22N      | 53E         | M.D.M.   |
| Ali      | 34-38         | 23N      | 51E         | M.D.M.   |
| All      | 31            | 21 1/2 N | 53E         | M.D.M.   |

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Page 1 of 1

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| THIS SPACE FOR OFFICE USE ONLY  |           |
|---|-----------|
| Date of filing in State Engineer's Office JUN 2 9 2007  |           |
|   |           |
| Returned to applicant for correction  |           |
| Corrected application filed Map filed JUL 11 2007 under 75979   |           |
| The applicant Kobeh Valley Ranch LLC  |           |
| 10 North Post Street, Suite 610 of Spokane  |           |
| Street and No. or P.O. Box No. City or Town   | *         |
| Washington 99201 hereby makes application for permission to change the state and Zip Code No.   | 1ê        |
| Point of Diversion, Place and Manner of Use   |           |
| of water heretofore appropriated under Permit No. 72583   |           |
| Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title  | of Decree |
| and identify right in Decree.   |           |
|   |           |
| 1. The source of water is underground         Name of stream, lake, underground, spring or other sources.         2. The amount of water to be changed       1.0 cfs, 211.25 acre feet annually         Second feet, acre-feet. One second foot equals 448.83 gallons per minute. |           |
| <ol> <li>The water to be used for Mining and milling<br/>Impation, poser, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one m</li> </ol>  | ajor use. |
| 4. The water heretofore used for Irrigation and Domestic  |           |
| If for stock, state number and kind of animals.<br>5. The water is to be diverted at the following point within the SW 1/4 of the SW 1/4 of Section 21, T.  | 22N       |
| Describe as being within a 40-acre subdivision of public survey and   | by course |
| R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M<br>and distance to a section corner. If on unsurveyed land, it should be stated.   | ۸.,       |
| bears South 43°28' West a distance of 15,620 feet. (Well 204)   |           |
|   |           |
| 6. The existing point of diversion is located within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R<br>If point of diversion is not changed, do not answer.<br>M.D.M., or at a point which bears South 43°41'48" East, 1908.65 feet from the NW corner of said S               |           |
| 23 (Well No. 2). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, i  |           |
|   | n         |

139-20

61974 C002028

|         | Proposed place of use                                 |  |                     | gation state number of acres to be irri   |               |
|---------|---|--|---------------------|---|---------------|
| 30      | attached Exhibit "A" an                               | id as shown on the ma  | p that accomp       | anied Application No. 72  | 2695.         |
| <br>\$. | Existing place of use                                 |  |                     | N 1/2, a portion of the N<br>or irrigation, state number of acres irr                   |               |
| 8       | d/or manner of use of irrigation perm                 | nit, describe acreage to be removed  | from prigation.     | Section 22; N 1/2 of Sec<br>supporting Application                                      |               |
| 25      | 88, filed April 12, 2006, i                           | n the State Engineer's   | Office.             |   |               |
| ).      | Use will be from                                      | January 1<br>Month and Day   |                     | December 31<br>Month and Day  | of cach year  |
| ).      | Use permitted from                                    | January 1<br>Month and Day   | to                  | December 31<br>Month and Day  | of each year  |
|         |   |  |                     | 0 you may be required to sub  | mit plans and |
|         | specifications of your diver                          | sion or storage works.)  |                     | , pump and pipelines or<br>emanner in which water is to be diver                        |               |
|         | and mill site.<br>ditches and flumes, drilled well wi | the management of the state  |                     |   |               |
| ι.      | Estimated cost of works                               |  | 0.                  |   |               |
| 5.      | Estimated time required to                            | construct works 3 y  | /ears               | If well completed, describe well.   |               |
|         | Estimated time required to                            | complete the application of  | of water to benefi  | icial usc 5 years   | •             |
| ;       |   | an irrigation or stock wate  | ring, state numb    | er and type of units to be ser  | ved or annual |
|         | umptive use.  |  |                     |   |               |
| n:      | which a share of an adaptive stress                   |  |                     |   |               |
| n:      | attached addendum.                                    | Nort f 1 1999 In Film and Anna and Ann |                     |   |               |
| n:      | attached addendum.                                    |  |                     |   | P.            |
| n:      | attached addendum.                                    |  |                     |   | <u></u><br>D  |
| n       | attached addendum.                                    |  |                     |   | <u></u>       |
| n       | attached addendum.                                    |  |                     |   |               |
| n       | (775) 358-949   | 1  | By Du               | r. A. a. l. a.  | 5.<br>11      |
| n       |   | 1  | By Jul<br>Tri State | Jugadure of Agai, Coorge (* 1)<br>Surveying 1925 E. Prate<br>Store and No. or P. O. Box |               |
| n       | (775) 358-949   | 1  | ******              |   | No.           |

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(O)-1563A (Rev. 10-95)

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## Application No.

#### ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72698, 73545 through 73552 and 74587, previously filed with the State Engineer.

Water in the maximum annual volume of 16,000 acre feet annually will be utilized for mining, milling and domestic purposes within the place of use. The mining and milling operations will operate 24 hours per day, 365 days per year. The life of the mine is anticipated to be 53 years. When the plant is fully operational, water consumed in the initial stages will be substantially les that 16,000 acre feet annually, increasing to approximately 16,000 acre feet annually for a period commencing in the year 2020 and ending in 2052. Thereafter, the volume of water will gradually decline until the ore body is exhausted and the mining property is reclaimed.

The liquid cycle is fully contained, under NDEP zero discharge permits. Water saving and conservation devices will be fully implemented.

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| Alt      | 22-27   | 21N      | 50E         | M.D.M.         |
| All      | 34-36   | 21N      | 50E         | M.D.M.         |
| All      | 1-36    | 21N      | 51E         | M.D.M.         |
|          |         |          |             |                |
| All      | 6 & 7   | 21N      | 52E         | M.D.M.         |
| All      | 18 & 19 | 21N      | 52E         | M.D.M.         |
| All      | 30 & 31 | 21N      | 52 <b>E</b> | M.D.M.         |
| All      | 36      | 21 1/2N  | 51 1/2 E    | M.D.M.         |
| Alf      | 31 - 36 | 21 1/2N  | 52E         | M.D.M.         |
| All      | 34-38   | 22N      | 50E         | M.D.M.         |
| All      | 1-3     | 22N      | 51E         | M.D.M.         |
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| All      | 31-38   | 22N      | 51E         | M.D.M.         |
| All      | 1       | 22N      | 51 1/2 E    | M.D.M.         |
| All      | 12 & 13 | 22N      | 51 1/2 E    | M.D.M.         |
| All      | 24 & 25 | 22N      | 51 1/2 E    | M.D.M.         |
| All      | 36      | 22N      | 51 1/2 E    | M.D.M.         |
|          |         | 2214     |             | 141.0.141      |
| All      | 1 - 36  | 22N      | 52E         | <b>M.D.M</b> . |
| Ali      | 6&7     | 22N      | 53E         | M.D.M.         |
| All      | 18 & 19 | 22N      | 53E         | M.D.M.         |
| All      | 30 & 31 | 22N      | 53E         | M.D.M.         |
| All      | 34-36   | 23N      | 51E         | M.D.M.         |
| All      | 31      | 21 1/2 N | 53E         | M.D.M.         |

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Page 1 of 1

Serial No. 7 5 0 0

|                                    | т   | HIS SPACE FOR OFFICE USE ONLY  |
|------------------------------------|---|--|
|                                    | Date of filing in State Engineer's Offic  | ∞ <u>JUN 2 9 2007</u>  |
|                                    | Returned to applicant for correction  |  |
|                                    | Corrected application filed   | Map filed under 75979  |
| П                                  | applicant Kobeh Valley Ranch Li   | LC   |
| 10                                 | North Post Street, Suite 610  | of Spokane   |
| Na                                 | Street and No. or P.O. Box No.<br>Shington 99201<br>State and Zip Code No.  | City or Town<br>hereby makes application for permission to change the  |
| <b>,</b> 0                         | nt of Diversion, Place and Manne  | er of Use  |
| of 1                               | vater heretofore appropriated under   | Permit No. 72584<br>Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree   |
| ~                                  | dentify right in Decree   |  |
|                                    |   |  |
|                                    | The source of water is <b>undergrou</b><br>The amount of water to be changed  | Name of stream, lake, underground, spring or other sources.  |
| 1.                                 | The amount of water to be changed   | Name of stream, lake, underground, spring or other sources.<br><b>3.99 cfs, 842.91 acre feet annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.   |
| 2.<br>3.                           | The amount of water to be changed<br>The water to be used for   | Name of stream, lake, underground, spring or other sources.<br><b>3.99 cfs, 842.91 acre feet annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.<br>and milling<br>er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.  |
| 2.<br>3.                           | The amount of water to be changed   | Name of stream, lake, underground, spring or other sources.<br><b>3.99 cfs, 842.91 acre feet annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.<br>and milling<br>er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.  |
| 2.<br>3.<br>4.                     | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, prom<br>The water heretofore used for Irrig   | Name of stream, lake, underground, spring or other sources.<br><b>3.99 cfs, 842.91 acre feet annually</b><br>Socond feet, acre-feet. One second foot equals 448.83 gallons per minute.<br>and milling<br>er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals.<br>owing point within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,  |
| 2.<br>3.<br>4.<br>5.               | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, pres-<br>The water heretofore used for Irrig<br>The water is to be diverted at the folk<br>1E., M.D.M., or at a point from wh   | Name of stream, lake, underground, spring or other sources.<br><b>3.99 cfs, 842.91 acre feet annually</b><br>Second feet, acre-feet. One second foot equals 448.83 gallons per minute.<br>and milling<br>or, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br><b>pation and Domestic</b><br>If for stock, state number and kind of animals.<br>Owing point within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by course<br>nich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,  |
| 2.<br>3.<br>5.                     | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, pre-<br>The water heretofore used for Irrig<br>The water is to be diverted at the foll-<br><b>1E., M.D.M., or at a point from wh</b><br>interve to a section corner. If on unsurveyed land,   | Name of stream, lake, underground, spring or other sources.<br>3.99 cfs, 842.91 acre feet annually<br>Socond feet, acre-feet. One second foot equals 448.83 gallons per minute.<br>and milling<br>er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>(animation of stock) state number and kind of animals.<br>within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by cours<br>nich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>n should be stated.   |
| 2.<br>3.<br>4.<br>5.               | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, pres-<br>The water heretofore used for Irrig<br>The water is to be diverted at the folk<br>1E., M.D.M., or at a point from wh   | Name of stream, lake, underground, spring or other sources.<br>3.99 cfs, 842.91 acre feet annually<br>Socond feet, acre-feet. One second foot equals 448.83 gallons per minute.<br>and milling<br>er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>(animation of stock) state number and kind of animals.<br>within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by cours<br>nich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>n should be stated.   |
| 2.<br>3.<br>4.<br>5.<br>R.(        | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, per<br>The water heretofore used for Irrig<br>The water is to be diverted at the folk<br>1E., M.D.M., or at a point from white<br>interce to a section comer. If on unsurveyed land,<br>Irrs South 27°21' West a distance of  | Name of stream, lake, underground, spring or other sources.<br>3.99 cfs, 842.91 acre feet annually<br>Socond feet, word-fleet. One second foot equals 448.83 gallons per minute.<br>and milling<br>er, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals.<br>orwing point within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public wavey and by course<br>hold be stated.<br>of 9,320 feet. (Well 206)<br>atcd within the NE 1/4 of the SE 1/4 of Section 21, T.19N., R.47E.,  |
| 2.<br>3.<br>4.<br>5.<br>R.C.       | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, pow-<br>The water heretofore used for Irrig<br>The water is to be diverted at the foll-<br><b>1E., M.D.M., or at a point from wh</b><br>Istance to a section corner. If or unsurveyed land,<br>Irrs South 27°21' West a distance of<br>The existing point of diversion is loce  | Name of stream, lake, underground, spring or other sources.<br>3.99 cfs, 842.91 acre feet annually<br>Socond feet, acre-feet. One socond foot equals 448.83 gallons per minute.<br>and milling<br>c, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals.<br>Owing point within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public wavey and by oours<br>nich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>n should be stated.<br>of 9,320 feet. (Weil 206)  |
| 2.<br>3.<br>4.<br>5.<br>R.C<br>M.C | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, pres-<br>The water heretofore used for Irrig<br>The water is to be diverted at the folk-<br><b>1E., M.D.M., or at a point from wh</b><br><b>binance to a section corner. If on unsurveyed land,</b><br><b>irs South 27°21' West a distance of</b><br>The existing point of diversion is loce<br><b>0.M., or at a point which bears So</b> | Name of stream, lake, underground, spring or other sources.<br>3.99 cfs, 842.91 acre feet annually<br>Socond feet, acre-fact. One second foot equals 448.83 gallons per minute.<br>and milling<br>e, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals.<br>Must limit to one major use.<br>pation and Domestic<br>If for stock, state number and kind of animals.<br>Must limit the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by cours<br>hich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>in should be stated.<br>of 9,320 feet. (Well 206)<br>atcd within the NE 1/4 of the SE 1/4 of Section 21, T.19N., R.47E.,<br>West If point of diversion is not changed, do not answer. |
| 2.<br>3.<br>4.<br>5.<br>6.<br>6.   | The amount of water to be changed<br>The water to be used for Mining a<br>Irrigation, pres-<br>The water heretofore used for Irrig<br>The water is to be diverted at the folk-<br><b>1E., M.D.M., or at a point from wh</b><br><b>binance to a section corner. If on unsurveyed land,</b><br><b>irs South 27°21' West a distance of</b><br>The existing point of diversion is loce<br><b>0.M., or at a point which bears So</b> | Name of stream, lake, underground, spring or other sources.<br>3.99 cfs, 842.91 acre feet annually<br>Socond feet, sure-feet. One second foot equals 448 83 gallons per minute.<br>and milling<br>e, mining commercial, etc. If for stock state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals. Must limit to one major use.<br>gation and Domestic<br>If for stock, state number and kind of animals.<br>owing point within the SE 1/4 of the NE 1/4 of Section 30, T.22N.,<br>Describe as being within a 40-acre subdivision of public survey and by cours<br>nich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,<br>in should be stated.<br>of 9,320 feet. (Well 206)<br>atcd within the NE 1/4 of the SE 1/4 of Section 21, T.19N., R.47E.,<br>West If point of diversion is not changed, do not answer.<br>buth 01°14'21'' East, 3911.35 feet from the NE corner of said Section  |

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