

April 11, 2011
Page Two

However, KVR has no objection to complying with Eureka County's request to cross examine Mr. Rogers on his Memorandum. KVR respectfully requests the State Engineer schedule an additional hearing day for presentation of Mr. Rogers' Memorandum. KVR will call Mr. Rogers and Mr. Dwight Smith to explain the Memorandum. KVR does not anticipate offering any other material. KVR believes one (1) day will suffice and that no pre-hearing conference is necessary. A hearing day occurring within the next three (3) weeks is requested, if at all possible.

In its response, Eureka County takes the position that virtually all water developed from KVR's wells located in Kobreh Valley will be placed to a beneficial use within the mill, located in Diamond Valley, and that the discharge from the mill is a "by product of such beneficial use." Eureka County claims use of water to produce a slurry is not a mining and milling use. KVR disagrees because transportation of slurry from a mill and treatment of tailings in a pond (evaporation, drying and recycling) is an indispensable part of any mining and milling process. Removing and disposal of material from a mill is a beneficial use of water with discharge of the tailings, in the form of a slurry, to be deposited in a tailings pond. See *Union Mill & Mining Co. v. Dangberg, et al.*, 81 F.73 (D. Nev. 1897) which affirms water for tailings disposal as a beneficial use, and NRS 37.010 (6)(a), which states that "mining and related activities... are recognized as the paramount interest of this State." Related activities clearly include transporting and disposal of tailing via a slurry to a tailings pond. The State Engineer may take administrative notice of the literally hundreds of permits he has granted "for mining, milling and domestic purposes." Without disposal of tailings via a liquid slurry, there would be no mills in Nevada.

KVR does not agree with Eureka County's statements regarding the "lithium mine" in Clayton Valley. In that instance, Lithium brine is extracted, via State Engineer permits and placed in evaporation ponds. Thus, literally all water in the process of recovering lithium is consumed through evaporation, which is part of that operation's mining/milling process: a beneficial use.

B. NRS 533.364.

KVR believes that the material submitted to the State Engineer, and all Protestants on March 21, 2011 is in compliance with above-listed statute. Determining how to conduct and complete the inventory and determining whether he believes he has sufficient information to complete the inventory is for the State Engineer to determine. KVR and Eureka County agree on this point of law. NRS 533.364 does not require the State Engineer to hold a hearing or engage in an adversarial process in performing his duties required by the statute. KVR requests that the State Engineer take such action as he determines appropriate in complying with the statute.

C. Enclosures.

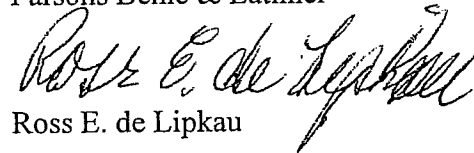
April 11, 2011
Page Three

Enclosed herewith are pages 1 and 2 of the Hydrologic Abstract for Basin 139. Apparently, due to a clerical error, pages 1 and 2 were not enclosed with the original correspondence.

Respectfully submitted.

Very truly yours,

Parsons Behle & Latimer



Ross E. de Lipkau

RED/rt
Enclosures

cc: Protestants
Client

Hydrographic Abstract

Number of Records: 149

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RLP','RVP','VST','DEC') AND source IN ('UG')

Basin	Application	Charged	Open	Filed	App	Source	Sec	Q	Sec	Div	Div	Use	Int	Duty	County	Owner Name		
					status		SEC	Q	SEC	OWN	RNG	PLC	Acres	Balance	Supp			
139	10426		2782	09-28-39	CER	UG	SW	NW	20	19N	49E	0.050	IRR	0.00	15.50	EU	KOBEH VALLEY RANCH LLC	
11016			2815	09-30-43	CER	UG	NW	NE	13	19N	48E	0.016	STK	0.00	11.57	EU	3F LLC	
11072			2880	02-25-44	CER	UG	NE	SE	17	19N	50E	0.780	IRR	0.00	330.50	EU	FISH CREEK RANCH LLC	
11105			4202	04-14-44	CER	UG	NE	SW	23	20N	49E	0.003	STK	0.00	1.20	EU	DAMELE FARMS, INC.	
11188			4039	10-21-44	CER	UG	SW	NE	21	20N	50E	0.005	STK	0.00	1.69	EU	ROY R AND MARY E RISI	
11382			3478	10-10-45	CER	UG	SW	NE	07	18N	48E	0.009	STK	0.00	6.51	EU	3F LLC	
11410			3180	10-26-45	CER	UG	SE	NE	09	19N	47E	0.017	STK	0.00	12.31	LA	DAMELE, PETER	
11448			4088	12-17-45	CER	UG	NW	SE	35	21N	48E	0.003	STK	0.00	0.68	EU	DAMELE FARMS, INC.	
11449			4089	12-17-45	CER	UG	NE	SW	10	20N	48E	0.003	STK	0.00	0.68	EU	DAMELE FARMS, INC.	
11836			3094	04-25-47	CER	UG	SW	NW	20	19N	49E	0.010	STK	0.00	6.94	EU	3F LLC	
13849			4922	10-01-51	CER	UG	NE	SE	05	19N	49E	0.020	IRR	0.00	160.00	EU	DAMELE, TOM G. & PETER JOE	
13955			4088	12-31-51	CER	UG	SW	SW	16	21N	49E	0.018	STK	0.00	11.20	EU	DAMELE FARMS, INC.	
13956			5334	12-31-51	CER	UG	SE	SW	09	20N	49E	1.008	IRR	0.00	877.60	EU	M W CATTLE CO	
18100			5463	07-10-59	CER	UG	NE	SW	18	19N	49E	0.010	STK	0.00	5.62	EU	3F LLC	
18544			6457	01-26-60	CER	UG	NE	NE	30	19N	49E	5.400	IRD	0.00	1292.40	EU	KOBEH VALLEY RANCH LLC	
19421			5787	04-03-61	CER	UG	NW	NW	36	19N	47E	0.046	STK	0.00	1.20	LA	DAMELE, PETER J.	
20836			6300	11-08-62	CER	UG	NE	NE	05	19N	50E	0.016	STK	0.00	1.20	EU	SANTA FE LAND AND CATTLE COMPANY	
23549			7899	12-15-66	CER	UG	NW	SE	20	20N	52E	1.000	IRR	0.00	48.00	EU	ROY R AND MARY E RISI	
23951			8002	06-23-67	CER	UG	SW	SW	29	19N	49E	2.450	IRD	0.00	332.64	EU	KOBEH VALLEY RANCH LLC	
23952			8003	06-23-67	CER	UG	NE	NE	30	19N	49E	2.700	IRD	0.00	238.64	EU	KOBEH VALLEY RANCH LLC	
24170			6847	10-05-67	CER	UG			LT1	02	18N	49E	0.009	STK	0.00	0.34	EU	3F LLC
24376			7643	02-20-68	CER	UG	NW	SE	30	19N	50E	0.016	STK	0.00	11.20	EU	3F LLC	
43025			11338	12-31-80	CER	UG	NE	SE	07	20N	51E	0.007	STK	0.00	0.03	EU	BLM	
43026			11371	12-31-80	CER	UG	SW	NE	27	19N	51E	0.010	STK	0.00	7.24	EU	BLM	
44744			11341	10-29-81	CER	UG	NW	SE	21	20N	52E	0.001	STK	0.00	0.74	EU	BLM	
44748			11342	10-29-81	CER	UG	NW	SW	09	18N	48E	0.010	STK	0.00	7.24	EU	BLM	
44749			11343	10-29-81	CER	UG	SE	NE	33	19N	48E	0.010	STK	0.00	7.24	EU	BLM	
44774			11352	10-29-81	CER	UG			L70	31	22N	50E	0.009	STK	0.00	6.51	EU	BLM
44775			11353	10-29-81	CER	UG	NW	NW	17	21N	50E	0.008	STK	0.00	5.77	EU	BLM	
45686			11447	05-19-82	CER	UG	SE	NW	22	19N	48E	0.031	STK	0.00	22.40	EU	PETER DAMELE & SON	
45687			11448	05-19-82	CER	UG	NE	NE	31	19N	47E	0.031	STK	0.00	22.40	LA	PETER DAMELE & SON	
45688			11449	05-19-82	CER	UG	SE	NE	04	19N	49E	0.031	STK	0.00	22.40	EU	PETER DAMELE & SON	
48684			12338	01-04-85	CER	UG	NW	NW	25	21N	49E	0.012	STK	0.00	8.68	EU	ETCHEVERRY FAMILY LTD	

Number of Records: 149

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RLP','RVP','VST','DEC') AND source IN ('UG')

Basin	Application	Change of Application	Cert	File date	App Status	Source	Point of Diversion	Diversion Rate	Use	Intended Acres	Div. Balance	Supp.	CO	Owner name
0.012														
PARTNERSHIP														
56274	14826	05-08-91	CER	UG	UG	SW NW 03 18N 47E	0.008	STK	0.00	5.62	LA	DAMELE, PETER JOE		
70099	17200	06-09-03	CER	UG	UG	NE SW 30 19N 49E	0.013	STK	0.00	9.54	EU	3F LLC		
71594	17500	08-20-04	CER	UG	UG	SW SE 36 21N 51E	0.016	STK	0.00	11.20	EU	RISI, ROY		
9682	2780	07-25-33	CER	UG	UG	SE NE 17 19N 50E	0.655	IRR	0.00	474.00	EU	KOBEH VALLEY RANCH LLC		
35866	09-11-78	PER	UG	UG	UG	SW SW 16 19N 47E	1.210	IRR	0.00	819.24	Y	LA	BOBCAT RANCH, LLC	
54093	10-17-89	PER	UG	UG	UG	NE SW 35 22N 50E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC	
54094	10-17-89	PER	UG	UG	UG	SW SW 22 22N 50E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC	
60281	07-28-94	PER	UG	UG	UG	NW SW 27 22N 49E	1.000	MM	0.00	272.64	Y	EU	KOBEH VALLEY RANCH LLC	
60282	07-28-94	PER	UG	UG	UG	NW SW 27 22N 49E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC	
60283	07-28-94	PER	UG	UG	UG	NE SE 28 22N 49E	1.000	MM	0.00	272.64	Y	EU	KOBEH VALLEY RANCH LLC	
60284	07-28-94	PER	UG	UG	UG	NE SE 28 22N 49E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC	
60285	07-28-94	PER	UG	UG	UG	NE SE 28 22N 49E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC	
60286	07-28-94	PER	UG	UG	UG	NE SE 28 22N 49E	1.000	MM	0.00	272.64	Y	EU	KOBEH VALLEY RANCH LLC	
64616	11-16-98	PER	UG	UG	UG	NE NE 21 19N 47E	2.240	IRR	0.00	819.24	Y	LA	BOBCAT RANCH, LLC	
72580	04-12-05	PER	UG	UG	UG	SE SE 15 19N 47E	0.460	IRR	0.00	390.76	Y	EU	KOBEH VALLEY RANCH LLC	
72581	04-12-05	PER	UG	UG	UG	NW NE 23 19N 47E	4.700	IRR	0.00	1142.40	Y	LA	KOBEH VALLEY RANCH LLC	
72582	04-12-05	PER	UG	UG	UG	NW NE 23 19N 47E	2.000	IRR	0.00	500.00	Y	LA	KOBEH VALLEY RANCH LLC	
72583	04-12-05	PER	UG	UG	UG	SW NW 23 19N 47E	1.000	IRR	0.00	211.25	Y	LA	KOBEH VALLEY RANCH LLC	
72584	04-12-05	PER	UG	UG	UG	NE SE 21 19N 47E	3.990	IRR	0.00	842.91	Y	LA	KOBEH VALLEY RANCH LLC	
72585	04-12-05	PER	UG	UG	UG	SW SW 22 19N 47E	2.720	IRR	0.00	1280.00	Y	LA	KOBEH VALLEY RANCH LLC	
72586	04-12-05	PER	UG	UG	UG	SW SW 22 19N 47E	0.820	IRR	0.00	300.76	Y	LA	KOBEH VALLEY RANCH LLC	
72587	04-12-05	PER	UG	UG	UG	SW NW 23 19N 47E	5.000	IRR	0.00	1280.00	Y	LA	KOBEH VALLEY RANCH LLC	
72588	04-12-05	PER	UG	UG	UG	SW SW 22 19N 47E	5.000	IRR	0.00	1280.00	Y	LA	KOBEH VALLEY RANCH LLC	
76058	07-13-07	PER	UG	UG	UG	SW SW 16 19N 47E	0.014	STK	0.00	9.52	Y	LA	PETER JOE AND TOM DAMELE	
76059	07-13-07	PER	UG	UG	UG	SE SW 16 19N 47E	0.410	IRR	0.00	150.48	Y	LA	PETER JOE AND TOM DAMELE	

CERTIFICATE OF SERVICE

I hereby certify that on this 11 day of April, 2011, I caused to be mailed, first class; postage prepaid, a true and correct copy of the foregoing **LETTER TO JASON KING and TIM WILSON**

DATED APRIL 11, 2011, to:

Karen A. Peterson, Esq.
Allison & MacKenzie
402 N. Division Street
Carson City, NV 89702

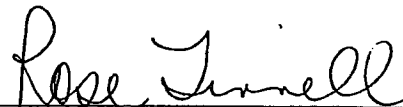
Therese A. Ure, Esq.
Schroeder Law Offices, P.C.
440 Marsh Ave.
Reno, NV 89509
Attorneys for Kenneth F. Benson

Conley Land & Livestock, LLC
Attn: Beverly Conley
P.O. Box 111
Eureka, NV 89316

Lloyd Morrison
P.O. Box 52
Eureka, NV 89316

Baxter Glenn Tackett
P.O. Box 695
Eureka, NV 89316

Alan K. Chamberlain
Cedar Ranches LLC
948 Temple View Drive
Las Vegas, NV 89110



Employee of Parsons Behle & Latimer



**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

April 20, 2011

Kobeh Valley Ranch, LLC
c/o Ross E. de Lipkau, Esq.
Parsons, Behle & Latimer
50 W. Liberty Street, Suite 750
Reno, Nevada 89501

Re: Inventory of Water Resources

Dear Mr. de Lipkau:

Our office has received your submittal of March 21, 2011, including your request to accept a portion of the information as satisfying the inventory requirements of Nevada Revised Statute § 533.364. After review of your submittal it has been determined that additional information is required to satisfy the statute, as follows:

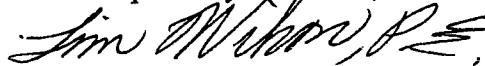
1. The total amount of surface water appropriated in accordance with a decreed, certified or permitted water right.
 - a. Each water right should be listed with the amount of the appropriation and the total for all decreed, certified or permitted water rights, in acre-feet annually.
 - i. Do not include pending applications.
2. The total amount of groundwater appropriated in accordance with a decreed, certified or permitted water right.
 - a. Each water right should be listed with the amount of the appropriation and the total for all decreed, certified or permitted water rights, in acre-feet annually.
 - i. Do not include pending applications.
 - ii. Ruling No. 5966 was vacated. All permitted/certificated water rights that were forfeited or abrogated and reverted to their former status should be included. Permits that were approved and reverted to application status should be excluded.

3. An estimate of the amount and location of all groundwater that is available for appropriation within the basin.
 - a. For groundwater, this amount is the estimated perennial yield minus the total calculated in Item 2. Report in acre-feet annually.
4. An estimate of the amount and location of all surface water that is available for appropriation within the basin.
 - a. The total amount of surface water will be based on flow measurements and estimates, as appropriate.
 - b. It is sufficient to note that there are mountain block seeps flowing de minimus amounts of water.
 - c. For springs that are tributary or base flow to perennial or intermittent streams, it is sufficient to measure the stream source and not each individual spring that may feed the stream source.
 - d. For isolated springs, measure or estimate water production.
 - e. Determine the amount of surface water available for appropriation by comparing the estimated production to committed water resource.
5. The name of each owner of record set forth in the records of the Office of the State Engineer for each decreed, certified and permitted right in the basin.
 - a. Do not include pending applications.
 - b. Based on a cursory review of the information you submitted, ownership information may be incomplete for the following: 11072, 11188, 13849, 13956, 20836, 23549, 64616, 2243, 4528, 4529, 8891, 8894, and V01950-V01957.
6. It is recommended that you utilize a spreadsheet or table format.
 - a. Resubmit all information organized in a binder or similar fastening.

Keep in mind that the purpose of the inventory is to provide a snapshot in time of the amount of water available versus the amount of water committed. Pending applications are not a part of the inventory.

Should you have any questions regarding this matter, please contact this office at (775)684-2873.

Respectfully submitted,



Tim Wilson, P.E.
Hearings Officer

TW/ml

cc: Therese Ure, Esq., Schroeder Law Office
Karen A. Peterson, Esq., Allison, McKenzie, Pavlakis, Wright & Fagan
Baxter Glenn Tackett
Cedar Ranches, LLC
Conley Land & Livestock, LLC
Lloyd Morrison

BRIAN SANDOVAL

STATE OF NEVADA

LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

June 22, 2011

Kobeh Valley Ranch, LLC
c/o General Moly, Inc.
1726 Cole Blvd., Suite 115
Lakewood, Colorado 80401

Ross de Lipkau
Parsons, Behle & Latimer
50 W. Liberty Street
Reno, Nevada 89501-1970

Dwight L. Smith, P.E.
Interflow Hydrology, Inc.
P.O. Box 1482
Truckee, California 96160

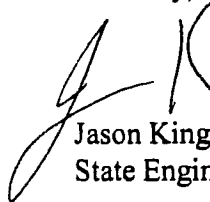
Gentlemen:

Our office has received your *Water Resources Inventory Data Collection Report Kobeh Valley – NDWR Hydrographic Basin 139*. This was submitted by Interflow Hydrology on behalf of Kobeh Valley Ranch, LLC. The inventory is required by Nevada Revised Statute § 533.364.

This letter does not imply approval or denial of the pending applications but is only an acknowledgement that the inventory has been received and meets the statutory requirement.

Should you have any questions regarding this matter, please contact this office at (775) 684 - 2873.

Sincerely,


Jason King, P.E.
State Engineer

JK/ml

SROA 071

JA5499

BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

MEMO

TO: Eureka County

W FROM: Tim Wilson

SUBJECT: Kobeh Valley Ranch, LLC

DATE: July 5, 2011

See attached letter

Enclosure: CD - Water Resources Inventory Data Report Collection
Kobeh Valley – NDWR Hydrographic Basin 139
June 16, 2011

SROA 072

JA5500

ANDREW MACKENZIE
MIKE PAVLAKIS
JOAN C. WRIGHT
PATRICK V. FAGAN
KAREN A. PETERSON
JAMES R. CAVILIA
CHRIS MACKENZIE
DAWN ELLERBROCK
RYAN D. RUSSELL



ALLISON · MACKENZIE
PAVLAKIS · WRIGHT & FAGAN
LTD
ATTORNEYS AND COUNSELORS AT LAW

JENNIFER M. MAHE
ALICIA G. JOHNSON
JOEL W. LOCKE

MIKE SOUMBENIOTIS
(1932-1997)

GEORGE V. ALLISON
OF COUNSEL

May 24, 2011

Ross E. de Lipkau, Esq.
Parsons Behle & Latimer
50 West Liberty Street, Suite 750
Reno, NV 89501

Via Email & U.S. Mail

Tim Wilson, P.E.
Hearings Officer
Division of Water Resources
901 South Stewart Street, Suite 2002
Carson City, NV 89701

Via Hand Delivery

Re: April 20, 2011 Letter - Inventory of Water Resources
Kobeh Valley Ranch, LLC Applications

Dear Mr. de Lipkau and Mr. Wilson:

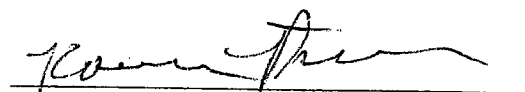
Eureka County requests that it be provided with a copy of any additional information submitted by Kobeh Valley Ranch, LLC in response to Mr. Wilson's letter dated April 20, 2011 relating to the inventory of water resources required to satisfy the requirements of NRS 533.364.

If you have any questions regarding this request, please contact the undersigned at your earliest convenience. Thank you.

Sincerely,

**ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.**

By:


KAREN A. PETERSON, ESQ.

KAP/nf
(deLipkau L01)

cc: Ted Beutel, Esq.
Jake Tibbitts

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
<u> X </u>	E-filing pursuant to Section IV of District of Nevada Electronic Filing Procedures

fully addressed as follows:

Bryan L. Stockton	<u>bstockton@ag.nv.gov</u>
Senior Deputy Attorney General's Office	
Nevada Attorney General's Office	
100 North Carson Street	
Carson City, NV 89701	

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

Therese A. Ure	<u>t.ure@water-law.com</u>
Laura A. Schroeder	<u>schoeder@water-law.com</u>
Schoeder Law Offices, P.C.	
400 Marsh Avenue	
Reno, NV 89509	

X 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

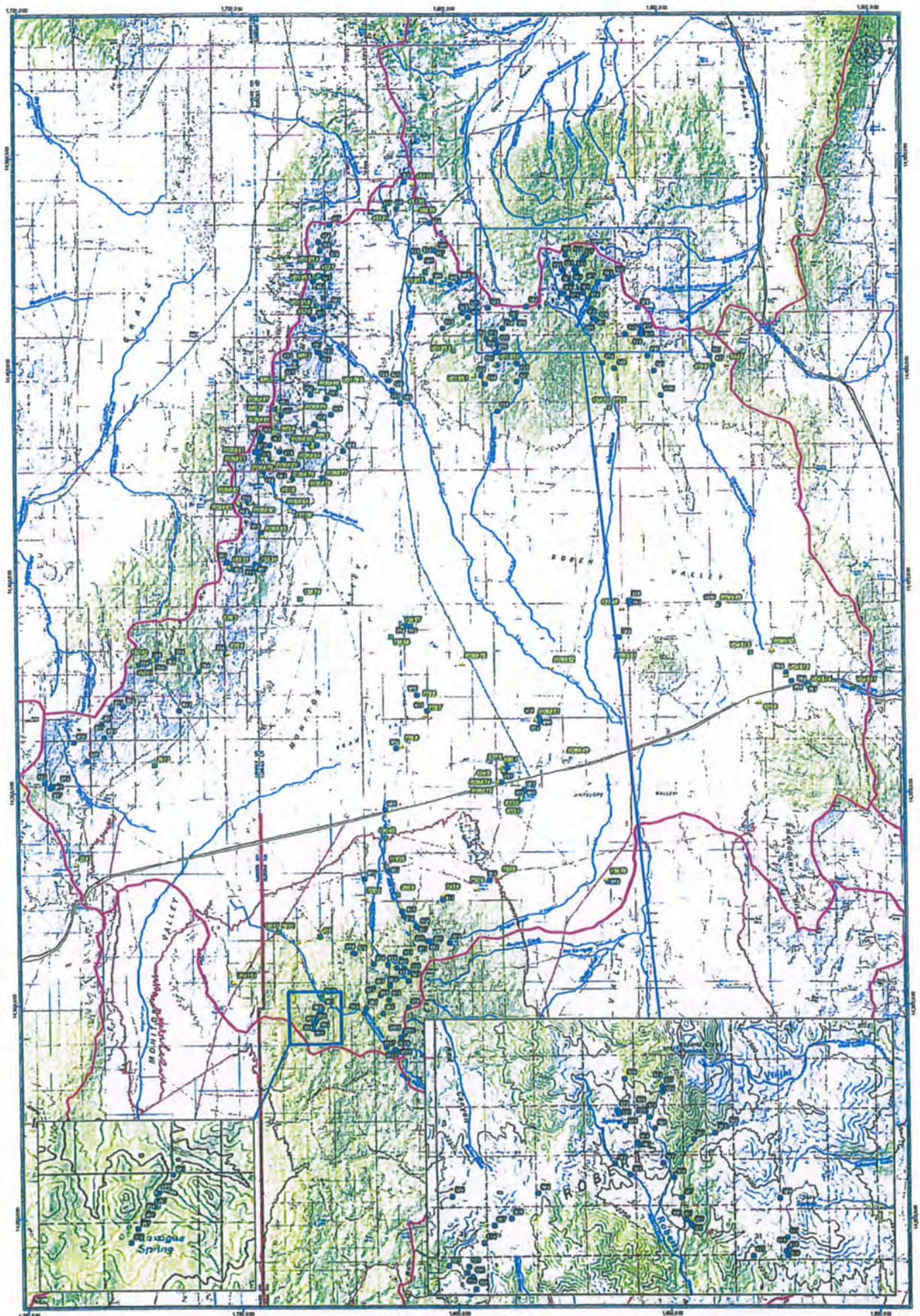
fully addressed as follows:

John R. Zimmerman jzimmerman@parsonsbehle.com
Parsons Behle & Latimer
50 West Liberty Street, Ste 750
Reno, NV 89501

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

DATED this 21st day of December, 2012.

/s/ Nancy Fontenot



- Explanation**
- Stream or Spring/W Right
- SOURCE**
- Point of Diversion for Spring Source (PDS/Location Number)
 - Point of Diversion for Stream Source (PDS/Location Number)
 - Springs or Swaps Location from Inventory (Appendix B)
 - Hydrographic Basin Boundary

Projection: Universal Transverse Mercator NAD 83, Zone 11 North
Units are in U.S. Feet

Scale: 0 1.25 2.5 5 7.5 10 Miles

Data Sources: National Hydrography Dataset, SRTM (2000), USGS Topographic Maps

Only Springs and Spring/Stream Rights from Kobeh Valley are Shown

Plate 2A: Spring Inventory Map, Kobeh Valley, Nevada SROA 036

Kobeh Valley Surface Water Rights (Stream and Spring Sources) - Plate 2A

App	Cart	Source Name	File Data	Status	Source	POD Qtr	POD Sec	POD Twn	POD Rng	Div Rate (CFS)	Type of Use	Annual Duty	Units	County	Owner of Record	Easting (UTM, FT)	Northing (UTM, FT)	
425		KELLY CRK	4/10/1907	PER	STR	SE	15	18N	48E	1.000	IRR	30.000	AFA	EU	WILSON	1768762	14315109	
2243	194	ACKERMAN SPRINGS	10/14/1911	CER	SPR		36	19N	46E	0.017	STK	9.053	AFS	LA	LAXAGUE	1712857	14332385	
2732	480	ROBERTS CREEK	6/12/1913	CER	STR	NE	24	22N	50E	0.300	IRR	120.000	AFA	EU	ETCHEVERRY FAMILY LTD PARTNERSHSH	1838468	14440170	
2913	293	HICKSON CREEKS(3)	3/16/1914	CER	STR	NE	09	19N	47E	0.260	IRR	104.000	AFA	LA	DAMELE	1731119	14355706	
2948	1972	REYNOLDS CREEK	4/24/1914	CER	STR	NE	SE	34	18N	48E	0.427	IRR	90.000	AFA	EU	OUT-BACH RANCH	1768911	14300949
3669	2011	WILLOW CREEK & TRIBUTARY	11/3/1915	CER	STR	SE	SW	08	18N	49E	0.483	IRR	58.900	AFS	EU	3F LLC	1787219	14325019
4527	1196	BASIN SPRING	7/26/1917	CER	SPR	SE	NE	23	23N	48E	0.015	STK	0.000	AFA	EU	BLM	1769996	14471788
4528	1197	WEST COTTONWOOD SPRING	7/26/1917	CER	SPR	NW	SE	26	23N	48E	0.003	STK	2.170	AFA	EU	BLM	1770115	14464001
4768	1986	UNNAMED SPRING	12/8/1917	CER	SPR	NE	NW	11	22N	51E	0.100	STK	24.214	AFS	EU	ETCHEVERRY FAMILY LTD PARTNERSHSH	1862570	14450987
4919	1685	FERGUSON SPRINGS	2/18/1918	CER	SPR	NE	NE	09	21N	48E	0.546	IRR	84.320	AFS	EU	FERGUSON	1760423	14419245
5375	597	WARM SPRING	1/29/1919	CER	SPR	NE	NW	18	19N	50E	0.002	STK	1.074	AFA	EU	3F LLC	1812500	14355723
6049	865	TWIN SPRINGS	4/5/1920	CER	SPR	SW	SW	18	19N	50E	0.001	STK	0.737	AFA	EU	3F LLC	1811273	14351770
6263	816	HICKSON SPRINGS	9/15/1920	CER	SPR	SE	SE	01	20N	47E	0.010	STK	4.266	AFS	LA	DAMELE	1748235	14388840
6264	817	HICKSON SPRINGS	9/15/1920	CER	SPR	SE	SE	01	20N	47E	0.010	STK	4.266	AFS	LA	DAMELE	1748235	14388840
6861	1312	COLD SPRING	2/5/1923	CER	SPR	SE	NW	18	19N	50E	0.002	STK	1.135	AFA	EU	3F LLC	1811876	14355112
7002	1303	JACK RABBIT SPRING	11/16/1923	CER	SPR	NE	NE	12	18N	48E	0.002	STK	1.135	AFA	EU	3F LLC	1779225	14324267
7458	1701	LOST SPRING	8/1/1925	CER	SPR	SE	SW	10	18N	49E	0.005	STK	3.376	AFA	EU	3F LLC	1797807	14325082
7509	1302	HILLSIDE SPRING	9/18/1925	CER	SPR	NE	SE	11	18N	49E	0.002	STK	0.890	AFA	EU	3F LLC	1805796	14326448
7596	1691	PARONI SPRING	12/7/1925	CER	SPR	NE	NE	12	18N	49E	0.009	STK	4.358	AFS	EU	3F LLC	1811110	14329214
7608	2185	KELLEY CREEK	12/28/1925	CER	STR	NW	SW	16	18N	48E	2.000	IRR	37.720	AFS	EU	FISH CREEK RANCH LLC	1770089	14316431
7620	1511	REYNOLDS CREEK	1/14/1926	CER	STR	NW	SW	16	18N	48E	0.612	IRR	129.600	AFS	EU	3F LLC	1759578	14316278
7766	2102	ALMA WOODS SPRING NO. 1	6/1/1926	CER	SPR	NW	NE	33	20N	49E	0.001	STK	4.481	AFA	EU	3F LLC	1792905	14370870
7767	1982	ALMA WOODS SPRING NO. 2	6/1/1926	CER	SPR	SE	SE	33	20N	49E	0.002	STK	1.135	AFA	EU	3F LLC	1794256	14367540
7768	2103	ALMA WOODS SPRING NO. 3	6/1/1926	CER	SPR	SW	NE	08	19N	49E	0.001	STK	4.480	AFA	EU	3F LLC	1788504	14360325
8256	1852	HIGHWAY SPRING	8/1/1927	CER	SPR	SW	SW	36	20N	51E	0.011	STK	7.856	AFA	EU	MORRISON	1873383	14370572
8330	2489	CLOVER SPRING	10/1/1927	CER	SPR	NW	SW	20	19N	50E	0.006	STK	3.345	AFA	EU	3F LLC	1816625	14347861
8331	2490	SHAMROCK SPRING	10/1/1927	CER	SPR	NW	SW	20	19N	50E	0.010	STK	5.094	AFA	EU	3F LLC	1816625	14347861
8890	2055	COTTONWOOD SPRING NO. 1	5/1/1929	CER	SPR	SW	SW	10	22N	48E	0.020	STK	14.577	AFA	EU	DAMELE FARMS	1761851	14447779
8891	2056	COTTONWOOD SPRING NO. 2	5/1/1929	CER	SPR	NW	NE	10	22N	48E	0.020	STK	14.577	AFA	EU	ETCHEGARAY	1764405	14451125
8892	2057	FAGIN SPRING	5/1/1929	CER	SPR	NE	NE	21	22N	48E	0.020	STK	14.577	AFA	EU	DAMELE FARMS	1760556	14439775
8893	2058	POTATO CANYON SPRING	5/1/1929	CER	SPR	SE	SW	26	22N	48E	0.020	STK	14.577	AFA	EU	ETCHEGARAY	1760510	14433811
8894	2059	SNOWWATER CANYON SPRING	5/1/1929	CER	SPR	SE	NE	28	22N	48E	0.020	STK	14.577	AFA	EU	DIAMOND STAR RANCH CORP	1866560	14450421
9442	2002	MT. HOPE SPRING	4/23/1931	CER	SPR	SW	NW	12	22N	51E	0.094	STK	67.209	AFA	EU	1784516	14331679	
11835	3093	WILLOW CREEK	4/25/1947	CER	STR	SE	NE	06	18N	49E	0.010	STK	6.936	AFA	EU	3F LLC	1784516	14331679
12040	3617	WILLOW CREEK	10/13/1947	CER	STR	SE	NE	31	19N	49E	0.100	IRR	24.350	AFS	EU	3F LLC	1784321	14338454
12057	3741	REYNOLDS CREEK	10/22/1947	CER	STR	NW	SW	16	18N	48E	0.010	STK	6.721	AFA	EU	3F LLC	1759578	14316278
12058	3610	KELLEY CREEK	10/22/1947	CER	STR	NW	SW	14	18N	48E	0.010	STK	6.945	AFA	EU	FISH CREEK RANCH LLC	1770089	14316431
12748	5880	MUD SPRING	12/3/1948	CER	SPR	NW	SW	14	18N	48E	0.010	STK	10.864	AFA	EU	ETCHEVERRY FAMILY LTD PARTNERSHSH	1840793	14392744
13657	5310	FERGUSON CREEK	3/14/1951	CER	STR	NE	NE	08	20N	49E	1.600	IRR	439.200	AFS	EU	DAMELE FARMS	1788885	14388239
13658	5311	UNNAMED STREAM & SPRS	3/14/1951	CER	STR	NE	NE	08	20N	49E	1.600	IRR	439.200	AFS	EU	DAMELE FARMS	1788885	14388239
13674	4990	LOWER GRUB CAN. WASH	4/9/1951	CER	STR	NE	SE	34	21N	48E	0.007	STK	231.920	AFA	EU	DAMELE FARMS	1765231	14394994
13678	3843	BRADFORD SPRING	4/12/1951	CER	SPR	NE	NE	11	18N	50E	0.007	STK	4.600	AFA	EU	BARTHOLOMAE CORPORATION	1836284	14328687
13706	4256	FERGUSON SPRING	5/7/1951	CER	SPR	NE	NE	10	21N	48E	1.000	IRR	296.120	AFA	EU	DAMELE FARMS	1763092	14416019
15040	4474	SPRING NO. 1	5/12/1953	CER	SPR	SE	NE	16	20N	47E	0.100	IRR	24.000	AFS	LA	DAMELE	1730950	14380789
15041	5670	SPRING NO. 2	5/12/1953	CER	SPR	NW	SW	16	20N	47E	0.100	IRR	24.000	AFS	LA	DAMELE	1729664	14379459
15533	4399	UPPER GRUB CANYON SPR.	3/5/1954	CER	SPR	NW	NE	30	21N	48E	0.014	STK	4.174	AFS	LA	DAMELE FARMS	1748850	14402709
15534	4400	UPPER GRUB CANYON SPR.	3/5/1954	CER	SPR	NE	NE	29	21N	48E	0.014	STK	4.174	AFS	LA	DAMELE FARMS	1755416	14402833
16802	5078	ROBERTS CREEK & TRIBS	12/5/1955	CER	SPR	NW	NE	24	22N	50E	0.000	IRR	117.000	AFA	EU	ETCHEVERRY FAMILY LTD PARTNERSHSH	1837839	14440170
16839	5078	TONKIN SUMMIT SPRING	7/23/1979	PER	SPR	NW	NW	03	23N	49E	0.005	STK	3.620	AFA	EU	BUCKINGHAM	1793293	14487193
38649	13710	MEADOW SPRING	12/10/1981	CER	SPR	NW	NW	03	23NH	49E	0.031	STK	22.403	AFA	EU	BUCKINGHAM	1792633	14493158
45119	16392	MIDDLE MOUNTAIN SPRING	12/10/1981	CER	SPR	NW	NE	04	23NH	49E	0.031	STK	9.050	AFA	EU	BUCKINGHAM	1790721	14487178
45120	16392	COILS SPRING	12/10/1981	CER	SPR	SE	NE	05	23N	49E	0.031	STK	4.520	AFA	EU	BUCKINGHAM	1785579	14487147
45121	16393	UNNAMED HOT SPRING	12/9/1994	RES	SPR	NE	NE	05	19N	50E	0.016	OTH	11.570	AFA	EU	BLM	1820256	14366397

Kobeh Valley Surface Water Rights (Stream and Spring Sources) - Plate 2A

App	Cert	Source Name	File Date	Status	Source	POD QQ	POD Qtr	POD Sec	POD Twn	POD Rng	Div Rate (CFS)	Type of Use	Annual Duty	Units	County	Owner of Record	Easting (UTM_FT)	Northing (UTM_FT)
R06872		TWIN SPRINGS	12/9/1994	RES	SPR	SW	SW	18	19N	50E	0.015	OTH	9.851	AFA	EU	BLM	1811273	14351770
R06873		COLD SPRING	12/9/1994	RES	SPR	SE	NW	18	19N	50E	0.015	OTH	9.851	AFA	EU	BLM	1812509	14354407
R06874		WARM SPRING	12/9/1994	RES	SPR	NE	NW	18	19N	50E	0.015	OTH	9.851	AFA	EU	BLM	1812500	14355723
R06875		GRAVEL PIT SPRING	12/9/1994	RES	SPR	NW	NE	23	20N	49E	0.015	OTH	9.851	AFA	EU	BLM	1803101	14379834
R06876		UNNAMED SPRING	12/9/1994	RES	SPR	NW	NW	02	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1766959	14424538
R06877		UNNAMED SPRING	12/9/1994	RES	SPR	SE	NE	02	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1770872	14423242
R06878		UNNAMED SPRING	12/9/1994	RES	SPR	SE	NW	03	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1763060	14423203
R06879		UNNAMED SPRING	12/9/1994	RES	SPR	NW	NW	04	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1756491	14424487
R06880		UNNAMED SPRING	12/9/1994	RES	SPR	SW	NE	08	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1753944	14417901
R06881		UNNAMED SPRING	12/9/1994	RES	SPR	NE	NW	08	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1752610	14419209
R06882		UNNAMED SPRING	12/9/1994	RES	SPR	SW	NW	08	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1751288	14417890
R06883		UNNAMED SPRING	12/9/1994	RES	SPR	SW	SE	09	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1759186	14416610
R06884		UNNAMED SPRING	12/9/1994	RES	SPR	SW	SW	16	21N	48E	0.015	OTH	11.416	AFA	EU	BLM	1756637	14410024
R06885		UNNAMED SPRING	12/9/1994	RES	SPR	SW	SW	14	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1769592	14444477
R06887		COTTONWOOD CANYON SPR	12/9/1994	RES	SPR	SW	NE	14	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1760556	14440487
R06888		FAGAN SPRING	12/9/1994	RES	SPR	NE	NE	21	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1760568	14437856
R06889		UNNAMED SPRING	12/9/1994	RES	SPR	NE	SE	21	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1765708	14440512
R06890		UNNAMED SPRING	12/9/1994	RES	SPR	NE	NE	22	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1765708	14440512
R06891		POTATO CANYON SPRING	12/9/1994	RES	SPR	SE	SW	26	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1768332	14431220
R06892		UNNAMED SPRING	12/9/1994	RES	SPR	SW	NW	33	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1756629	14428533
R06893		UNNAMED SPRING	12/9/1994	RES	SPR	NW	NW	33	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1759207	14428545
R06894		UNNAMED SPRING	12/9/1994	RES	SPR	NW	SE	34	22N	48E	0.015	OTH	11.416	AFA	EU	BLM	1756623	14429848
R06948		UNNAMED SPRING	12/9/1994	RES	SPR	NW	SW	10	19N	50E	0.005	OTH	3.928	AFA	EU	BLM	1764446	14427256
R06949		UNNAMED SPRING	12/9/1994	RES	SPR	SW	SW	10	19N	50E	0.005	OTH	3.928	AFA	EU	BLM	1826979	14357139
R06950		UNNAMED SPRING	12/9/1994	RES	SPR	NW	NE	03	20N	51E	0.005	OTH	3.928	AFA	EU	BLM	1863630	14393445
R06951		UNNAMED SPRING	12/9/1994	RES	SPR	NW	NW	18	20N	52E	0.005	OTH	3.928	AFA	EU	BLM	1876400	14382738
R06951		LONE MT SPRING	12/9/1994	RES	SPR	SW	NE	13	20N	50E	0.005	OTH	3.928	AFA	EU	BLM	1839698	14383332
R06952		TREASURE WELL SPRING	12/9/1994	RES	SPR	SW	NE	21	20N	50E	0.005	OTH	3.928	AFA	EU	BLM	1824002	14378763
V01769		COTTONWOOD CREEK	8/22/1921	VST	STR	SW	NE	13	22N	48E	0.915	IRR	0.000		EU	DAMELE FARMS, INC.	1774741	14445215
V01950		DEER SPRINGS	11/25/1925	VST	SPR	NW	NE	07	22N	50E	0.500	STK	1.500	AFA	EU	DAMELE, BERNARD	1811854	14450595
V01951		CHERRY SPRING	11/25/1925	VST	SPR	NE	SE	12	22N	49E	0.500	STK	2.250	AFA	EU	DAMELE, BERNARD	1806643	14447931
V01952		E. COTTONWOOD CR & TRIB	11/25/1925	VST	STR	NE	SE	02	22N	49E	0.000	IRR	350.000	AFA	EU	DAMELE, BERNARD	1802001	14453868
V01954		BASIN SPRING NO. 2	11/25/1925	VST	STR	SE	SW	14	23N	48E	0.000	IRR	350.000	AFA	EU	DAMELE, BERNARD	1768037	14473700
V01955		BASIN SPRING NO. 1	11/25/1925	VST	STR	SW	NE	23	23N	48E	0.000	IRR	350.000	AFA	EU	DAMELE, BERNARD	1769376	14471076
V01956		COTTONWOOD SPRING	11/25/1925	VST	STR	NW	SE	26	23N	48E	0.000	IRR	350.000	AFA	EU	DAMELE, BERNARD	1769488	14464604
V01957		JACKASS CREEK	11/25/1925	VST	STR	NW	NE	22	23N	49E	0.000	IRR	350.000	AFA	EU	DAMELE, BERNARD	1795332	14472336
V04152		RESEED SPR	5/18/1984	VST	SPR	SW	SW	30	18N	48E	0.015	STK	6.322	AFA	EU	USFS	1749195	14304499
V04511		SLOUGH CREEK	8/12/1985	VST	STR	NW	SE	22	20N	52E	0.050	STK	5.600	AFA	EU	ROY R AND MARY E RISI	1895581	14374124
V04512		UNNAMED SPRING	8/12/1985	VST	SPR	SE	NE	19	20N	52E	0.050	STK	0.690	AFA	EU	ROY R AND MARY E RISI	1879665	14376801
V04513		SLOUGH CREEK	8/12/1985	VST	STR	NE	SW	13	20N	51E	0.000	IRR	0.000	AFA	EU	KOBEH VALLEY RANCH, LLC	1871398	14382085
V04514		UNNAMED DRAINAGE	8/12/1985	VST	STR	NW	SE	20	20N	52E	2.500	IRR	0.000	AFA	EU	KOBEH VALLEY RANCH, LLC	1884935	14374120

Kobeh Valley Spring Inventory Sites - Plate 2A

Spring Number	NHD_Spring_Name	Eastings (UTM_FT)	Northings (UTM_FT)	Chem Source	Field_ID	Chem Number	Field Name	Date Sampled	Reported Geology	pH	Temp C	Temp F	Conductivity (uS/cm)	TDS (mg/L)	ORP (mV)	Flow (gpm)	Flow (cfs)
360	--	1790145.4	14494127.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
416	--	1788178.1	14487650.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
417	--	1785430.5	14487587.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
444	--	1796137.1	14484346.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
447	--	1772344.3	14484000.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
474	--	1769766.2	14479980.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
497	--	1796958.9	14478070.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
499	--	1770026.5	14477882.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
500	--	1797580.8	14477778.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
505	--	1798263.3	14477380.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
509	--	1828278.8	14476841.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
512	--	1833099.9	14476716.1	SRK	KV016	C-174	Unknown	10/4/2007	Glacial Cirque	4.33	9.1	48.4	400.1	272	236	0.82	0.002
513	--	1837790.7	14476609.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
514	--	1793852.3	14476557.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
515	--	1793746.1	14476282.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
517	--	1832310.9	14476062.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
518	--	1771868.4	14475171.5	SRK	KV010	--	Unknown	10/10/2007	Fractured Bedrock	--	--	--	--	--	--	--	--
524	--	1832367.9	14475416.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
528	--	1768120.0	14474288.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
529	--	1830796.9	14473970.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
533	--	1827424.3	14473510.5	SRK	KV014	--	Unknown	10/4/2007	Alluvium	--	--	--	--	--	--	--	--
534	--	1830433.5	14473373.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
535	--	1827601.5	14473091.8	SRK	KV015	C-173	Unknown	10/4/2007	Bedrock	7.22	11.4	52.5	223	148	161	4.92	0.011
537	--	1830855.8	14472810.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
541	--	1769532.7	14472097.5	SRK	KV011	--	Basin Spring	10/10/2007	Alluvium	--	--	--	--	--	--	--	--
543	Basin Spring	1769998.9	14472059.7	SRK	KV012	C-172	Unknown	10/10/2007	Fractured bedrock	6.97	7.8	46	165.1	105.8	47	0.17	0
545	--	1828279.3	14471820.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
546	--	1839295.5	14471780.3	SRK	KV018	--	Unknown	10/4/2007	Travertine/Sinter	--	--	--	--	--	--	--	--
550	--	1831447.2	14471585.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
553	--	1838014.9	14471141.5	SRK	KV019	--	Unknown	10/4/2007	Fractured Bedrock	--	--	--	--	--	--	--	--
554	--	1768447.4	14470714.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
555	--	1802897.7	14470641.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
556	--	1796430.2	14470545.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
557	--	1835668.2	14470435.5	SRK	KV020	C-171	Unknown	10/4/2007	Bedrock	4.35	10.1	50.2	488.7	344.7	249	4.39	0.01
558	--	1829510.5	14470112.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
559	Jack Spring	1801021.3	14470055.9	SRK	--	--	Jack Spring	10/4/2007	--	--	--	--	--	--	--	--	--
561	--	1829712.8	14469807.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
566	--	1832329.2	14467943.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
568	--	1827149.7	14467846.1	SRK	KV013	--	Unknown	10/4/2007	Alluvium	--	--	--	--	--	--	--	--
575	--	1828740.8	14466670.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
578	--	1833503.0	14466408.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
582	--	1771190.2	14464830.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
584	--	1818895.3	14464742.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
586	--	1809824.8	14464434.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
587	--	1834311.5	14464256.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
588	--	1844994.0	14464250.8	SRK	--	--	--	--	--	--	--	--	--	--	--	--	--
590	--	1805059.1	14464049.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
595	--	1803796.3	14463225.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
598	--	1805116.9	14462175.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
599	--	1816023.2	14462126.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Kobeh Valley Spring Inventory Sites - Plate 2A

Spring Number	NHD_Spring_Name	Eastng (UTM_FT)	Northing (UTM_FT)	Chem Source	Field_ID	Chem Number	Field Name	Date Sampled	Reported Geology	pH	Temp C	Temp F	Conductivity (uS/cm)	TDS (mg/L)	ORP (mV)	Flow (gpm)	Flow (cfs)
600	--	1834716.8	14462005.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
601	--	1834821.4	14461932.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
602	--	1768490.3	14461918.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
605	--	1835268.1	14461586.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
607	--	1814220.2	14461364.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
608	--	1835406.1	14461377.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
611	--	1845698.0	14460072.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
613	--	1799026.9	14459607.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
614	--	1813143.7	14459531.6	SRK	KV027	C-150	Unknown	10/3/2007	Fractured Bedrock	7.29	11.42	52.6	427	381	84.1	0.86	0.002
615	--	1845883.8	14459069.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
616	--	1845577.3	14458611.0	SRK	--	--	--	--	--	--	--	--	--	--	--	--	--
617	--	1842046.7	14458143.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
618	--	1845735.1	14458114.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
622	--	1809345.2	14457049.6	SRK	KV025	--	Unknown	10/3/2007	Alluvium	--	--	--	--	--	--	--	--
623	--	1811441.1	14457020.2	SRK	KV028	--	Unknown	10/3/2007	Alluvium	--	--	--	--	--	--	--	--
624	East Cottonwood Spring	1811237.6	14456341.5	SRK	KV029	--	Unknown	10/3/2007	Fractured Bedrock	--	--	--	--	--	--	--	--
625	--	1811861.0	14455936.4	SRK	KV033	C-145	Unknown	10/3/2007	Fractured Bedrock	8.1	11.3	52.3	458.1	323.3	67	0.65	0.001
626	East Cottonwood Spring	1812200.5	14454613.5	SRK	KV030	--	Unknown	10/3/2007	Quartzite Fractured Bedrock	--	--	--	--	--	--	--	--
627	--	1769249.8	14454241.7	SRK	KV005	C-140	Unknown	10/10/2007	Alluvium	6.92	10.9	51.6	142.2	220.5	40	0.67	0.001
628	Petunia Spring	1769738.9	14454032.1	SRK	KV009	--	Unknown	10/10/2007	Alluvium	--	--	--	--	--	--	--	--
629	--	1811565.4	14453831.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
630	--	1847184.0	14453045.1	SRK	OT-8	C-133	OT-8	8/8/2006	Alluvium	7.45	12.6	54.7	631	437	197	6.97	0.016
631	--	1862047.0	14452937.2	SRK	SP-5	C-135	SP-5	8/8/2006	Alluvium	7.49	20.3	68.5	1134	797	61	--	--
632	--	1770354.6	14452849.0	SRK	KV006	--	Unknown	10/10/2007	Fractured bedrock	--	--	--	--	--	--	--	--
633	--	1764295.4	14451797.6	SRK	KV007	--	Unknown	10/10/2007	Alluvium	--	--	--	--	--	--	NT	NT
634	Farrington Spring	1836615.0	14451417.6	SRK	--	C-129	Farrington Spring	5/15/2007	Alluvium	8.03	8	12.8	55	585	--	<1	<0.002
635	--	1811542.3	14451308.1	SRK	KV031	--	Unknown	10/4/2007	Fractured Bedrock	--	--	--	--	--	--	--	--
636	--	1811831.0	14450999.5	SRK	KV032	--	Deer Spring	10/3/2007	Alluvium	--	--	--	--	--	--	--	--
637	--	1862720.1	14450837.2	SRK	SP-6	C-124, C-125	SP-6	8/8/2006	Alluvium	7.93	14.7	52.8	865	601	109	1.59	0.004
640	--	1839402.0	14450009.7	SRK	KV024	--	Cherry Spring	10/4/2007	Alluvium	--	--	--	--	--	--	0	0
641	--	1848559.2	14449503.5	SRK	OT-7	C-113	OT-7	5/12/2006	Alluvium	7.32	12.7	52.8	697	467	108	2.36	0.005
642	--	1808087.3	14448423.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
643	--	1761276.0	14447926.6	SRK	KV008	C-109	Unknown	10/10/2007	Shale/Urnstone Bedrock	6.87	9.8	49.6	346.7	232.9	137	1.45	0.003
644	--	1786221.7	14447312.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
645	--	1786078.0	14447263.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
647	--	1816385.4	14446990.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
648	--	1808967.5	14446471.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
649	--	1786860.2	14444998.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
650	--	1767657.7	14444015.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
651	--	1771368.4	14443057.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
652	--	1788859.0	14442008.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
653	--	1788854.0	14441854.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
654	--	1759913.4	14440757.5	SRK	KV003	--	Fagin Spring	10/10/2007	Rhyodacite Fracture	--	--	--	--	--	--	--	--
655	Rutabaga Spring	1811758.4	14439972.3	SRK	KV026	C-101	Unknown	10/3/2007	Alluvium	7.67	12.7	54.9	541	458	130.5	8.61	0.019
656	--	1772377.3	14439190.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
657	--	1760767.7	14439062.0	SRK	KV004	C-99	Unknown	10/10/2007	Fractured Rhyolite	6.88	11.1	52	121.3	78.17	143	0.24	0.001
658	--	1768553.5	14437072.3	SRK	KV001	--	Unknown	10/10/2007	Alluvium	--	--	--	--	--	--	--	--
659	--	1755924.8	14434368.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
660	--	1756438.0	14434113.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
661	--	1760160.3	14434085.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Kobeh Valley Spring Inventory Sites - Plate 2A

Spring Number	NHD Spring Name	Easting (UTM, E)	Northing (UTM, N)	Chem Source	Field ID	Chem Number	Field Name	Date Sampled	Reported Geology	pH	Temp C	Temp F	Conductivity (uS/cm)	TDS (mg/L)	ORP (mV)	Flow (gpm)	Flow (cfs)
662	--	1756005.1	1443471.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
663	Potato Canyon Spring	1767953.9	14432539.3	SRK	KV002	C-96	Potato Canyon Spring	10/10/2007	Fractured Rhyolite	6.95	11.4	52.5	277.1	182.2	165	5.43	0.012
664	--	1758139.9	14432091.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
665	--	1768946.3	14432060.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
666	--	1755552.4	14431153.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
667	--	1760455.0	14430640.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
668	--	1756261.5	14430534.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
669	--	1775182.0	14430504.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
670	--	1756131.8	14430457.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
671	--	1754723.9	14430439.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
672	--	1755847.0	14429790.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
673	--	1755650.3	14429117.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
674	--	1758334.2	14428748.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
675	--	1761238.4	14428712.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
676	--	1758466.4	14428701.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
677	--	1764620.5	14427475.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
679	--	1756559.4	14425613.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
680	--	1767145.8	14425569.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
681	--	1770374.2	14424276.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
683	--	1763237.8	14423914.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
684	--	1770446.3	14423835.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
686	--	1753006.3	14419650.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
688	--	1753148.7	14418351.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
690	--	1751114.5	14417963.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
691	--	1758395.0	14416666.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
697	--	1758710.8	14412180.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
700	--	1755931.0	14411306.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
702	--	1748080.2	14404456.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
703	--	1754647.3	14403830.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
704	--	1755330.2	14403639.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
706	--	1748924.5	14402736.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
707	--	1754560.6	14402735.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
719	--	1842174.3	14395137.4	SRK	KV034	C-78	Mud Spring	10/11/2007	Alluvium	7.41	10.4	50.7	402.1	272.4	62	<1	<0.005
721	Mud Spring	1842255.0	14394418.3	SRK	--	C-77	the Mtn Artesian (Mud Spring)	5/15/2007	Alluvium	8.03	11.6	52.8	--	--	--	<1	<0.005
733	--	1789480.4	14389174.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
734	--	1790752.8	14389116.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
742	Lone Mountain Spring	1839713.6	14386268.8	SRK	KV035	C-72	Lone Mountain Spring	10/11/2007	Alluvium	7.35	16.1	61	367.7	245	73	--	--
750	--	1746818.1	14389953.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
756	--	1747540.6	14382606.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
764	--	1735236.2	14381735.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
766	--	1731331.8	14381262.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
769	--	1729966.7	14380983.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
776	--	1727063.5	14380183.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
782	--	1733196.4	14379362.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
784	--	1741097.5	14378500.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
789	--	1879265.4	14377879.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
796	--	1880591.7	14375861.1	SRK	KV063	--	Unknown	10/19/2007	Alluvium	--	--	--	--	--	--	--	--
797	--	1884077.4	14375246.5	SRK	KV064	C-62	Unknown	10/11/2007	Alluvium	6.89	13.3	55.9	622.4	427	152	15.85	0.035
798	--	1884786.6	14374890.9	SRK	KV065	C-61	Unknown	10/11/2007	Alluvium	7.23	16.3	61.3	611.9	416.1	97	5.3	0.012
800	--	1792035.7	14372867.3	SRK	KV036	--	Woods Spring One	10/19/2007	Alluvium	--	--	--	--	--	--	--	--

Kobeh Valley Spring Inventory Sites - Plate 2A

Spring Number	NHD Spring Name	Easting (UTM_Ft)	Northing (UTM_Ft)	Chem Source	Field ID	Chem Number	Field Name	Date Sampled	Reported Geology	pH	Temp C	Temp F	Conductivity (uS/cm)	TDS (mg/L)	ORP (mV)	Flow (gpm)	Flow (cfs)
809	--	1723705.9	14370237.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
811	--	1720983.5	14369770.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
812	--	1736605.8	14369168.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
813	--	1794396.8	14368966.4	SRK	KV038	--	Woods Spring Two	10/19/2007	Alluvium	--	--	--	--	--	--	--	--
816	--	1820697.1	14367427.6	SRK	KV043	--	Hot Springs	10/19/2007	Alluvium	--	--	--	--	--	--	--	--
817	--	1720156.7	14367101.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
820	--	1820830.1	14367014.7	SRK	KV044	C-53	Hot Springs	10/19/2007	Alluvium	7.18	39.4	102.9	619	413.1	-35	--	--
824	Hot Springs	1820581.9	14366736.2	SRK	--	C-52	Hot Spring Hill A	8/9/2006	Travertine	7.32	40.1	104.2	621.9	404	64	--	--
826	Hot Springs	1820816.8	14366354.0	SRK	--	C-49	Hot Spring Hill B	8/9/2006	Travertine	7.2	37.1	98.8	629.9	413	78	--	--
827	--	1718504.5	14366025.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
833	--	1719205.5	14362838.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
836	--	1712135.2	14361755.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
838	--	1786851.6	14360138.0	SRK	KV037	--	Woods Spring Three	10/19/2007	Alluvium	--	--	--	--	--	--	--	--
840	--	1715144.1	14357448.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
841	--	1812756.2	14356188.6	SRK	KV048	C-46	Warm Spring	10/17/2007	Alluvium	8.6	11.3	52.3	351.1	235.9	70	NT	NT
843	--	1813120.8	14355535.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
844	--	1812510.9	1435519.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
845	Warm Springs	1812877.0	1435507.7	SRK	--	C-45	Warm Springs Kobeh	4/12/2007	Alluvium	8.58	--	--	--	--	--	--	--
846	Warm Spring	1812583.2	1435483.8	SRK	KV039	--	Cold Spring	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
847	--	1812404.5	14355270.7	SRK	KV047	--	Cold Spring	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
848	Shamrock Spring	1812353.5	14354792.4	SRK	KV040	--	Unknown	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
849	Cold Spring	1812403.2	14354512.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
852	--	1705223.7	14352312.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
853	Twin Springs	1811617.9	14352055.1	SRK	KV045	--	Twin Springs	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
854	--	1708406.9	14351902.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
856	--	1706774.6	14351614.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
857	--	1706483.5	14351038.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
860	Clover Spring	1816938.2	14350417.9	SRK	KV046	--	Unknown	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
862	Clover Spring	1816948.4	14350124.0	SRK	KV041	--	Clover Spring	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
872	Shamrock Spring	1816035.7	14348049.2	SRK	KV042	--	Shamrock Spring	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
880	--	1784107.9	14345632.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
901	--	1784596.2	14331345.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
907	Jackrabbit Spring	1779027.6	14329216.6	SRK	KV049	--	Jackrabbit Spring	10/17/2007	Fractured Bedrock	--	--	--	--	--	--	--	--
908	--	1808449.6	14328963.1	SRK	KV050	--	Paroni Spring	10/17/2007	Unknown	--	--	--	--	--	--	--	--
909	Bradford Spring	1836235.1	14328541.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
911	Hillside Spring	1797429.1	14324229.5	SRK	KV051	--	Unknown	10/17/2007	Volcanic	--	--	--	--	--	--	--	--
914	--	1787852.2	14321631.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
915	--	1788233.5	14320469.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
917	--	1791139.1	14318174.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
918	--	1791511.4	14317820.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
920	--	1794168.2	14314571.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
921	--	1794172.6	14314562.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
922	--	1793598.8	14314559.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
923	Daguer Spring	1798887.8	14314191.8	SRK	KV052	--	Unknown	10/17/2007	Alluvium	--	--	--	--	--	--	--	--
925	--	1794641.9	14313651.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
928	--	1776076.6	14311813.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
929	--	1776503.2	14311648.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
932	--	1787366.9	14310377.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
934	--	1780932.2	14309148.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
935	--	1784227.6	14309068.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Kobeh Valley Spring Inventory Sites - Plate 2A

Spring Number	WHD Spring Name	Easting (UTM_Ft)	Northing (UTM_Ft)	Chem Source	Field ID	Chem Number	Field Name	Date Sampled	Reported Geology	pH	Temp C	Temp F	Conductivity (uS/cm)	TDS (mg/L)	ORP (mV)	Flow (gpm)	Flow (cfs)
936	--	1786300.0	14308256.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
937	--	1788123.9	14308146.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
938	--	1789174.0	14307251.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
939	--	1786306.8	14305852.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
943	--	1789128.5	14305230.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
959	--	1784653.1	14304290.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
964	--	1784713.1	14304030.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
967	--	1780740.6	14303642.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
971	--	1782388.5	14301872.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
978	--	1784457.0	14300803.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
981	--	1788920.4	14299006.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
982	--	1768771.3	14298898.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
983	--	1778944.7	14298865.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
984	--	1768433.3	14298105.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
985	--	1778495.0	14297743.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
986	--	1767954.2	14297616.7	--	--	--	--	--	--	--	--	--	--	--	--	--	--
991	--	1782915.2	14297607.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
994	--	1767741.0	14296602.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
996	--	1767364.5	14296231.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
996	--	1767095.9	14295602.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
997	--	1766833.0	14295033.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
998	Lavague Spring	1766451.8	14294034.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1001	--	1787923.6	14292777.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1002	--	1787911.8	14292753.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1006	--	1786994.9	14292019.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1015	--	1783656.4	14289664.3	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1016	--	1785784.6	14289141.0	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1017	--	1785596.8	14289131.2	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1018	--	1785608.5	14289124.6	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1019	--	1785637.9	14289085.1	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1025	--	1786138.5	14288596.4	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1026	--	1784603.9	14288336.5	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1027	--	1784937.6	14288136.8	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1100	--	1863408.0	14394218.9	--	--	--	--	--	--	--	--	--	--	--	--	--	--
1101	--	1850336.2	14443713.6	SRK	OT-6	--	--	--	--	--	--	--	--	--	--	--	--

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(1932-1997)

GEORGE V. ALLISON
OF COUNSEL

April 5, 2011

VIA HAND DELIVERY

Jason King, P.E., State Engineer
Tim Wilson, P.E., Hearings Officer
State of Nevada
Department of Conservation & Natural Resources
Division of Water Resources
901 S. Stewart St., Ste. 2002
Carson City, NV 89701

RECEIVED
2011 APR -5 PM 4:01
STATE ENGINEERS OFFICE

Re: Applications 72695, 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76005, 76006, 76007, 76008, 76009, 76483, 76484, 76485, 76486, 76744, 76745, 76746, 76802, 76803, 76804, 76805, 76989, 76990, 77171, 77174, 77175, 77525, 77526, 77527, 77553, 78424, 79911, 79912, 79913, 79914, 79915, 79916, 79917, 79918, 79919, 79920, 79921, 79922, 79923, 79924, 79925, 79926, 79927, 79928, 79929, 79930, 79931, 79932, 79933, 79934, 79935, 79936, 79937, 79938, 79939, 79940, 79941 and 79942; Response to Ross de Lipkau's Correspondence dated March 21, 2001

Dear Messrs. King and Wilson:

On March 3, 2011 Tim Wilson, P.E., sent correspondence to Applicant, Kobeh Valley Ranch, LLC ("KVR"), requesting additional information related to the above referenced applications. Specifically, Mr. Wilson requested additional information related to the amount of water annually developed and consumed from all sources and uses illustrated in Applicant's Exhibit 35 and whether NRS 533.364 applied to the water developed in the Kobeh Valley Hydrographic Basin ("Kobeh Valley") or the Diamond Valley Hydrographic Basin ("Diamond Valley"). Mr. Wilson's correspondence allowed KVR fifteen days to respond to the questions posed and all Protestants an additional fifteen days to respond to KVR's response.¹ KVR

¹ Eureka County has concerns regarding the State Engineer's request for substantial additional information after the hearing. As Mr. Wilson points out, NRS 533.375 allows the State Engineer to request the submission of additional information. However, NRS 533.375 goes on to discuss the submission of documents such as articles of incorporation and the names and places of residence of corporate directors. Obviously NRS 533.375 was not intended to be utilized for the submission of detailed reports or basin inventories or other information which should

Jason King, P.E., State Engineer
Tim Wilson, P.E., Hearings Officer
State of Nevada
Department of Conservation & Natural Resources
Division of Water Resources
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provided its submission to the State Engineer on March 21, 2011. Protestant Eureka County's response is detailed herein and in the following enclosed documents:

1. Affidavit of Jake Tibbitts; and
2. Affidavit of Dale Bugenig.

A. Exhibit No. 35.

Applicant's Exhibit 35 is an illustration of the water flow for the Project explicitly demonstrating water being exported from Kobeh Valley to Diamond Valley for beneficial use in the mining and milling process. KVR's response failed to address the actual question posed as it essentially ignored the Exhibit 35 diagram about which Mr. Wilson requested information. In response to the question regarding Exhibit 35, Eureka County attaches the Memorandum prepared by Mr. Tibbitts and Mr. Bugenig which includes a mark-up of Exhibit 35 with the exact amount of water developed and consumed identified for each use and process. As is clear from Mr. Tibbitts' and Mr. Bugenig's Memorandum, KVR's use of the water creates a circuit as follows: (1) water is pumped in Kobeh Valley; (2) water is exported to Diamond Valley; (3) water is utilized in the various mining and milling activities; (4) a slurry results from the mining and milling processing; (5) the slurry is transported to the tailings storage facility in Kobeh Valley; (6) at the tailings storage facility, any water either remains part of the tailings, evaporates or is reclaimed; and (7) any slurry water that is reclaimed is thereafter exported back into Diamond Valley for re-use in the mining and milling project. Undeniably, the actual beneficial use of the water occurs at the mining and milling facilities located in Diamond Valley.

An interbasin transfer of water is defined by statute as "a transfer of groundwater for which the proposed point of diversion is in a different basin than the proposed place of **beneficial use**." NRS 533.007 (emphasis added). KVR's water appropriation applications are, as defined by statute, an interbasin transfer of groundwater.

have been submitted at the hearing. Consideration of the Memorandum and purported basin inventory submitted by KVR containing information not presented at the hearing denies Protestants their due process rights to cross examine Mr. Rogers with regard to the new details submitted in the Memorandum and purported basin inventory. Thus, Eureka County hereby states and preserves its objection to any process for supplementing the record in this case which denies its due process rights.

Jason King, P.E., State Engineer
Tim Wilson, P.E., Hearings Officer
State of Nevada
Department of Conservation & Natural Resources
Division of Water Resources
April 5, 2011
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KVR appears to contend that 10,025 afa retained in, or evaporated at, the tailings storage facility is beneficially used in Kobeh Valley and as such there is not an interbasin transfer of groundwater in this situation. Nonetheless, KVR's actual beneficial use of all of the water occurs in Diamond Valley where the mining and milling occurs and the ore is processed. It is only the processing of the ore that has a benefit to KVR; the slurry waste is merely a by-product of such beneficial use. Certainly, if KVR were to remove the mining and milling process from its project it would not be suggesting that the State Engineer approve an application to pump water simply to allow it to evaporate or be consumed and retained in the tailings storage facility. The 10,695 afa of water diverted from Kobeh Valley from the well field and pit inflow is no longer available for beneficial use in Kobeh Valley because it has been used in Diamond Valley to process the ore. KVR's argument is a slippery slope because if the State Engineer follows the logic of such argument, and accepts the proposition that the mining and milling uses of the water which occur in Diamond Valley should be disregarded, then KVR has failed to establish a beneficial use for the water and the applications must be denied.

Finally, the Nevada Supreme Court, while never having addressed the issue of whether evaporation is a beneficial use, has recognized evaporation as a wasteful use, stating that:

Congress, in appropriating millions for storage and distribution, and our Legislature, have recognized the advantages of conserving the water above for use in irrigation, instead of having it flow by the lands of riparian owners to finally waste by sinking and evaporation in the desert.

Twaddle v. Winters, 29 Nev. 88, 85 P. 280, 284-285 (1906).

B. Basin Inventory.

Mr. Rogers acknowledges NRS 533.364 is applicable to water developed under KVR's Applications in Kobeh Valley. KVR attaches numerous print outs from the State Engineer's website in an attempt to submit the inventory required by NRS 533.364. Nonetheless, NRS 533.364 clearly requires more than a mere computer query of the information contained in the State Engineer's online database as is made clear by the statutory language itself, which requires identification of the amount and location of all the surface water in the basin, and the legislative history for NRS 533.364. As Jason King the Deputy State Engineer at the time, and current State

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Tim Wilson, P.E., Hearings Officer
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Engineer, testified at the Assembly Committee on Government Affairs on April 3, 2009, with regard to A.B. 416:

What we envision we will be doing with A.B. 416 is, if there is going to be an interbasin transfer of 250 acre-feet or more of water, our office would either have to begin an inventory or require the applicant to pay for the inventory to be done by a third party that we approve of. The first part of the inventory we would query our database for that particular basin, since we have a list of all the water right holders in that basin; we would get the names of all those people. ... The next thing to do would be to get people out on the ground, probably with topographic maps, maybe infrared maps, looking for other water resources. I am specifically talking about surface water, such as springs, that do not have an appropriation on them. We would go to those sites and take measurements to get baseline data, so that if an interbasin transfer is approved, we can see whether there is an effect. But yes, it is going to be a combination of querying our database and putting men in the field to identify other sources.

Additionally, the current State Engineer identified the number and location of all existing domestic wells as information that would be included in the inventory. Assemblyman Goicoechea supplemented Mr. King's statement by providing that A.B. 416 contemplated the inventory including not only the existing domestic wells but all parcels with the right to drill a domestic well. Finally, the legislative history shows that the inventory included "on the ground" assessments and measurements of water resources to be conducted by the State Engineer or an impartial third party.

Clearly, NRS 533.364 requires more than simply print outs from the State Engineer's online databases to satisfy the inventory requirements. KVR admits NRS 533.364 applies to its interbasin transfer of water; thus, the applications cannot be granted without a completed inventory having been submitted. Further, as stated above, when such inventory is submitted, Protestants must be provided the opportunity to review and respond to the inventory as well as cross-examine the witnesses related to the inventory. Since the Applicant did not properly

Jason King, P.E., State Engineer
Tim Wilson, P.E., Hearings Officer
State of Nevada
Department of Conservation & Natural Resources
Division of Water Resources
April 5, 2011
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perform the inventory, Eureka County requests that the State Engineer's office, or an impartial third-party, conduct the required inventory prior to acting on the subject applications.

Should you need any additional information, please do not hesitate to contact us.

Sincerely,

**ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.**

By: 
KAREN A. PETERSON, Esq.

KAP/nf
Enclosure(s) as stated
(King L02)

cc: Eureka County
All parties

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STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
BEFORE JASON KING, P.E., STATE ENGINEER

In the Matter of Application Nos:

72695, 72696, 72697, 72698, 73545, 73546,
73547, 73548, 73549, 73550, 73551, 73552,
74587, 75988, 75989, 75990, 75991, 75992,
75993, 75994, 75995, 75996, 75997, 75998,
75999, 76000, 76001, 76002, 76003, 76004,
76005, 76006, 76007, 76008, 76009, 76483,
76484, 76485, 76486, 76744, 76745, 76746,
76802, 76803, 76804, 76805, 76989, 76990,
77171, 77174, 77175, 77525, 77526, 77527,
77553, 78424, 79911, 79912, 79913, 79914,
79915, 79916, 79917, 79918, 79919, 79920,
79921, 79922, 79923, 79924, 79925, 79926,
79927, 79928, 79929, 79930, 79931, 79932,
79933, 79934, 79935, 79936, 79937, 79938,
79939, 79940, 79941 and 79942 to
appropriate the public waters of an
underground source.

AFFIDAVIT OF
DALE BUGENIG

RECEIVED
2011 APR -5 PM 4:02
STATE ENGINEERS OFFICE

STATE OF NEVADA)
: ss
CARSON CITY)

DALE BUGENIG, being first duly sworn, under penalty of perjury, deposes
and says that:

1. That he is the hydrogeologist for Eureka County, a Protestant in the
above-referenced matter.

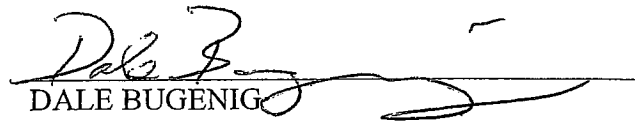
2. That he researched and drafted the Memo, in collaboration with Jake
Tibbitts, to Jason King, P.E., State Engineer, and Tim Wilson, P.E., Hearing Officer, regarding
a Response to Eureka Moly, LLC's March 21, 2011 Submission to the State Engineer, a true

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
Telephone: (775) 687-0202 Fax: (775) 882-7918
E-Mail Address: law@allisonmackenzie.com

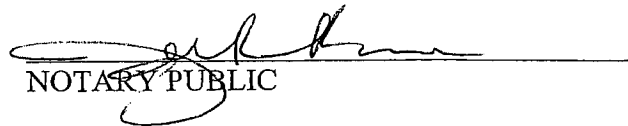
1 and correct copy of which is attached hereto as Exhibit "A" and incorporated herein by this
2 reference.

3 3. That he testified at the hearing on the above-referenced matter and that if
4 he were called to testify with regard to the subject matter of the memo, the memo is an accurate
5 representation of the sworn testimony, under penalty of perjury, that he would provide.
6

7 DATED this 4th day of April, 2011.

8
9
10 
DALE BUGENIG

11
12 On April 4, 2011, personally appeared before me, a notary
13 public, DALE BUGENIG, personally known (or proved) to me to be the person whose name is
14 subscribed to the Affidavit of Dale Bugenig, who acknowledged to me that he executed the
15 foregoing instrument.

16
17 
NOTARY PUBLIC

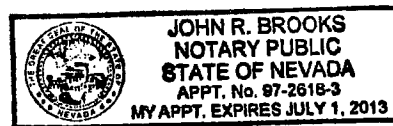


EXHIBIT “A”

SROA 051

JA5479

Memo

To: Jason King, P.E., State Engineer
Tim Wilson, P.E., Hearing Officer

From: Jake Tibbitts and Dale Bugenig

cc: Eureka County Commission

Date: April 4, 2011

Re: Response to Eureka Moly, LLC's March 21, 2011 Submission to the State Engineer



Introduction

On March 3, 2011 Tim Wilson, P.E., Hearing Officer, issued a letter requesting additional information generally related to the Exhibit 35 produced by the Applicant and the application of NRS 533.364 to the pending applications. On March 21, 2011, Eureka County received the Applicant's response to Mr. Wilson's correspondence consisting of:

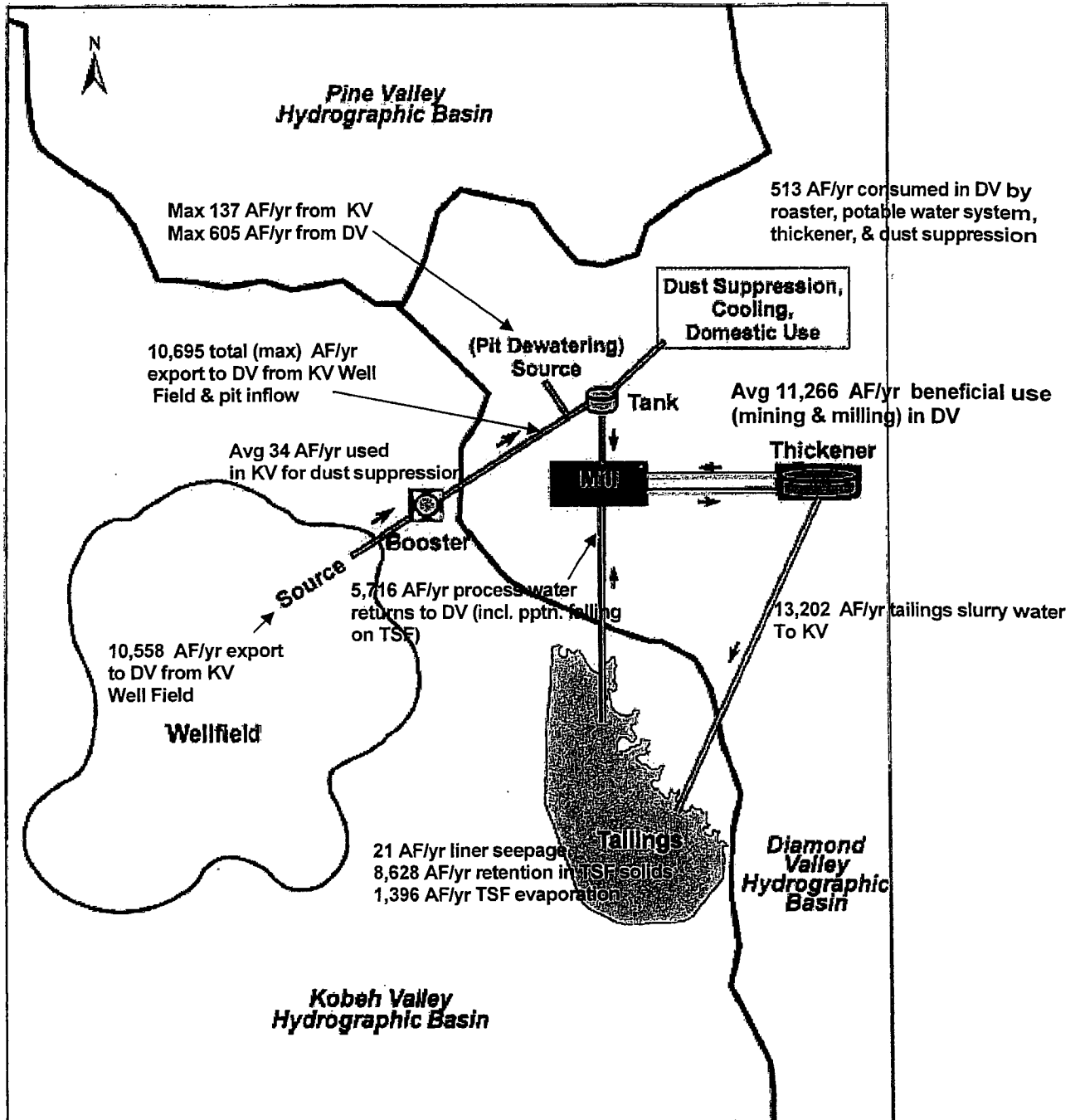
1. March 21, 2011 letter from Ross de Lipkau;
2. March 18, 2011 Memorandum to the Nevada State Engineer;
3. Exhibit A;
4. Exhibit B;
5. Exhibit C;
6. Exhibit D;
7. Exhibit E;
8. Plate 1(A); and
9. Plate 1(B).

We have had the opportunity to review both Tim Wilson's March 3, 2011 correspondence and the Applicant's submission and offer the following comments.

Inter-basin transfer of water from Kobeh Valley to Diamond Valley

The March 18, 2011 Memorandum prepared by Patrick Rogers, provides a discussion of the quantity of groundwater "consumed" in Diamond Valley as a result of Eureka Moly, LLC's inter-basin transfer from Kobeh Valley. Mr. Roger's Memorandum is apparently in response to the request for further detail regarding Applicant's Exhibit 35.

Below is a copy of Applicant's Exhibit 35 from the December 2010 administrative hearing before the Nevada State Engineer. We have annotated it with information from James Moore's testimony in the October, 2008 hearing, Applicant's Exhibits 108 and 112 from the October, 2008 hearing and Tables 1 and 2 of Mr. Rogers' March 18, 2011 Memorandum to help explain the beneficial use of water by the project. Of the approximately 11,300 acre-feet per year (AF/yr) of groundwater appropriations sought by Eureka Moly, LLC (EMLLC) for mining and milling purposes, approximately 10,695 acre-feet of groundwater is proposed to be diverted in Kobeh Valley (originating from the Kobeh Valley well field and as pit inflow) and exported to Diamond Valley for beneficial use at the mill which is located solely in Diamond Valley. The balance of the 11,300 AF/yr needed for



EUREKA MOLY
MT. HOPE PROJECT
Water Flow Illustration
 Eureka County, Nevada
 October 12, 2010

Exhibit 35

SROA 053

JA5481

mining and milling is estimated to originate from Diamond Valley as pit inflow. The water is put to beneficial use processing the ore (the manner of use) in Diamond Valley. The beneficial use in Diamond Valley includes use in the roaster and thickener and use as a source of water for the potable water system and for dust suppression.

After the water is beneficially used for mining and milling the ore in Diamond Valley, it becomes a slurry of mine wastes (tailings and process fluids). The slurry is thereafter exported to Kobeh Valley to the tailings storage facility (TSF). The slurry exported to Kobeh Valley, following its use in the mining and milling facilities, is no longer water which could be put to a beneficial use other than that water reclaimed in the mining circuit. At the TSF, approximately 1,396 AF/yr of the process water is evaporated; approximately 8,628 AF/yr is retained by the tailings and approximately 21 AF/yr seeps through the TSF liner. Approximately 68%-70% of the slurry water is reclaimed at the TSF by EMLLC and is thereafter exported again from Kobeh Valley into Diamond Valley to be put to beneficial use in the mining and milling operations, forming a circuit whereby water is removed from Kobeh Valley and exported to Diamond Valley for beneficial use.

Elsewhere in Nevada, such as at the lithium mining operations in Esmeralda County, the State Engineer has not recognized evaporation as a beneficial use. The Applicant's discussion of consumption of the water as opposed to the beneficial use has the effect of downplaying the amount of water exported from Kobeh Valley and put to beneficial use in Diamond Valley. It is an important distinction that the beneficial use of the water exported from Kobeh Valley takes place in Diamond Valley where the mill is located so that the full extent of the inter-basin transfer is clear.

EMLLC's response suggests the TSF was strategically placed in Kobeh Valley strictly because of the inter-basin water transfer issue in order to minimize the amount of water effectively transferred from Kobeh Valley. Note that multiple locations for the TSF were originally considered for location in Diamond Valley. The TSF was ultimately located in Kobeh Valley strictly for economic and engineering considerations so that its location had little bearing on planning where resources were to be put to beneficial use.

Pit Inflows

It is clear that the pit inflow amounts are estimates of the contributions of groundwater from Diamond and Kobeh Valleys and the actual inflow can be expected to vary from these estimates. In his letter, Mr. de Lipkau seems to allude to the contribution of water from Diamond Valley originating in the pit that will be used in Kobeh Valley as a concrete number, not an estimate. Conversely, Mr. Rogers acknowledges in his Memorandum that this quantity is simply an estimate. We agree with Mr. Rogers that, due to the complex geology and structure in the pit area of Mt Hope, there is a degree of uncertainty in these estimates. The actual amount of groundwater exported from Diamond Valley to Kobeh Valley cannot be known until pit dewatering actually occurs and will vary on a year-to-year or even daily basis. No discussion has been provided to describe the means to verify that the mine does not pump more water from Diamond Valley than the amount of the groundwater rights it currently holds in that basin or that it does not export more than 250 acre-feet per year from Diamond Valley.

Water Rights Inventory

The March 3, 2011 letter from Tim Wilson required additional information as to whether NRS 533.364 applied to the applications. EMLCC's response concedes that NRS 533.364 applies and attaches a print out of a portion of the basin abstract obtained from the State Engineer's website as the necessary inventory. There are several shortcomings to the inventory provided by Mr. de Lipkau:

- It is simply a printout of a query of the State Engineer's own web site. We were able to duplicate this effort in five minutes or less. A reading of NRS 533.364 highlights that the inventory shall include the amount and **location** of the water rights and water still available for appropriation. Little or no effort was expended to address the location of springs or groundwater resources potentially available for appropriation.

- The printouts from the State Engineer's website provided are stamped "Preliminary and Subject to Revision." Instead of the web-site information query, an adequate inventory would have provided data and information that were quality checked to ensure a complete and up-to-date inventory.
- The copy of the groundwater inventory provided as Exhibit A was missing the first two pages.
- A review of the abstract indicates that it is not a complete and accurate inventory. For example, it lists two water rights (Applications 4919 and 5047) as located in White Pine County. None of basin 139 (Kobeh Valley hydrographic basin) extends into White Pine County, calling into question the accuracy of the preliminary information provided by the Applicant and whether the Applicant reviewed the data it provided to the State Engineer. Application 4919 is in fact located in Eureka County and Application 5047 is located in White Pine County but not in Kobeh Valley. A thorough review of the information that provides the basis of the preliminary abstract is required to document its accuracy.
- An independent query of the State Engineer's website by Eureka County resulted in a slightly different listing of surface water rights, adding two additional rights omitted from the Applicant's inventory.
- The Applicant's inventory failed to include any current domestic wells in Kobeh Valley and future domestic wells that could come into existence. County code allows for one domestic well on each individual parcel. As testified to at the hearing and stated in Exhibit 521 at page 9, there are 7,471 acres of private land in Kobeh Valley that potentially could be sub-divided into smaller parcels and each parcel would be allowed a domestic well.
- During both the October 2008 and the December 2010 administrative hearings before the State Engineer, testimony was presented regarding vested water rights in Kobeh Valley. This testimony is part of the administrative records of the State Engineer, yet the Applicant's inventory ignores these specific vested rights and perhaps hundreds of other vested water rights in Kobeh Valley.

Water Speculation

The statutes related to inter-basin transfers prohibit inter-basin transfers that limit future growth and development in the source basin. Presumably to address this aspect of inter-basin transfer regulations, in his March 21, 2011 letter, Mr. de Lipkau stated ". . . the applicant has agreed to make groundwater available to third parties in order not to preclude future growth in Kobeh Valley." Pending applications for irrigation at Bobcat Ranch and Mr. de Lipkau's comments are in direct conflict with previous statements regarding the ranching aspect of KVR. During the 2008 hearing, KVR made it explicitly clear that it is not in the ranching or farming business and testified that its water needs were strictly for mining. Mr. de Lipkau's statements contradict the testimony of Mr. Rogers during the 2008 administrative hearing before the State Engineer where Mr. de Lipkau asked Mr. Rogers "What will happen to the Bobcat Ranch after the water is removed therefrom?" Mr. Rogers replied "It will be reclaimed or allowed to naturally return to a native vegetation community." (Vol. 3, pg. 610). At the 2010 hearing, one of the KVR witnesses acknowledged that KVR was not involved in the ranching or agricultural business. (Vol. 1, pg. 39, lines 17-20)." The water Mr. de Lipkau asserts will be available for other potential future uses has not been permitted by the State Engineer and is in direct conflict with previous statements leading to a conclusion that the current round of agricultural applications is simply water speculation.

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
402 North Division Street, P.O. Box 646, Carson City, NV 89702
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STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
BEFORE JASON KING, P.E., STATE ENGINEER

In the Matter of Application Nos:

72695, 72696, 72697, 72698, 73545, 73546,
73547, 73548, 73549, 73550, 73551, 73552,
74587, 75988, 75989, 75990, 75991, 75992,
75993, 75994, 75995, 75996, 75997, 75998,
75999, 76000, 76001, 76002, 76003, 76004,
76005, 76006, 76007, 76008, 76009, 76483,
76484, 76485, 76486, 76744, 76745, 76746,
76802, 76803, 76804, 76805, 76989, 76990,
77171, 77174, 77175, 77525, 77526, 77527,
77553, 78424, 79911, 79912, 79913, 79914,
79915, 79916, 79917, 79918, 79919, 79920,
79921, 79922, 79923, 79924, 79925, 79926,
79927, 79928, 79929, 79930, 79931, 79932,
79933, 79934, 79935, 79936, 79937, 79938,
79939, 79940, 79941 and 79942 to
appropriate the public waters of an
underground source.

AFFIDAVIT OF
JAKE TIBBITTS

RECEIVED
2011 APR -5 PM 4:01
STATE ENGINEERS OFFICE

STATE OF NEVADA)
CARSON CITY) : ss

JAKE TIBBITTS, being first duly sworn, under penalty of perjury, deposes and
says that:

1. That he is the Natural Resources Manager for Eureka County, a
Protestant in the above-referenced matter.

2. That he researched and drafted the Memo, in collaboration with Dale
Bugenig, to Jason King, P.E., State Engineer, and Tim Wilson, P.E., Hearing Officer,
regarding a Response to Eureka Moly, LLC's March 21, 2011 Submission to the State

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
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1 Engineer, a true and correct copy of which is attached hereto as Exhibit "A" and incorporated
2 herein by this reference.

3 3. That he testified at the hearing on the above-referenced matter and that if
4 he were called to testify with regard to the subject matter of the memo, the memo is an accurate
5 representation of the sworn testimony, under penalty of perjury, that he would provide.
6

7 DATED this 4 day of April, 2011.

8
9
10 
11 JAKE TIBBITTS

12 On April 4, 2011, personally appeared before me, a notary
13 public, JAKE TIBBITTS, personally known (or proved) to me to be the person whose name is
14 subscribed to the Affidavit of Jake Tibbitts, who acknowledged to me that he executed the
15 foregoing instrument.

16
17 
18 NOTARY PUBLIC

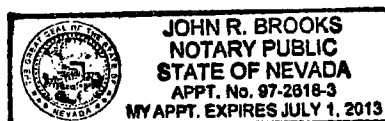


EXHIBIT “A”

Memo

To: Jason King, P.E., State Engineer
Tim Wilson, P.E., Hearing Officer

From: Jake Tibbitts and Dale Bugenig

cc: Eureka County Commission

Date: April 4, 2011

Re: Response to Eureka Moly, LLC's March 21, 2011 Submission to the State Engineer



Introduction

On March 3, 2011 Tim Wilson, P.E., Hearing Officer, issued a letter requesting additional information generally related to the Exhibit 35 produced by the Applicant and the application of NRS 533.364 to the pending applications. On March 21, 2011, Eureka County received the Applicant's response to Mr. Wilson's correspondence consisting of:

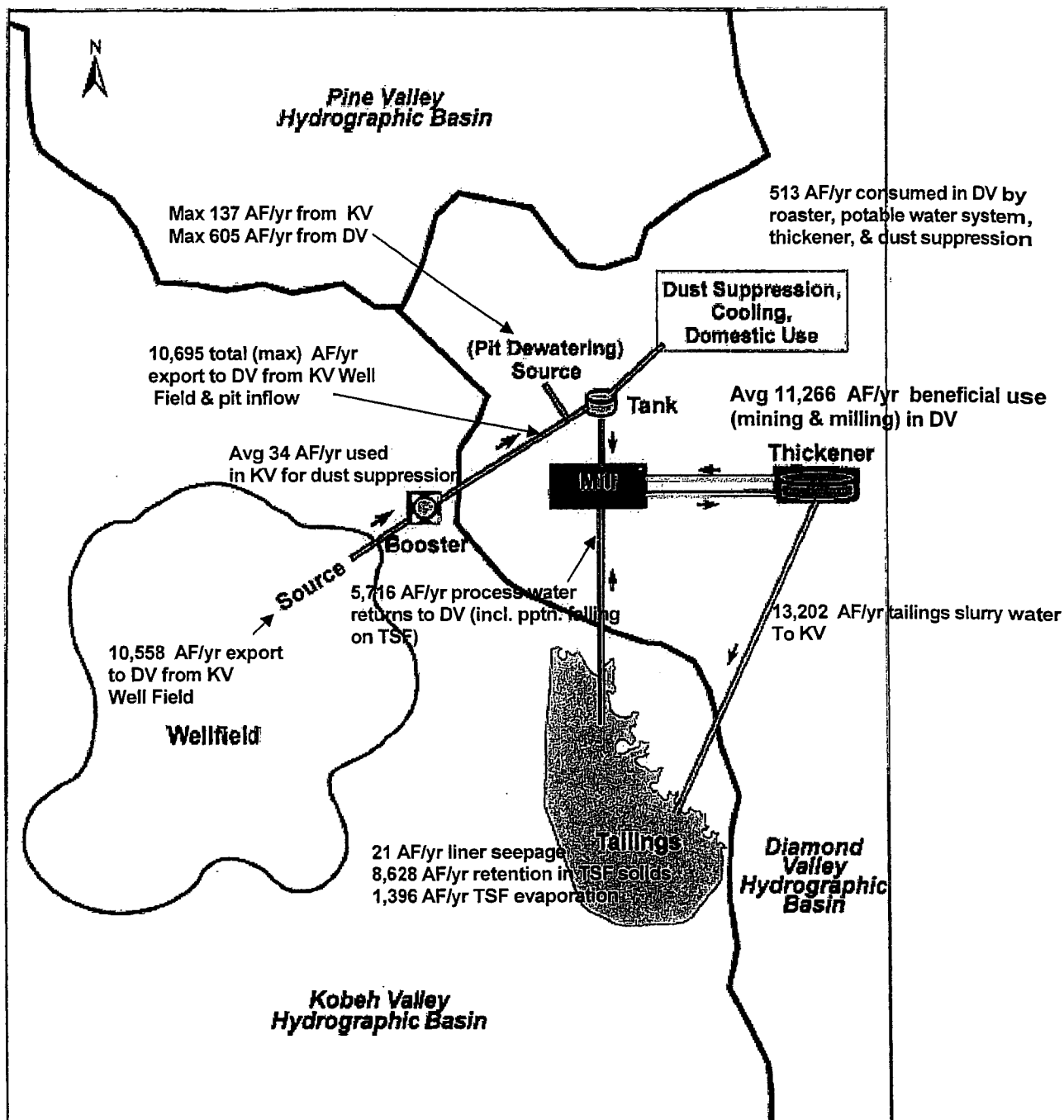
1. March 21, 2011 letter from Ross de Lipkau;
2. March 18, 2011 Memorandum to the Nevada State Engineer;
3. Exhibit A;
4. Exhibit B;
5. Exhibit C;
6. Exhibit D;
7. Exhibit E;
8. Plate 1(A); and
9. Plate 1(B).

We have had the opportunity to review both Tim Wilson's March 3, 2011 correspondence and the Applicant's submission and offer the following comments.

Inter-basin transfer of water from Kobeh Valley to Diamond Valley

The March 18, 2011 Memorandum prepared by Patrick Rogers, provides a discussion of the quantity of groundwater "consumed" in Diamond Valley as a result of Eureka Moly, LLC's inter-basin transfer from Kobeh Valley. Mr. Roger's Memorandum is apparently in response to the request for further detail regarding Applicant's Exhibit 35.

Below is a copy of Applicant's Exhibit 35 from the December 2010 administrative hearing before the Nevada State Engineer. We have annotated it with information from James Moore's testimony in the October, 2008 hearing, Applicant's Exhibits 108 and 112 from the October, 2008 hearing and Tables 1 and 2 of Mr. Rogers' March 18, 2011 Memorandum to help explain the beneficial use of water by the project. Of the approximately 11,300 acre-feet per year (AF/yr) of groundwater appropriations sought by Eureka Moly, LLC (EMLLC) for mining and milling purposes, approximately 10,695 acre-feet of groundwater is proposed to be diverted in Kobeh Valley (originating from the Kobeh Valley well field and as pit inflow) and exported to Diamond Valley for beneficial use at the mill which is located solely in Diamond Valley. The balance of the 11,300 AF/yr needed for




EUREKA MOLY
MT. HOPE PROJECT
Water Flow Illustration
 Eureka County, Nevada
 October 12, 2010

Exhibit 35

SROA 060

JA5488

mining and milling is estimated to originate from Diamond Valley as pit inflow. The water is put to beneficial use processing the ore (the manner of use) in Diamond Valley. The beneficial use in Diamond Valley includes use in the roaster and thickener and use as a source of water for the potable water system and for dust suppression.

After the water is beneficially used for mining and milling the ore in Diamond Valley, it becomes a slurry of mine wastes (tailings and process fluids). The slurry is thereafter exported to Kobeh Valley to the tailings storage facility (TSF). The slurry exported to Kobeh Valley, following its use in the mining and milling facilities, is no longer water which could be put to a beneficial use other than that water reclaimed in the mining circuit. At the TSF, approximately 1,396 AF/yr of the process water is evaporated; approximately 8,628 AF/yr is retained by the tailings and approximately 21 AF/yr seeps through the TSF liner. Approximately 68%-70% of the slurry water is reclaimed at the TSF by EMLLC and is thereafter exported again from Kobeh Valley into Diamond Valley to be put to beneficial use in the mining and milling operations, forming a circuit whereby water is removed from Kobeh Valley and exported to Diamond Valley for beneficial use.

Elsewhere in Nevada, such as at the lithium mining operations in Esmeralda County, the State Engineer has not recognized evaporation as a beneficial use. The Applicant's discussion of consumption of the water as opposed to the beneficial use has the effect of downplaying the amount of water exported from Kobeh Valley and put to beneficial use in Diamond Valley. It is an important distinction that the beneficial use of the water exported from Kobeh Valley takes place in Diamond Valley where the mill is located so that the full extent of the inter-basin transfer is clear.

EMLLC's response suggests the TSF was strategically placed in Kobeh Valley strictly because of the inter-basin water transfer issue in order to minimize the amount of water effectively transferred from Kobeh Valley. Note that multiple locations for the TSF were originally considered for location in Diamond Valley. The TSF was ultimately located in Kobeh Valley strictly for economic and engineering considerations so that its location had little bearing on planning where resources were to be put to beneficial use.

Pit Inflows

It is clear that the pit inflow amounts are estimates of the contributions of groundwater from Diamond and Kobeh Valleys and the actual inflow can be expected to vary from these estimates. In his letter, Mr. de Lipkau seems to allude to the contribution of water from Diamond Valley originating in the pit that will be used in Kobeh Valley as a concrete number, not an estimate. Conversely, Mr. Rogers acknowledges in his Memorandum that this quantity is simply an estimate. We agree with Mr. Rogers that, due to the complex geology and structure in the pit area of Mt Hope, there is a degree of uncertainty in these estimates. The actual amount of groundwater exported from Diamond Valley to Kobeh Valley cannot be known until pit dewatering actually occurs and will vary on a year-to-year or even daily basis. No discussion has been provided to describe the means to verify that the mine does not pump more water from Diamond Valley than the amount of the groundwater rights it currently holds in that basin or that it does not export more than 250 acre-feet per year from Diamond Valley.

Water Rights Inventory

The March 3, 2011 letter from Tim Wilson required additional information as to whether NRS 533.364 applied to the applications. EMLCC's response concedes that NRS 533.364 applies and attaches a print out of a portion of the basin abstract obtained from the State Engineer's website as the necessary inventory. There are several shortcomings to the inventory provided by Mr. de Lipkau:

- It is simply a printout of a query of the State Engineer's own web site. We were able to duplicate this effort in five minutes or less. A reading of NRS 533.364 highlights that the inventory shall include the amount and **location** of the water rights and water still available for appropriation. Little or no effort was expended to address the location of springs or groundwater resources potentially available for appropriation.

- The printouts from the State Engineer's website provided are stamped "Preliminary and Subject to Revision." Instead of the web-site information query, an adequate inventory would have provided data and information that were quality checked to ensure a complete and up-to-date inventory.
- The copy of the groundwater inventory provided as Exhibit A was missing the first two pages.
- A review of the abstract indicates that it is not a complete and accurate inventory. For example, it lists two water rights (Applications 4919 and 5047) as located in White Pine County. None of basin 139 (Kobeh Valley hydrographic basin) extends into White Pine County, calling into question the accuracy of the preliminary information provided by the Applicant and whether the Applicant reviewed the data it provided to the State Engineer. Application 4919 is in fact located in Eureka County and Application 5047 is located in White Pine County but not in Kobeh Valley. A thorough review of the information that provides the basis of the preliminary abstract is required to document its accuracy.
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- The Applicant's inventory failed to include any current domestic wells in Kobeh Valley and future domestic wells that could come into existence. County code allows for one domestic well on each individual parcel. As testified to at the hearing and stated in Exhibit 521 at page 9, there are 7,471 acres of private land in Kobeh Valley that potentially could be sub-divided into smaller parcels and each parcel would be allowed a domestic well.
- During both the October 2008 and the December 2010 administrative hearings before the State Engineer, testimony was presented regarding vested water rights in Kobeh Valley. This testimony is part of the administrative records of the State Engineer, yet the Applicant's inventory ignores these specific vested rights and perhaps hundreds of other vested water rights in Kobeh Valley.

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The statutes related to inter-basin transfers prohibit inter-basin transfers that limit future growth and development in the source basin. Presumably to address this aspect of inter-basin transfer regulations, in his March 21, 2011 letter, Mr. de Lipkau stated ". . . the applicant has agreed to make groundwater available to third parties in order not to preclude future growth in Kobeh Valley." Pending applications for irrigation at Bobcat Ranch and Mr. de Lipkau's comments are in direct conflict with previous statements regarding the ranching aspect of KVR. During the 2008 hearing, KVR made it explicitly clear that it is not in the ranching or farming business and testified that its water needs were strictly for mining. Mr. de Lipkau's statements contradict the testimony of Mr. Rogers during the 2008 administrative hearing before the State Engineer where Mr. de Lipkau asked Mr. Rogers "What will happen to the Bobcat Ranch after the water is removed therefrom?" Mr. Rogers replied "It will be reclaimed or allowed to naturally return to a native vegetation community." (Vol. 3, pg. 610). At the 2010 hearing, one of the KVR witnesses acknowledged that KVR was not involved in the ranching or agricultural business. (Vol. 1, pg. 39, lines 17-20)." The water Mr. de Lipkau asserts will be available for other potential future uses has not been permitted by the State Engineer and is in direct conflict with previous statements leading to a conclusion that the current round of agricultural applications is simply water speculation.

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LAW CORPORATION
Reno • Las Vegas • Salt Lake City

Ross E. de Lipkau

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E-Mail
RdeLipkau@parsonsbehle.com

April 11, 2011

Via E-Mail and U.S. Mail: jking@water.nv.gov

Jason King, P.E., State Engineer
Tim Wilson, P.E., Hearings Officer
State of Nevada
Department of Conservation & Natural Resources
Division of Water Resources
901 S. Stewart Street; Suite 2002
Carson City, NV 89701

**Re: Letter of March 3, 2011 –Kobeh Valley Ranch, LLC Application
72695, et al.
Response to Submittal from Eureka County**

Dear Mr. King and Mr. Wilson:

This is in reply to Eureka County's letter to you dated April 5, regarding the above-entitled matter. No other party has responded.

A. Rogers' Memorandum.

Eureka County asserts (with regard to the additional water use information requested in Mr. Wilson's letter of March 3, 2011):

1. The State Engineer may not use NRS 533.375 to seek additional information after the hearing; and,
2. Consideration of the Memorandum of Pat Rogers denies Eureka County its due process rights to cross examine Mr. Rogers regarding the Memorandum.

Kobeh Valley Ranch, LLC ("KVR") disagrees with both of Eureka County's positions. More importantly, there does not appear to be a factual issue regarding water use. KVR concedes that more than 250 afa of Kobeh Valley groundwater will be consumed in Diamond Valley thereby falling within the meaning of NRS 533.364. Further, it does not appear Eureka County disagrees with KVR that less than 250 afa of Diamond Valley groundwater will be consumed in Kobeh Valley.

Hydrographic Abstract

Number of Records: 97

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RLP','RVP','VST','DEC') AND source IN

Basin	Application	Change of Application	Date	Filedate	App Status	Source	Point of Division	Division	Use	Trapper Acres	Duty Balance	Supp	Co	Owner name
139	11835		3093	04-25-47	CER	STR	NE SE 06 18N 49E	0.010	STK	0.00	6.94		EU	3F LLC
12040			3617	10-13-47	CER	STR	SE NE 31 19N 49E	0.100	IRR	0.00	24.35		EU	3F LLC
12057			3741	10-22-47	CER	STR	NW SW 16 18N 48E	0.010	STK	0.00	6.72		EU	3F LLC
12058			3610	10-22-47	CER	STR	NW SW 14 18N 48E	0.010	STK	0.00	6.94		EU	FISH CREEK RANCH LLC
124			572	06-14-06	CER	STR	20N 48E	1.000	IRR	0.00	80.00		EU	WILSON, I.J.
12748			5880	12-03-48	CER	SPR	NE NE 01 20N 50E	0.015	STK	0.00	10.86		EU	ETCHEVERRY FAMILY LTD PARTNERSHIP
13657			5310	03-14-51	CER	STR	NE NE 08 20N 49E	1.600	IRR	109.80	439.20		EU	DAMELE FARMS, INC.
13658			5311	03-14-51	CER	STR	NE SW 08 20N 49E	1.600	IRR	135.85	533.00		EU	DAMELE FARMS, INC.
13674			4990	04-09-51	CER	STR	NE SE 34 21N 48E	1.600	IRR	0.00	231.92		EU	DAMELE FARMS, INC.
13678			3843	04-12-51	CER	SPR	NE NE 11 18N 50E	0.007	STK	0.00	4.60		EU	FISH CREEK RANCH LLC
13706			4266	05-07-54	CER	SPR	NE SW 10 21N 48E	1.000	IRR	74.03	296.12		EU	DAMELE FARMS, INC.
15040			4724	05-12-53	CER	SPR	SE NE 16 20N 47E	0.100	IRR	0.00	24.00		LA	DAMELE, MRS. PETER
15041			5670	05-12-53	CER	SPR	NW SW 16 20N 47E	0.019	STK	0.00	13.53		LA	DAMELE, MRS. P.
15533			4399	06-05-54	CER	SPR	NW NE 30 21N 48E	0.014	STK	0.00	4.17		LA	DAMELE FARMS, INC.
15534			4400	03-05-54	CER	SPR	NE NE 29 21N 48E	0.014	STK	0.00	4.17		LA	DAMELE FARMS, INC.
16802			5078	12-05-55	CER	SPR	NW NE 24 22N 50E	0.000	IRR	0.00	117.00		EU	ETCHEVERRY FAMILY LTD PARTNERSHIP
1871			88	04-10-10	CER	SPR	NE NE 25 18N 45E	0.035	IRR	0.00	8.00		LA	DAMELE, PETER
2243			197	10-14-11	CER	SPR	SE NE 36 19N 46E	0.017	STK	0.00	9.05		LA	BARSONS, CHARLES W.
2732			480	06-12-13	CER	STR	NE NE 24 22N 50E	0.300	IRR	0.00	120.00		EU	ETCHEVERRY FAMILY LTD PARTNERSHIP
2913			293	03-16-14	CER	STR	NE NE 09 19N 47E	0.260	IRR	0.00	104.00		LA	DAMELE, PETER
2948			1972	04-24-14	CER	STR	NE SE 34 18N 48E	0.427	IRR	0.00	90.00		EU	OUT-BACH RANCH, A NEVADA LLC
3669			2011	11-03-15	CER	STR	SE SW 08 18N 49E	0.483	IRR	0.00	58.90		EU	3F LLC
38639				07-23-79	PER	SPR	NW NW 03 23N 49E	0.005	STK	0.00	3.62		EU	BUCKINGHAM, KENNETH R.
425				04-10-07	PER	STR	SE SE 15 18N 48E	1.000	IRR	0.00	30.00		EU	WILSON, I.J.
45120			16392	12-10-81	CER	SPR	NW NE 04 23NH 49E	0.013	STK	0.00	9.05		EU	BUCKINGHAM, KENNETH R.
45121			16393	12-10-81	CER	SPR	SE NE 05 23N 49E	0.006	STK	0.00	4.52		EU	BUCKINGHAM, KENNETH R.
4528			1197	07-26-17	CER	SPR	NW SE 26 23N 48E	0.003	STK	0.00	2.17		EU	BLM
4529			1198	07-26-17	CER	SPR	SE SW 14 23N 48E	0.003	STK	0.00	2.17		EU	BLM
4768			1986	12-08-17	CER	SPR	NE NW 11 22N 51E	0.100	STK	0.00	24.21		EU	ETCHEVERRY FAMILY LTD PARTNERSHIP
4919			1685	02-18-18	CER	SPR	NE NE 09 21N 48E	0.546	IRR	54.60	84.32		WP	FERGUSON, W.O. MRS.
5047			907	05-02-18	CER	SPR	SE NE 17 19N 62E	0.015	STK	0.00	1.81		WP	JOHN UHALDE & CO.

Number of Records: 97

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RVP','VST','DEC') AND source IN

Basin	Application	Change of Application	File date	App Status	Source	Q1	Q2	Q3	Q4	SEC	FWN	RNG	Division	Use	Intiated Acres	Buy Balance	Sub	CO	Owner name
5375			01-29-19	CER	SPR	NE	NW	18	19N	50E			0.002	STK	0.00	1.07		EU	3F LLC
6049			04-05-20	CER	SPR	SW	SW	18	19N	50E			0.001	STK	0.00	0.74		EU	3F LLC
6263			09-15-20	CER	SPR	SE	SE	01	20N	47E			0.010	STK	0.00	4.27		LA	DAMELE, PETER
6264			09-15-20	CER	SPR	NW	NW	18	20N	48E			0.010	STK	0.00	4.27		LA	DAMELE, PETER
6861			02-05-23	CER	SPR	SE	NW	18	19N	50E			0.002	STK	0.00	1.12		EU	3F LLC
7002			11-16-23	CER	SPR	NE	NE	12	18N	48E			0.002	STK	0.00	1.14		EU	3F LLC
7458			08-01-25	CER	SPR	SE	SW	10	18N	49E			0.005	STK	0.00	3.38		EU	3F LLC
7509			09-18-25	CER	SPR	NE	SE	11	18N	49E			0.002	STK	0.00	0.89		EU	3F LLC
7596			12-07-25	CER	SPR	NE	NE	12	18N	49E			0.009	STK	0.00	4.36		EU	3F LLC
7608			12-28-25	CER	STR	NW	SW	14	18N	48E			0.312	IRR	0.00	37.72		EU	FISH CREEK RANCH LLC
7620			01-14-26	CER	STR	NW	SW	16	18N	48E			0.612	IRR	0.00	129.60		EU	3F LLC
7766			08-01-26	CER	SPR	NW	NE	33	20N	49E			0.001	STK	0.00	4.48		EU	3F LLC
7767			06-01-26	CER	SPR	SE	SE	33	20N	49E			0.002	STK	0.00	1.14		EU	3F LLC
7768			06-01-26	CER	SPR	SW	NE	08	19N	49E			0.001	STK	0.00	4.48		EU	3F LLC
8256			08-01-27	CER	SPR	SW	NE	36	20N	51E			0.011	STK	0.00	7.86		EU	ROY R AND MARY E RISI
8330			10-01-27	CER	SPR	NW	SW	20	19N	50E			0.006	STK	0.00	3.35		EU	3F LLC
8331			10-01-27	CER	SPR	NW	SW	20	19N	50E			0.010	STK	0.00	5.09		EU	3F LLC
8890			05-01-29	CER	SPR	SW	SW	10	22N	48E			0.020	STK	0.00	14.58		EU	DAMELE FARMS, INC.
8891			05-01-29	CER	SPR	NW	NE	10	22N	48E			0.020	STK	0.00	14.58		EU	SMITH, DONALD RICHARDSON
8892			05-01-29	CER	SPR	NE	NE	20	22N	48E			0.020	STK	0.00	14.58		EU	DAMELE FARMS, INC.
8893			05-01-29	CER	SPR	SE	SW	25	22N	48E			0.020	STK	0.00	14.58		EU	DAMELE FARMS, INC.
8894			05-01-29	CER	SPR	SE	NE	28	22N	48E			0.020	STK	0.00	14.58		EU	SMITH, DONALD RICHARDSON
9442			04-23-31	CER	SPR	SW	NW	20	22N	51E			0.002	STK	0.00	6.72		EU	DIAMOND STAR RANCH
9456			05-11-31	CER	AK	SW	SW	10	19N	50E			0.00N	STK	0.00	1.01		EU	FISH CREEK RANCH LLC
R06871			12-09-94	RES	SPR	NE	NE	05	19N	50E			0.016	OTH	0.00	11.57		EU	BLM
R06872			12-09-94	RES	SPR	SW	SW	18	19N	50E			0.015	OTH	0.00	9.85		EU	BLM
R06873			12-09-94	RES	SPR	SE	NW	18	19N	50E			0.015	OTH	0.00	9.85		EU	BLM
R06874			12-09-94	RES	SPR	NE	NW	18	19N	50E			0.015	OTH	0.00	9.85		EU	BLM
R06875			12-09-94	RES	SPR	NW	NE	23	20N	49E			0.015	OTH	0.00	9.85		EU	BLM
R06876			12-09-94	RES	SPR	NW	NW	02	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06877			12-09-94	RES	SPR	SE	NE	02	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06878			12-09-94	RES	SPR	SE	NW	03	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06879			12-09-94	RES	SPR	NW	NW	04	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06880			12-09-94	RES	SPR	SW	NE	08	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06881			12-09-94	RES	SPR	NE	SE	07	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06882			12-09-94	RES	SPR	NE	NW	08	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06883			12-09-94	RES	SPR	SW	NW	08	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06884			12-09-94	RES	SPR	NW	SE	09	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06885			12-09-94	RES	SPR	SW	SW	16	21N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06886			12-09-94	RES	SPR	SW	NE	14	22N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06887			12-09-94	RES	SPR	NE	NE	21	22N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06888			12-09-94	RES	SPR	NE	SE	21	22N	48E			0.015	OTH	0.00	11.42		EU	BLM
R06889			12-09-94	RES	SPR	NE	NE	22	22N	48E			0.015	OTH	0.00	11.42		EU	BLM

Number of Records: 97

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RVP','VST','DEC') AND source IN

Basin	Application	Change of Application	Get	File date	App status	Source	Point of Diversion	Section	Diversion Rate	Use	Irrigated Acres	Duty balance	Supp?	CO	Owner name
	R06890			12-09-94	RES	SPR	SE SW	26 22N	48E	0.015	OTH	0.00	11.42	EU	BLM
	R06891			12-09-94	RES	SPR	SW NW	33 22N	48E	0.015	OTH	0.00	11.42	EU	BLM
	R06892			12-09-94	RES	SPR	SW NE	33 22N	48E	0.015	OTH	0.00	11.42	EU	BLM
	R06893			12-09-94	RES	SPR	NW NW	33 22N	48E	0.015	OTH	0.00	11.42	EU	BLM
	R06894			12-09-94	RES	SPR	NW SE	34 22N	48E	0.015	OTH	0.00	11.42	EU	BLM
	R06948			12-09-94	RES	SPR	SW SW	10 19N	50E	0.005	OTH	0.00	3.93	EU	BLM
	R06949			12-09-94	RES	SPR	NE NE	03 20N	51E	0.005	OTH	0.00	3.93	EU	BLM
	R06950			12-09-94	RES	SPR	NW NW	18 20N	52E	0.005	OTH	0.00	3.93	EU	BLM
	R06951			12-09-94	RES	SPR	SW NE	13 20N	50E	0.005	OTH	0.00	3.93	EU	BLM
	R06952			12-09-94	RES	SPR	SW NE	21 20N	50E	0.005	OTH	0.00	3.93	EU	BLM
	V01769			08-22-21	VST	STR	SW NE	13 22N	48E	0.915	IRR	91.52	0.00	EU	DAMELE FARMS, INC.
	V01950			11-25-25	VST	SPR	NW NE	07 22N	50E	0.500	STK	0.00	1.50	EU	DAMELE, BERNARD
	V01951			11-25-25	VST	SPR	NE SE	12 22N	49E	0.500	STK	0.00	2.25	EU	DAMELE, BERNARD
	V01952			11-25-25	VST	STR	NE SE	02 22N	49E	0.000	IRR	0.00	350.00	EU	DAMELE, BERNARD
	V01953			11-25-25	VST	STR	NE NE	03 22N	50E	0.000	IRR	0.00	350.00	EU	DAMELE, BERNARD
	V01954			11-25-25	VST	STR	SE SW	14 23N	48E	0.000	IRR	0.00	350.00	EU	BLM
	V01955			11-25-25	VST	STR	SW NE	23 23N	48E	0.000	IRR	0.00	350.00	EU	EUREKA LIVESTOCK COMPANY
	V01956			11-25-25	VST	STR	NW SE	26 23N	48E	0.000	IRR	0.00	350.00	EU	DAMELE, BERNARD
	V01957			11-25-25	VST	STR	NW NE	22 23N	48E	0.000	IRR	0.00	350.00	EU	DAMELE, BERNARD
	V04511			08-12-85	VST	STR	SW SE	22 20N	52E	0.050	STK	0.00	5.69	EU	ROY R AND MARY E RISI
	V04512			08-12-85	VST	STR	SE NE	09 20N	52E	0.050	STK	0.00	0.69	EU	ROY R AND MARY E RISI
	V04513			08-12-85	VST	STR	NE SW	13 20N	51E	0.000	IRR	0.00	0.00	EU	KOBEL VALLEY RANCH LLC
	V04514			08-12-85	VST	STR	NW SE	20 20N	52E	0.500	IRR	0.00	0.00	EU	KOBEL VALLEY RANCH LLC

PRIVILEGE
SUBJECT TO REVISION

Exhibit C
Hydrographic Area Summary

HYDROGRAPHIC AREA SUMMARY

Hydrographic Area No. **139** Hydrographic Area Name **KOBEH VALLEY**

Subarea Name

Hydrographic Region No. **10** Hydrographic Region Name **CENTRAL**

Area (sq. mi.) **868**

Counties within the hydrographic area **Eureka, Lander**

Nearest Communities to Hydrographic Area **Eureka**

Designated (Y/N, Order No.) **Y, O-816** For All or Portion of Basin **All**

Preferred Use **None** For All or Portion of Basin

State Engineer's Orders:  For All or Portion of Basin

State Engineer's Rulings 

Pumpage Inventory Status **None** Crop Inventory Status **Ongoing**

Water Level Measurement?

Yield Values

Perennial Yield (AFY) **16000**

System Yield (AFY)

Yield Reference(s) **USGS Recon. 30**

Yield Remarks

Source of Committed Data:	NDWR Database	Supplementally Adjusted?	Y
Manner Of Use	Underground	Geothermal	
Commercial	0.00	0.00	
Construction	0.00	0.00	
Domestic	0.00	0.00	
Environmental	0.00	0.00	
Industrial	0.00	0.00	
Irrigation (Carey Act)	0.00	0.00	
Irrigation (DLE)	1,863.68	0.00	
Irrigation	9,172.65	0.00	
Mining and Milling	1,389.60	0.00	
Municipal	0.00	0.00	
Power	0.00	0.00	
Quasi-Municipal	0.00	0.00	
Recreation	0.00	0.00	
Stockwater	241.09	0.00	
Storage	0.00	0.00	
Wildlife	0.00	0.00	
Other	0.00	0.00	
Totals	12,667.02	0.00	

Related Reports

USGS Reconnaissance **30** USGS Bulletin **None**

Other References

Comments

Exhibit D

Hydrographic Basin Summary by Manner of Use

Run Date: 03-16-2011

Nevada Division of Water Resources

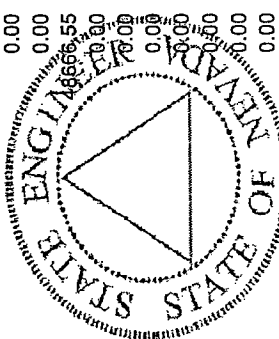
Hydrographic Basin Summary By Manner of Use

Hydrographic Basin: 139 Yield: 16000 AFA
 Hydrographic Region: 10 CENTRAL Reference: USGS Recon. 30
 Basin Name: KOBEH VALLEY Remarks:

Manner of Use	Active Annual Duty*		Pending Annual Duty*	
	Acre Feet	Million Gal.	Acre Feet	Million Gal.
COM	0.00	0.00	0.00	0.00
CON	0.00	0.00	0.00	0.00
DOM	0.00	0.00	0.00	0.00
ENV	0.00	0.00	0.00	0.00
IND	0.00	0.00	0.00	0.00
IRC	0.00	0.00	0.00	0.00
IRD	1863.68	607.28	0.00	0.00
IRR	9172.65	2988.90	0.00	0.00
MM	1389.60	452.80	15857.98	0.00
MUN	0.00	0.00	0.00	0.00
PWR	0.00	0.00	0.00	0.00
QM	0.00	0.00	0.00	0.00
REC	0.00	0.00	0.00	0.00
STK	241.09	78.56	0.00	0.00
STO	0.00	0.00	0.00	0.00
WLD	0.00	0.00	0.00	0.00
OTH	0.00	0.00	0.00	0.00

Totals: 12,657.02 4,127.54 48,666.55 15,857.86
 BASIN STATUS: DESIGNATED SUPPLEMENTALLY ADJUSTED

PRELIMINARY DATA



SUBJECT TO REVISION

* May include supplemental duties as well as duties associated with applications to change

Exhibit E

Hydrographic Basin Summary by Application Status

Nevada Division of Water Resources

Hydrographic Basin Summary By Application Status

Hydrographic Basin: 139 Yield: 16000 AFA
 Hydrographic Region: 10 CENTRAL Reference: USGS Recon. 30

Basin Name:

KOBEN VALLEY

Remarks:

PRELIMINARY DATA

Annual Duty
Underground*

Annual Duty
Surface*

Annual Duty
Other Groundwater*

Annual Duty
Total*

Status	Acre Feet	Million Gal.	Acre Feet	Million Gal.	Acre Feet	Million Gal.	Acre Feet	Million Gal.
VST	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RES	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
APP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RFA	51,505.89	16,783.18	0.00	0.00	0.00	51,505.89	16,783.18	
PER	8,868.41	2,889.77	0.00	0.00	0.00	8,868.41	2,889.77	
RLP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
RVP	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
CER	3,798.61	1,237.78	0.00	0.00	0.00	3,798.61	1,237.78	
DEC	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

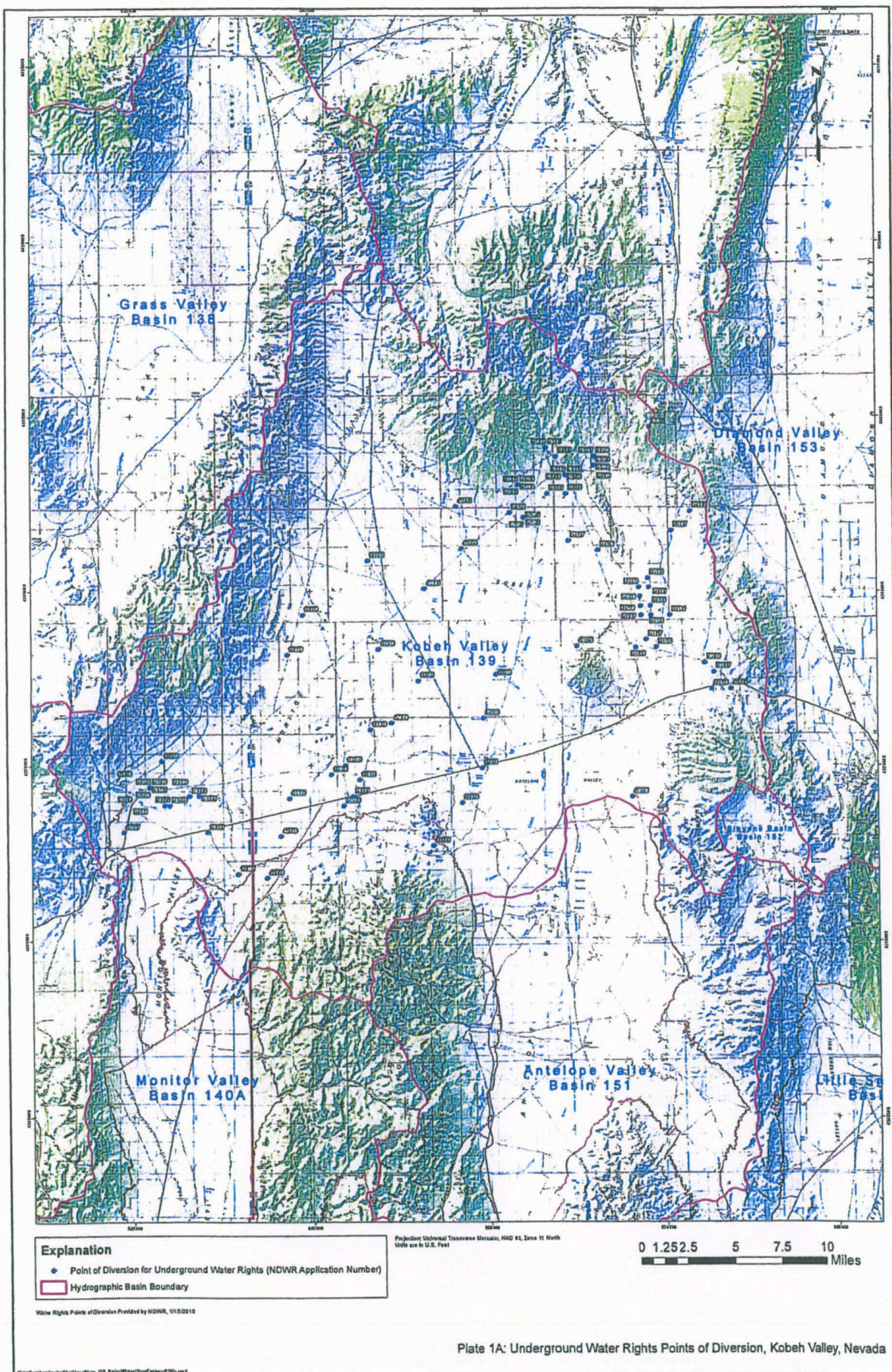
JA5458

* May include supplemental duties as well as duties associated with applications to change

NOTE: RFA Status Includes Protested Applications (RFP's)

1(A)

Kobeh Valley Underground Water Rights



App	Cent	Source Name	File Date	Status	Source	POD Q1	POD Q2	POD Qtr	POD	POD Twn	POD Rng	Div Rate (CFS)	Type of Use	Annual Duty	Units	County	Owner of Record	Eastings (UTM_FT)	Northings (UTM_FT)
11016	2815		9/30/1943	CER	UG	NW	NE	13	19N	48E	0.016	STK	11,570	AFA	EU	3F LLC	1777592.8	14350554.2	
11072	2880		2/25/1944	CER	UG	NE	SE	17	19N	50E	0.000	IRR	8,000	AFA	EU	BARTINE	1819806.7	14352435.5	
11105	4202		4/14/1944	CER	UG	NE	SW	23	20N	49E	0.003	STK	1,197	AFS	EU	DAMELE FARMS	1801864.5	14376990.2	
11188	4039	TREASURE WELL	10/21/1944	CER	UG	SW	NE	21	20N	50E	0.000	STK	1,688	AFS	EU	FLORIO	1824002.4	14378763.0	
11382	3478		10/10/1945	CER	UG	SW	NE	07	18N	48E	0.009	STK	6,506	AFA	EU	3F LLC	1751628.0	14322511.7	
11410	3180		10/26/1945	CER	UG	SE	NE	09	19N	47E	0.000	STK	12,306	AFA	LA	DAMELE	17311124.2	14354290.4	
11448	4088		12/17/1945	CER	UG	NW	SE	35	21N	48E	0.003	STK	0.675	AFA	EU	DAMELE FARMS	1769762.6	14395623.9	
11449	4089		12/17/1945	CER	UG	NE	SW	10	20N	48E	0.000	STK	6,936	AFA	EU	DAMELE FARMS	1765358.3	14384371.0	
11836	3094		4/25/1947	CER	UG	SW	NW	20	19N	49E	5.000	IRR	180,000	AFA	EU	DAMELE	1785435.7	14349081.0	
13849	4922		10/1/1951	CER	UG	NE	SE	05	19N	49E	5.000	IRR	160,000	AFA	EU	DAMELE FARMS	1788487.8	14363056.0	
13955	4068	STOCK WELL NO. 2	12/31/1951	CER	UG	SW	SW	16	21N	49E	0.016	STK	11,201	AFA	EU	DAMELE FARMS	1780779.4	14410899.2	
13956	5334	IRR WELL NO. 1	12/31/1951	CER	UG	SE	SW	09	20N	49E	1.000	IRR	677,600	AFA	EU	DAMELE FARMS	1790779.4	14385928.5	
18100	5463		7/10/1959	CER	UG	NE	SW	18	19N	49E	0.010	STK	5,616	AFA	EU	3F LLC	1781497.0	14353103.6	
19421	5737	DAMELE WELL #1	1/3/1961	CER	UG	NW	NW	36	19N	47E	0.000	STK	11,201	AFA	LA	DAMELE	1820255.6	14366397.2	
20836	6300		11/8/1962	CER	UG	NE	NE	05	19N	50E	0.000	STK	11,201	AFA	EU	ETCHEGARAY	1820255.6	14366397.2	
23549	7899		12/13/1966	CER	UG	NW	SE	20	20N	52E	0.000	IRR	48,000	AFA	EU	COCHENOUR	1884302.6	14374721.1	
24170	6847	THREE PASTURES STK WELL	10/5/1967	CER	UG	NW	SE	30	19N	50E	0.009	STK	0.338	AFA	EU	3F LLC	1805769.3	14330493.9	
24376	7643		2/20/1968	CER	UG	NW	SE	30	19N	50E	0.016	STK	11,201	AFA	EU	3F LLC	1814076.7	14342585.1	
43025	11338		12/31/1980	CER	UG	NE	SE	07	20N	51E	0.000	STK	0.031	AFA	EU	BLM	1846554.2	14386725.1	
43026	11371		12/31/1980	CER	UG	SW	NE	27	19N	51E	0.000	STK	7.243	AFA	EU	BLM	1861478.0	14344267.2	
44744	11341	RILEY CANYON WELL	10/29/1981	CER	UG	NW	SE	21	20N	52E	0.000	STK	0.737	AFA	EU	BLM	1889625.4	14374772.9	
44748	11342	GRIMES FLAT WELL	10/29/1981	CER	UG	NW	SW	09	18N	48E	0.000	STK	7.243	AFA	EU	BLM	1759553.5	14321435.0	
44749	11343	CAMINO WELL	10/29/1981	CER	UG	SE	NE	33	19N	48E	0.000	STK	7.243	AFA	EU	BLM	1763339.8	1433185.7	
44774	11352	RUTABEGA	10/29/1981	CER	UG	NW	NW	17	21N	50E	0.000	STK	5.770	AFA	EU	BLM	1812880.2	14426124.0	
44775	11353	WAGON WELL	10/29/1981	CER	UG	NW	SW	17	21N	50E	0.000	STK	5.770	AFA	EU	BLM	1812880.2	14426124.0	
45686	11447		5/19/1982	CER	UG	SE	NW	22	19N	48E	0.000	STK	5.770	AFA	EU	BLM	1812880.2	14426124.0	
45687	11448		5/19/1982	CER	UG	NE	NE	31	19N	47E	0.000	STK	22.403	AFA	EU	PETER DAMELE & SON	1765795.9	14343817.8	
45688	11449		5/19/1982	CER	UG	SE	NE	04	19N	49E	0.000	STK	22.403	AFA	EU	PETER DAMELE & SON	1720456.1	14334329.9	
45689	11450		5/19/1982	CER	UG	NE	NW	25	21N	49E	0.000	STK	22.403	AFA	EU	PETER DAMELE & SON	1794271.6	14365011.2	
45690	11451		1/4/1985	CER	UG	NW	NW	25	21N	49E	0.012	STK	8.685	AFA	EU	ETCHEVERRY FAMILY LTD PARTNERSHIP	1803808.7	14403006.5	
45691	11452		11/16/1988	PER	UG	NE	NE	21	19N	47E	2.240	IRR	819,240	AFA	LA	BOB CAT RANCH LLC	1727858.4	14346996.5	
70099	17200		6/9/2003	CER	UG	NE	SW	30	19N	49E	0.013	STK	9.540	AFA	EU	3F LLC	177010.0	14341773.3	
71594	17500	EXXON WELL	8/20/2004	CER	UG	SW	SE	36	21N	51E	0.016	STK	11,200	AFA	EU	RISI	1872606.0	14395448.2	
72580			4/12/2005	PER	UG	SE	SE	15	19N	47E	0.450	IRR	300,760	AFA	LA	KOBH VALLEY RANCH LLC	1878586.6	14424737.4	
72584			4/12/2005	PER	UG	NE	SE	21	19N	47E	3.990	IRR	842,910	AFA	LA	KOBH VALLEY RANCH LLC	1731883.7	14341916.5	
72587			4/12/2005	PER	UG	SW	NW	23	19N	47E	5.500	IRR	1,280,000	AFA	LA	KOBH VALLEY RANCH LLC	1736569.1	14344467.2	
72588			4/12/2005	PER	UG	SW	SW	22	19N	47E	5.500	IRR	1,280,000	AFA	LA	KOBH VALLEY RANCH LLC	1733288.7	14341818.9	
72695			5/3/2005	RFP	UG	SE	SE	35	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1867210.0	14395399.3	
72696			5/3/2005	RFP	UG	NW	NW	35	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1864293.1	14398003.3	
72697			5/3/2005	RFP	UG	SW	SW	35	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1864472.8	14395374.9	
72698			5/3/2005	RFP	UG	NE	NE	35	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1867030.0	14398027.7	
73545			12/5/2005	RFP	UG	SE	SE	10	20N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1862909.7	14386358.6	
73546			12/5/2005	RFP	UG	SW	SW	11	20N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1868620.7	14386409.5	
73547			12/5/2005	RFP	UG	SE	NW	11	20N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1865784.5	14388609.4	
73548			12/5/2005	RFP	UG	NE	SW	35	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1864472.8	14395374.9	
73549			12/5/2005	RFP	UG	NE	NE	26	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1866591.0	14403384.8	
73550			12/5/2005	RFP	UG	NE	NW	26	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1865932.9	14403361.2	
73551			12/5/2005	RFP	UG	NE	SW	26	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1866411.1	14400732.8	
73552			12/5/2005	RFP	UG	NE	SE	23	21N	51E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1873168.0	14419325.6	
74587			8/2/2006	RFP	UG	NE	NW	07	21N	52E	0.000	NMD	0.000	AFA	EU	IDAHO GENERAL MINES	1851661.1	14440277.2	
75988			6/29/2007	RFP	UG	SE	NW	21	22N	51E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1851661.1	14440277.2	
75989			6/29/2007	RFP	UG	SE	NW	21	22N	51E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1851661.1	14440277.2	
75990			6/29/2007	RFP	UG	SE	NE	30	22N	51E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1851661.1	14440277.2	
75991			6/29/2007	RFP	UG	NW	SE	13	22N	50E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1838448.3	14442698.6	
75992			6/29/2007	RFP	UG	NW	SE	13	22N	50E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1838448.3	14442698.6	
75993			6/29/2007	RFP	UG	NW	SW	26	22N	50E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1830721.3	14432220.4	
75994			6/29/2007	RFP	UG	NW	SW	26	22N	50E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1830721.3	14432220.4	
75995			6/29/2007	RFP	UG	NW	SW	26	22N	50E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1830721.3	14432220.4	
75996			6/29/2007	RFP	UG	NW	SW	26	22N	50E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1830721.3	14432220.4	
75997			6/29/2007	RFP	UG	SW	SW	21	22N	51E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1851661.1	14440277.2	
75998			6/29/2007	RFP	UG	SE	NW	21	22N	51E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1851661.1	14440277.2	
75999			6/29/2007	RFP	UG	SE	NW	21	22N	51E	0.000	NMD	0.000	AFA	EU	KOBH VALLEY RANCH LLC	1851661.1	14440277.2	

Kobeh Valley Underground Water Rights - Plate 1A

App	Cent	Source Name	File Date	Status	Source	POD QQ	POD Qtr	POD Sec	POD Twn	POD Rng	Div Rate (CFS)	Type of Use	Annual Duty	Units	County	Owner of Record	Easting (UTM_FT)	Northing (UTM_FT)
75999			6/29/2007	RFP	UG	SW	SW	21	22N	51E	0.000	MM	211,250	AFA	EU	KOBEH VALLEY RANCH LLC	1851683.2	14437647.5
76000			6/29/2007	RFP	UG	SE	NE	30	22N	51E	0.000	MM	842,910	AFA	EU	KOBEH VALLEY RANCH LLC	1843819.1	14434952.7
76001			6/29/2007	RFP	UG		L74	02	21N	50E	0.000	MM	1280,000	AFA	EU	KOBEH VALLEY RANCH LLC	1832197.0	14423026.9
76002			6/29/2007	RFP	UG		L74	02	21N	50E	0.000	MM	300,760	AFA	EU	KOBEH VALLEY RANCH LLC	1832197.0	14423026.9
76003			6/29/2007	RFP	UG	SW	SW	21	22N	51E	0.000	MM	1280,000	AFA	EU	KOBEH VALLEY RANCH LLC	1851683.2	14437647.5
76004			6/29/2007	RFP	UG		L74	02	21N	50E	0.000	MM	1280,000	AFA	EU	KOBEH VALLEY RANCH LLC	1832197.0	14423026.9
76058		NW CORNER WELL (A)	7/13/2007	PER	UG	SW	SW	16	19N	47E	0.000	STK	9,520	AFA	LA	PETER JOE AND TOM DAMELE	1727858.4	14346996.5
76059		CENTER WELL (B)	7/13/2007	PER	UG	SE	SW	16	19N	47E	0.000	IRR	150,480	AFA	LA	PETER JOE AND TOM DAMELE	1727858.4	14346996.5
76592			1/4/2008	PER	UG	SW	SW	16	19N	47E	0.000	IRR	150,480	AFA	LA	PETER JOE AND TOM DAMELE	1727858.4	14346996.5
76745			2/13/2008	RFP	UG	SE	NE	30	22N	51E	0.000	MM	819,240	AFA	EU	KOBEH VALLEY RANCH LLC	1843819.1	14434952.7
76746			2/13/2008	RFP	UG	SE	NE	30	22N	51E	0.000	MM	819,240	AFA	EU	KOBEH VALLEY RANCH LLC	1843819.1	14434952.7
76804			3/11/2008	RFP	UG	NE	SW	12	22N	51E	0.000	MM	147,600	AFA	EU	KOBEH VALLEY RANCH LLC	1867201.2	14448504.8
76989			4/23/2008	RFP	UG	SE	NE	30	22N	51E	0.000	MM	474,000	AFA	EU	KOBEH VALLEY RANCH LLC	1843819.1	14434952.7
77171			4/23/2008	RFP	UG	SE	NE	30	22N	51E	0.000	MM	322,500	AFA	EU	KOBEH VALLEY RANCH LLC	1843819.1	14434952.7
77174			6/20/2008	RFP	UG	SE	NW	19	22N	51E	0.000	MM	1280,000	AFA	EU	KOBEH VALLEY RANCH LLC	1841122.4	14440191.0
77175			6/20/2008	RFP	UG	NE	NE	36	22N	50E	0.000	MM	1280,000	AFA	EU	KOBEH VALLEY RANCH LLC	1838707.1	14429652.1
77205		DAMELE CENTER WELL B	7/14/2008	PER	UG	SE	NW	16	19N	47E	0.000	STK	9,520	AFA	LA	PETER JOE AND TOM DAMELE	1727858.4	14346996.5
77525			10/23/2008	RFP	UG	SW	NE	03	21N	50E	0.000	MM	272,640	AFA	EU	KOBEH VALLEY RANCH LLC	1828203.2	14424311.8
77526			10/23/2008	RFP	UG	SE	NW	16	21N	51E	0.000	MM	300,760	AFA	EU	KOBEH VALLEY RANCH LLC	1852585.8	14413884.2
77527			10/23/2008	RFP	UG	SE	SE	07	21N	51E	0.000	MM	571,200	AFA	EU	KOBEH VALLEY RANCH LLC	1844437.3	14416447.0
77553			11/3/2008	RFP	UG	SE	NW	05	21NH	52E	0.000	MM	571,200	AFA	EU	KOBEH VALLEY RANCH LLC	1878586.6	14424737.4
78271			4/17/2009	RFP	UG	NE	NE	30	19N	49E	0.000	IRR	0.000	AFA	EU	GENERAL MOLLY INC	1783581.3	14344417.4
78272			4/17/2009	RFA	UG	NW	NE	23	19N	47E	0.000	IRR	0.000	AFA	LA	KOBEH VALLEY RANCH LLC	1738569.1	14344544.5
78273			4/17/2009	RFA	UG	SW	NW	23	19N	47E	0.000	IRR	0.000	AFA	LA	KOBEH VALLEY RANCH LLC	1738569.1	14344544.5
78274			4/17/2009	RFA	UG	NE	SE	21	19N	47E	0.000	IRR	0.000	AFA	LA	KOBEH VALLEY RANCH LLC	173883.7	14341916.5
78275			4/17/2009	RFA	UG	SW	SW	22	19N	47E	0.000	IRR	0.000	AFA	LA	KOBEH VALLEY RANCH LLC	1733288.7	14341818.9
78937			10/1/2009	RFA	UG	NW	SE	17	20N	52E	0.000	STK	4,240	AFA	EU	GARY AND MELODY GARAVENTA	1884961.5	14379481.5
78938			10/1/2009	RFA	UG	SW	NW	17	20N	52E	0.000	STK	4,240	AFA	EU	GARY AND MELODY GARAVENTA	1882275.6	14382085.6
79030		DAMELE 4TH WELL (C)	11/19/2009	APP	UG	SE	SW	16	19N	47E	0.000	STK	9,520	AFA	LA	PETER JOE AND TOM DAMELE	1727858.4	14346996.5

1(B)

Kobeh Valley Surface Water Rights (Stream and Spring Sources);

Kobeh Valley Spring Inventory Sites

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,

Case No. 61324

District Court Case Nos.
CV 1108-15; CV 1108-156;
CV 1108-157; CV 1112-164;
CV 1112-165; CV 1202-170

Electronically Filed
Dec 27 2012 02:16 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

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 29

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Attorneys for Appellant,
EUREKA COUNTY

**CHRONOLOGICAL APPENDIX TO
APPEAL FROM JUDGMENT**

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

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL</u>	<u>JA NO.</u>
Partial Motion to Dismiss, Notice of Intent to Defend	09/14/2011	1	136-140
Order Allowing Intervention of Kobeh Valley Ranch, LLC, as a Party Respondent	09/26/2011	1	141-142
Answer to Verified Petition for Writ of Prohibition, Complaint and Petition for Judicial Review by Kobeh Valley Ranch, LLC	09/28/2011	1	143-149
Answer to Petition for Judicial Review by Kobeh Valley Ranch, LLC	09/29/2011	1	150-154
Answer to Petition for Judicial Review by Kobeh Valley Ranch, LLC	09/29/2011	1	155-160
Order Directing the Consolidation of Action CV1108-156 and Action No. 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 in Support of Issuance of Writ of Prohibition and in Opposition to 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 Dismiss and Opposition to Request for Writ of Prohibition	12/15/2011	27	5056-5061

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

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL</u>	<u>JA NO.</u>
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 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 Stamped Pages 1-216	02/03/2012	31	5734-5950
Record on Appeal, Vol. II, Bates Stamped Pages 217-421	02/03/2012	32	5951-6156
Record on Appeal, Vol. III, Bates 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, LLC's Answering Brief	02/24/2012	34	6448-6518
Reply Brief of Conley Land & Livestock, LLC and Lloyd Morrison	03/28/2012	34	6519-6541
Petitioners Kenneth F. Benson, Diamond Cattle Company, LLC, and Michel and Margaret Ann Etcheverry Family LP's Reply Brief	03/28/2012	34	6542-6565
Eureka County's Reply Brief	03/28/2012	34	6566-6638

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

**ALPHABETICAL APPENDIX TO
APPEAL FROM JUDGMENT**

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL</u>	<u>JA NO.</u>
Affidavit of Service by Certified Mail	08/11/2011	1	66-68
Answer to Verified Petition for Writ of Prohibition, Complaint and Petition for Judicial Review by Kobreh Valley Ranch, LLC	09/28/2011	1	143-149
Answer to Petition for Judicial Review by Kobreh Valley Ranch, LLC	09/29/2011	1	150-154
Answer to Petition for Judicial Review by Kobreh Valley Ranch, LLC	09/29/2011	1	155-160
Answer to Petition for Judicial Review	01/30/2012	31	5704-5710
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Eureka County's Summary of Record on Appeal - CV1112-0164	01/13/2012	28	5244-5420
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Eureka County's Reply Brief	03/28/2012	34	6566-6638
Excerpts from Transcript of Proceedings	10/13/2008	36	6952-6964

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL</u>	<u>JA NO.</u>
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First Additional Summons and Proof of Service, State Engineer, Division of Water Resources	08/17/2011	1	129-133
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Notice of Appeal	07/10/2012	36	6945-6949
Opening Brief of Conley Land & Livestock, LLC and Lloyd Morrison	01/13/2012	27	5112-5133

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL</u>	<u>JA NO.</u>
Order Allowing Intervention of Kobeh Valley Ranch, LLC, to Intervene as a Respondent	09/14/2011	1	134-135
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Partial Motion to Dismiss, Notice of 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, Diamond Cattle Company, LLC, and Michel and Margaret Ann Etcheverry Family LP's Opening Brief	01/13/2012	27	5134-5177
Petitioners Kenneth F. Benson, Diamond Cattle Company, LLC, and Michel and Margaret Ann Etcheverry Family LP's Reply Brief	03/28/2012	34	6542-6565
Petitioners Benson, Diamond Cattle Co., and Etcheverry Family LP's Notice of Appeal	07/12/2012	36	6950-6951

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL</u>	<u>JA NO.</u>
Record on Appeal, Vol. II, Bates Stamped Pages 217-421	02/03/2012	32	5951-6156
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Respondent Kobeh Valley Ranch, 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 Valley Ranch, LLC	08/11/2011	1	60-62
Summons and Proof of Service, Jason King	08/11/2011	1	63-65
Summons and Proof of Service, Jason King	08/15/2011	1	121-123
Summons and Proof of Service, Kobeh Valley Ranch, LLC	08/15/2011	1	118-120

<u>DOCUMENT</u>	<u>DATE</u>	<u>VOL</u>	<u>JA NO.</u>
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 Review	04/03/2012	35	6639-6779
Verified Petition for Writ of Prohibition, Complaint and Petition for Judicial Review	08/10/2011	1	09-59

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

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Attorneys for Appellant,
EUREKA COUNTY

JAN 13 2012

Glenna McConnell

IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF EUREKA

EUREKA COUNTY, a political
subdivision of the State of Nevada,

Petitioner,

vs.

Case No.: CV1108-155

Dept. No.: 2

THE STATE OF NEVADA, EX. REL.,
STATE ENGINEER, DIVISION OF
WATER RESOURCES, and KOBEH
VALLEY RANCH, LLC, a Nevada
limited liability company,

Respondents.

CONLEY LAND & LIVESTOCK, LLC, a
Nevada limited liability company; LLOYD
MORRISON, an individual;

Petitioners/Plaintiffs,

vs.

Case No.: CV1108-156

Dept. No.: 2

THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA, DIVISION
OF WATER RESOURCES, DEPARTMENT
OF CONSERVATION AND NATURAL
RESOURCES, JASON KING, State Engineer;
KOBEH VALLEY RANCH, LLC, Real Party
in Interest;

Respondents/Defendants.

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1 KENNETH F. BENSON, an individual,
2 DIAMOND CATTLE COMPANY, LLC, a
3 Nevada Limited Liability Company, and
4 MICHEL AND MARGARET ANN
ETCHEVERRY FAMILY, LP, a Nevada
Registered Foreign Limited Partnership,

Petitioners,

vs.

Case No.: CV1108-157

Dept. No.: 2

6 STATE ENGINEER, OF NEVADA,
7 OFFICE OF THE STATE ENGINEER,
8 DIVISION OF WATER RESOURCES,
9 DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES, and
KOBEL VALLEY RANCH, LLC, a
Nevada limited liability company,

Respondents.

11 EUREKA COUNTY,
12 a political subdivision of the State of Nevada,

Petitioner,

vs.

Case No.: CV1112-164

Dept. No.: 2

14 THE STATE OF NEVADA, EX. REL.,
15 STATE ENGINEER, DIVISION OF
16 WATER RESOURCES, and KOBEL
VALLEY RANCH, LLC, a Nevada
limited liability company,

Respondents.

18 KENNETH F. BENSON, an individual,
19 DIAMOND CATTLE COMPANY, LLC, a
20 Nevada Limited Liability Company, and
MICHEL AND MARGARET ANN
ETCHEVERRY FAMILY, LP, a Nevada
Registered Foreign Limited Partnership,

Petitioners,

vs.

Case No.: CV1112-165

Dept. No.: 2

24 STATE ENGINEER OF NEVADA,
25 OFFICE OF THE STATE ENGINEER,
26 DIVISION OF WATER RESOURCES,
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES, and KOBEL
VALLEY RANCH, LLC, a Nevada limited
liability company,

Respondents.

**EUREKA COUNTY'S SUPPLEMENTAL
SUMMARY OF RECORD ON APPEAL – CV1108-155**

Petitioner, EUREKA COUNTY, by and through its counsel, ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD. and THEODORE BEUTEL, ESQ., the EUREKA COUNTY DISTRICT ATTORNEY, files its Supplemental Record on Appeal in support of its Petition for Judicial Review in Case No. CV1108-155. The Supplemental Record on Appeal is attached to this Supplemental Summary and consists of a copy of the following documents:

1. Letter to Kobeh Valley Ranch, LLC from Tim Wilson, P.E., Hearings Officer, dated March 3, 2011 (Bates Stamped SROA 01 - SROA 02);

2. Letter to Jason King, P.E., State Engineer, from Ross E. de Lipkau, dated March 7, 2011 (Bates Stamped SROA 03);

3. Letter to Jason King, P.E., State Engineer, from Ross E. de Lipkau, dated March 21, 2011 (Bates Stamped SROA 04 - SROA 043);

4. Letter to Jason King, P.E., State Engineer, and Tim Wilson, P.E., Hearings Officer, from Karen A. Peterson, Esq., dated April 5, 2011 (Bates Stamped SROA 044 - SROA 062);

5. Letter to Jason King, P.E., State Engineer, and Tim Wilson, P.E., Hearings Officer, from Ross E. de Lipkau, dated April 11, 2011 (Bates Stamped SROA 063 - SROA 068);

6. Letter to Kobeh Valley Ranch, LLC from Tim Wilson, P.E., Hearings Officer, dated April 20, 2011 (Bates Stamped SROA 069 - SROA 070);

7. Letter to Kobeh Valley Ranch, LLC, Ross de Lipkau and Dwight L. Smith, P.E., from Jason King, P.E., State Engineer, dated June 22, 2011 (Bates Stamped SROA 071);

8. Memo to Eureka County from Tim Wilson, dated July 5, 2011 (Bates Stamped SROA 072 - SROA 073);

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E-Mail Address: law@allisonmackenzie.com

9. Water Resources Inventory Data Collection Report, Kobeh Valley -- NDWR
Hydrographic Basin 139, June 16, 2011 (Bates Stamped SROA 074 - SROA 0273).

DATED this 13th day of January, 2012.

ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.
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Nevada State Bar No. 0366
JENNIFER MAHE, ESQ.
Nevada State Bar No. 9620
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-and-

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Telephone: (775) 237-5315
Facsimile: (775) 237-6005

By: 
THEODORE BEUTEL, ESQ.
Nevada State Bar No. 5222

Attorneys for Petitioner,
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E-Mail Address: law@allisonmackenzie.com

SEVENTH JUDICIAL DISTRICT COURT
COUNTY OF EUREKA, STATE OF NEVADA

AFFIRMATION
Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document, filed in case numbers: CV1108-155, CV1108-156, CV1108-157, CV1112-164 and CV1112-165

- ☒ Document does not contain the social security number of any person
-OR-
☐ Document contains the social security number of a person as required by:
☐ A specific state or federal law, to wit:

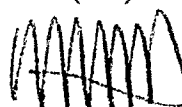
(State specific state or federal law)

-or-

- ☐ For the administration of a public program
-or-
☐ For an application for a federal or state grant
-or-
☐ Confidential Family Court Information Sheet
(NRS 125.130, NRS 125.230 and NRS 125B.055)

Date: January 13th, 2012.

EUREKA COUNTY DISTRICT ATTORNEY
701 South Main Street
P.O. Box 190
Eureka, NV 89316
Telephone: (775) 237-5315
Facsimile: (775) 237-6005

By: 
THEODORE BEUTEL, ESQ.
Nevada State Bar No. 5222

Attorneys for Petitioner,
EUREKA COUNTY

CERTIFICATE OF SERVICE

Pursuant to NRCP Rule 5(b), 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 the foregoing document to be served to all parties to this action by:

☒ Placing a true copy thereof in a sealed postage prepaid envelope, first class mail, in the United States Mail in Carson City, Nevada [NRCP 5(b)(2)(B)]

☐ Hand-delivery [NRCP 5(b)(2)(A)]

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Attorney General of the State of Nevada
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1 Gene P. Etcheverry
2 Lander County
3 315 South Humboldt Street
4 Battle Mountain, NV 89820

5 DATED this 13th day of January, 2012.

6 
7 NANCY FONTENOT

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**EUREKA COUNTY'S SUPPLEMENTAL
RECORD ON APPEAL (SROA) – CV1108-155**

ALLISON, MacKENZIE, PAVLAKIS, WRIGHT & FAGAN, LTD.
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BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

**DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES**

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

March 3, 2011

Kobeh Valley Ranch, LLC
c/o Ross de Lipkau, Esq.
Parsons, Behle & Latimer
50 W. Liberty Street, Suite 750
Reno, Nevada 89501
Certified Mail #7106 7808 0630 0045 8313

Re: Applications 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76005, 76006, 76007, 76008, 76009, 76483, 76484, 76485, 76486, 76744, 76745, 76746, 76802, 76803, 76804, 76805, 76989, 76990, 77171, 77174, 77175, 77525, 77526, 77527, 77553, 78424, 79911, 79912, 79913, 79914, 79915, 79916, 79917, 79918, 79919, 79920, 79921, 79922, 79923, 79924, 79925, 79926, 79927, 79928, 79929, 79930, 79931, 79932, 79933, 79934, 79935, 79936, 79937, 79938, 79939, 79940, 79941 and 79942

Ladies and Gentlemen:

Nevada Revised Statute § 533.375 allows for the State Engineer to require an applicant to submit additional information to enable him to properly guard the public interest. At the administrative hearing, Exhibit No. 35 was submitted by the Applicant to illustrate the water cycle for the project. The exhibit was testified to by Mr. Rogers (Tr. Dec. 6, pp. 104-107). After review of the exhibit and testimony, it is found that additional information is required, as follows (assume peak usage):

1. For Exhibit No. 35, indicate the amount of water in acre-feet annually that will be developed or consumed from all illustrated sources and uses. The consumptive use should be broken down by process and include any ancillary uses within each basin.
2. For certain interbasin transfers of groundwater, Nevada Revised Statute § 533.364 requires an inventory of the water resources be conducted for the basin from which the water is to be exported if the transfer is more than 250 acre-feet annually.

SROA 01

JA5429

Re: Applications 72695 etc.
March 3, 2011
Page 2

- a. For water developed within the Kobeh Valley Hydrographic Basin, estimate the amount of water that will be consumed in other hydrographic basins in acre-feet annually.
- b. For water developed within the Diamond Valley Hydrographic Basin, estimate the amount of water that will be consumed in other hydrographic basins in acre-feet annually.
3. Based on the information provided in the above questions, discuss the applicability of Nevada Revised Statute § 533.364, in both the Kobeh Valley and Diamond Valley hydrographic basins.

Please provide the above information within 15 days from receipt of this certified letter.

3/18 CN

All information submitted in response to this letter must be simultaneously provided to the Protestants. The Protestants may respond to any information submitted within 15 days.

This letter should not be construed in any way as an indication of the ultimate action to be taken by the State Engineer with respect to the pending applications, but only as a request for additional information.

Should you have any questions regarding this matter, please contact this office at (775)684-2873.

Respectfully submitted,



Tim Wilson, P.E.
Hearings Officer

cc: Therese Ure, Esq., Schroeder Law Office
Karen A. Peterson, Esq., Allison, McKenzie, Pavlakis, Wright & Fagan
Baxter Glenn Tackett
Cedar Ranches, LLC
Conley Land & Livestock, LLC
Lloyd Morrison

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Ross E. de Lipkau

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(775) 789-6545
E-Mail
Rdelipkau@parsonsbhlc.com

March 7, 2011

VIA HAND DELIVERED

Jason King, P.E., State Engineer
State of Nevada
Department of Conservation & Natural Resources
Division of Water Resources
901 S. Stewart Street; Suite 2002
Carson City, NV 89701

Re: Application 72695, et al., March 3, 2011 letter – NRS 533.364

Dear Mr. King:

Pursuant to the above referred to letter, signed by Tim Wilson, P.E., please be advised that we will be complying with your request. In the event it is necessary to conduct an inventory or update existing inventories or reports, we would like the State Engineer, pursuant to NRS 533.364(1) to appoint Dwight Smith, of Interflow Hydrology and his staff, Mr. Terry Katzer; and Pat Rogers and his staff to conduct or update the inventory. The cost would be born by the applicant.

Inasmuch as you have allowed us 15 days to comply, a favorable reply would be most appreciated in the earliest possible time.

Very truly yours,

Parsons Behle & Latimer

A handwritten signature in cursive script, reading "Ross E. de Lipkau".
Ross E. de Lipkau

RED/rlt

cc: Therese Ure, Esq.
Karen a. Peterson, Esq. ✓
Baxter Glen Tackett
Cedar Ranches, LLC
Conley Land & Livestock, LLC
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March 21, 2011

VIA HAND DELIVERY

Jason King, P.E., State Engineer
State of Nevada
Department of Conservation & Natural Resources
Division of Water Resources
901 S. Stewart Street, Suite 2002
Carson City, NV 89701

Re: Tim Wilson Letter of March 3, 2011 -Application 72695, et al.

Dear Mr. King:

Pursuant to your letter addressed to me, signed by Tim Wilson, P.E., dated March 3, 2011, I enclose herewith the information as requested.

1. Memorandum, dated March 18, 2011 prepared by Patrick Rogers [Eureka County's expert, Randy Powell, at Vol. II of the 2008 Hearing testified he agreed that Mr. James Moore's water usage determinations were accurate. Also see Eureka County Exhibit 50];
2. Exhibit A entitled "Hydrographic Abstract" (Groundwater);
3. Exhibit B entitled "Hydrographic Abstract" (Surface Water);
4. Exhibit C Hydrographic Area Summary;
5. Exhibit D Hydrographic Basin Summary by Manner of Use;
6. Exhibit E Hydrographic Basin Summary by Application Status;
7. Plate 1(A) – together with Tables (Groundwater); and,
8. Plate 1(B) – together with Tables (Surface Water).

In reply to question 3, page 2, of the above-referred-to letter, NRS 533.364, applies to the transfer of Kobeh Valley groundwater to Diamond Valley, which exceeds 250 afa.

March 21, 2011

Page Two

The statute does not apply to the minor use of Diamond Valley water in Kobeh Valley as the use is substantially less than 250 afa.

NRS 533.364(1) reads in part as follows:

“...the State Engineer or a person designated by the State Engineer shall conduct an inventory of the basin from which the water is to be exported. The inventory must include:

- (a) The total amount of surface water and groundwater appropriated in accordance with a decree, certified or permitted right;
- (b) An estimate of the amount and location of all surface water and groundwater that is available for appropriation in the basin; and
- (c) The name of each owner of record set forth in the records of the Office of the State Engineer for each decree, certified or permitted right in the basin.”
(emphasis supplied)

Each of the above legal requirements have been fully covered and are discussed below:

1. NRS 533.364(1)(a) **Groundwater appropriated in Kobeh Valley.**

Please refer to Exhibit A attached hereto which shows applications, permits and certificated groundwater rights together with names of current owners of records. There are no decreed groundwater rights in Kobeh Valley. The names of the owners of record are set forth on Exhibit A. Refer to item 7, together with tables. Item 7, Plate 1(A) depicts the location of wells.

Please refer to Exhibit B attached hereto which shows applications, permits and certificated surface water rights, together with claims of vested rights showing all surface waters appropriated or sought in Kobeh Valley. The names of the owners of record are set forth on Exhibit B. Refer to item 8, together with tables, which depict the location of surface sources.

2. NRS 533.364(1)(b) **Estimate of available surface and groundwater.**

Surface waters available for appropriation. It is our estimate and opinion that there is no unappropriated surface waters in Kobeh Valley except small springs located above the valley floor in that Valley. The State Engineer in his discretion may issue permits for small volumes of surface water, such as for wildlife and stock-watering purpose. It is our opinion that larger springs, which are clearly a tributary to permitted surface water sources, are not available for appropriation. All major

March 21, 2011
Page Three

surface sources are currently being utilized for previously permitted and other lawful surface water purposes, such as irrigation.

Groundwater availability for future use of Kobeh Valley groundwater is estimated to be no more than 500 afa. This statement is based upon the following facts:

- (a) Groundwater recharge to Kobeh Valley is 16,000 afa;
- (b) Permitted rights of the third parties is approximately 1,000 afa. Very little of this water is currently being placed to a beneficial use, and may be the subject of forfeiture.
- (c) The consumptive duties sought by the applicant Kobeh Valley Ranch LLC is 11,300 afa, it having acquired in excess of 16,000 afa of previously approved Kobeh Valley groundwater.
- (d) The volume sought by Kobeh Valley Ranch for irrigation of the Bobcat Ranch is 6336 afa (applications 78272-78275).

Eureka Moly LLC seeks 1840 afa for the irrigation of 460 acres (application 78271).

Wise Family Development seeks 1120 afa for the irrigation of 280 afa. (applications 79962-79964)

Applying a maximum consumption use duty of 2.7 acre feet per acre, the maximum volume is therefore 6275 afa (2324 acres x 2.7 acre feet per acre).

At this time, however, there is no electricity that is available in Kobeh Valley for large electrical motors, and any all irrigation water must be pumped by diesel, or other internal combustion engines. As testified to at the hearing of December 2010, the applicant has agreed to make groundwater available to third parties in order not to preclude future growth in Kobeh Valley.

3. NRS 534.364(1)(c) **Owners of Record.**

Requires the names of the owners of record of both surface and groundwater rights. [Exhibits A and B, attached hereto satisfy this statutory element.]

It is respectfully submitted that the above material complies with NRS 533.364(1), as well as the legislative intent behind such statute.

AB 416, now NRS 533.364, was introduced by Assemblyman Goicoechea. Part of his testimony before the Assembly Committee on Governmental Affairs on March 24, 2009 Committee reads:

March 21, 2011
Page Four

"The bottom line is that AB 416 requires the State Engineer to require that a proponent of an interbasin transfer do a water inventory of that basin. You will hear from some people who say, 'Why are we doing it prior to the application rather than the permit process?' It truly gives the State Engineer the ability, if he had a full inventory of that basin beforehand, to say, 'Look, we have this much water appropriated, and our numbers show this much available.' It gives him a place to start with, another tool in his toolbox."

The above information which I am presenting is precisely in conformance with NRS 533.364, and the intent of Assemblyman Goicoechea. The statute without question, is intended to assist the state engineer in his determination of whether or not to grant an application to transfer more than 250 afa from its basin of origin to a different basin.

This is what the above data accomplishes. The information is a snapshot in time and is clearly intended to assist the State Engineer in his determination of whether or not to grant an application to transport more than 250 afa from its basin of origin to a different basin.

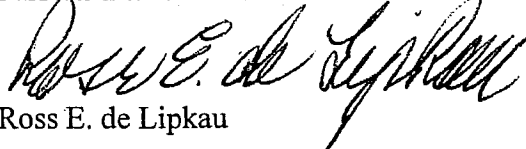
Based on the above, the Applicant respectfully requests:

1. That the State Engineer accept the information provided as constituting the inventory required by NRS 533.364; and,
2. Concurrently with accepting said information, act upon the pending applications.

In the event the State Engineer requests more data, it is requested that he appoint Dwight Smith of Interflow Hydrology to submit such additional documents. Such authority is specifically set in NRS 533.364(2)(b). Respectfully submitted.

Very truly yours,

Parsons Behle & Latimer


Ross E. de Lipkau

RED/rt

cc: Protestants

CERTIFICATE OF SERVICE

I hereby certify that on this 21 day of March, 2011, I caused to be mailed, first class; postage prepaid, a true and correct copy of the foregoing **RESPONSE TO TIM WILSON LETTER DATED MARCH 3, 2011**, to:

Baxter Glenn Tackett
P.O. Box 695
Eureka, NV 89316

Alan K. Chamberlain
Cedar Ranches LLC
948 Temple View Drive
Las Vegas, NV 89110

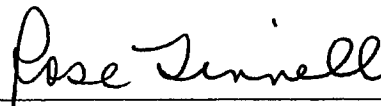
Conley Land & Livestock, LLC
Attn: Beverly Conley
P.O. Box 111
Eureka, NV 89316

Lloyd Morrison
P.O. Box 52
Eureka, NV 89316

VIA HAND DELIVERY to:

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Schroeder Law Offices, P.C.
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Reno, NV 89509
Attorneys for Kenneth F. Benson

Karen A. Peterson, Esq.
Allison & MacKenzie
402 N. Division Street
Carson City, NV 89702



Employee of Parsons Behle & Latimer

Memorandum

March 18, 2011

To: Nevada State Engineer

From: Patrick Rogers, Manager Environmental and Permitting, EMLLC

Subject: Summary of Inter-basin Water Uses

This memorandum provides a technical summary of the primary uses of groundwater for the proposed Mt. Hope project in response to the State Engineer letter of 3 March 2011 and specifically in regards to Nevada Revised Statute §533.364. The State Engineer letter requests more detail of the water uses in each hydrographic basin assuming peak water usage and identification of what uses are considered a source from one basin and consumed in another basin. Exhibit 35, as presented by Patrick Rogers in the December 2010 Hearing, provides a schematic of general uses.

Conclusions

1. Diamond Valley water from pit dewatering used in Kobeh Valley (the only transfer) is estimated to be a maximum of 129 afa and simply a result of the open pit mine situated across the basin divide.
 - a. Thus, NRS 533.364 is not applicable to Diamond Valley.
2. Kobeh Valley water used in the Diamond Valley side of the open pit to supplement the pit dewatering source is estimated to be a maximum of 188 afa and Kobeh Valley water consumed in the processing area located in Diamond Valley is estimated to be a maximum of 513 afa, for a total of 701 afa.
 - a. Thus, NRS 533.364 is applicable to Kobeh Valley.

Discussion

Water balances are provided in **Table 1** for open pit mining sources and uses and in **Table 2** for Kobeh Valley sources and uses for the process plant and tailings dam (non-open pit mining uses). This information is derived from the records and proceedings of the October 2008 and December 2010 Hearings, primarily Exhibits 39 and 105.

1. Diamond Valley Pit Inflow Source used in Kobeh Valley

The only interbasin transfer of Diamond Valley water would occur in the open pit mine for use as dust control water. This transfer is a result of the ore deposit sitting on top of the hydrographic divide and the resultant commingling of groundwater into the bottom of the open pit and collected and used for the wetting of haul roads, shovel pits, and stockpiles to reduce particulate dust emissions. The water flowing from the Diamond Valley hydrographic basin into the pit varies over the life of the mine depending on various parameters including pit geometry, hydrologic properties of exposed geologic strata and hydraulic gradient. The open pit is predominantly situated on the Diamond Valley side of the divide; hence the maximum inflow from Diamond Valley is estimated for 80% of the total pit inflow (20% contribution by Kobeh Valley) at ultimate pit size in Year 32. See **Figure A** and **Figure B** for the location of the divide relative to mining operations. The portions of water that will be utilized for dust control in the mine in

Kobeh Valley and Diamond Valley are estimated using the approach of estimating the water use based on the areas of the footprint of pit, haul roads, dumps and stockpile located in Kobeh Valley and Diamond Valley. As this water cannot be practically separated in the pit, the mixed Diamond Valley and Kobeh Valley pit inflows are pumped into water trucks and transported to where it is needed for dust control inside the open pit mining operation and on stockpiles. As stockpiles will be placed on both sides of the hydrographic divide between Kobeh Valley and Diamond Valley a transfer of this commingled water occurs across the divide to its place of consumptive use. All Diamond Valley pit inflow is consumed in the mining operation and no other transfer of Diamond Valley water occurs throughout the rest of the mining operation. The maximum transfer of Diamond Valley waters to Kobeh Valley is estimated to be 129 afa for the maximum use year (Year 30). This estimate is based upon the portion of disturbed area in Diamond Valley of 80%. See **Table 1** for the water balance for open pit mining sources and uses. The pit dewatering is tabulated by year to illustrate the inflows as presented in *Hydrogeology and Numerical Flow Modeling, Montgomery & Associates, et.al. July 2010* (Exhibit 39). **Table 1** also presents how this water is commingled and redistributed across the basin divide.

2. Kobeh Valley Pit Inflow Source used in Diamond Valley

In almost all project years there is a shortage of open pit dewatering water drained from the aquifer to cover the environmental dust control mining use (see Table 1). Water will be supplemented to the mine dust control system from the Kobeh Valley wellfield. This water would also be commingled with Diamond Valley and Kobeh Valley pit dewatering and redistributed across the hydrographic basin divide in water trucks. The maximum transfer of Kobeh Valley to Diamond Valley for dust control purposes is estimated at 188 afa in Year 0, the preproduction year, where no pit inflows occur from aquifer drainage (pit excavation is initially above the water table).

3. Other uses of Kobeh Valley wellfield water

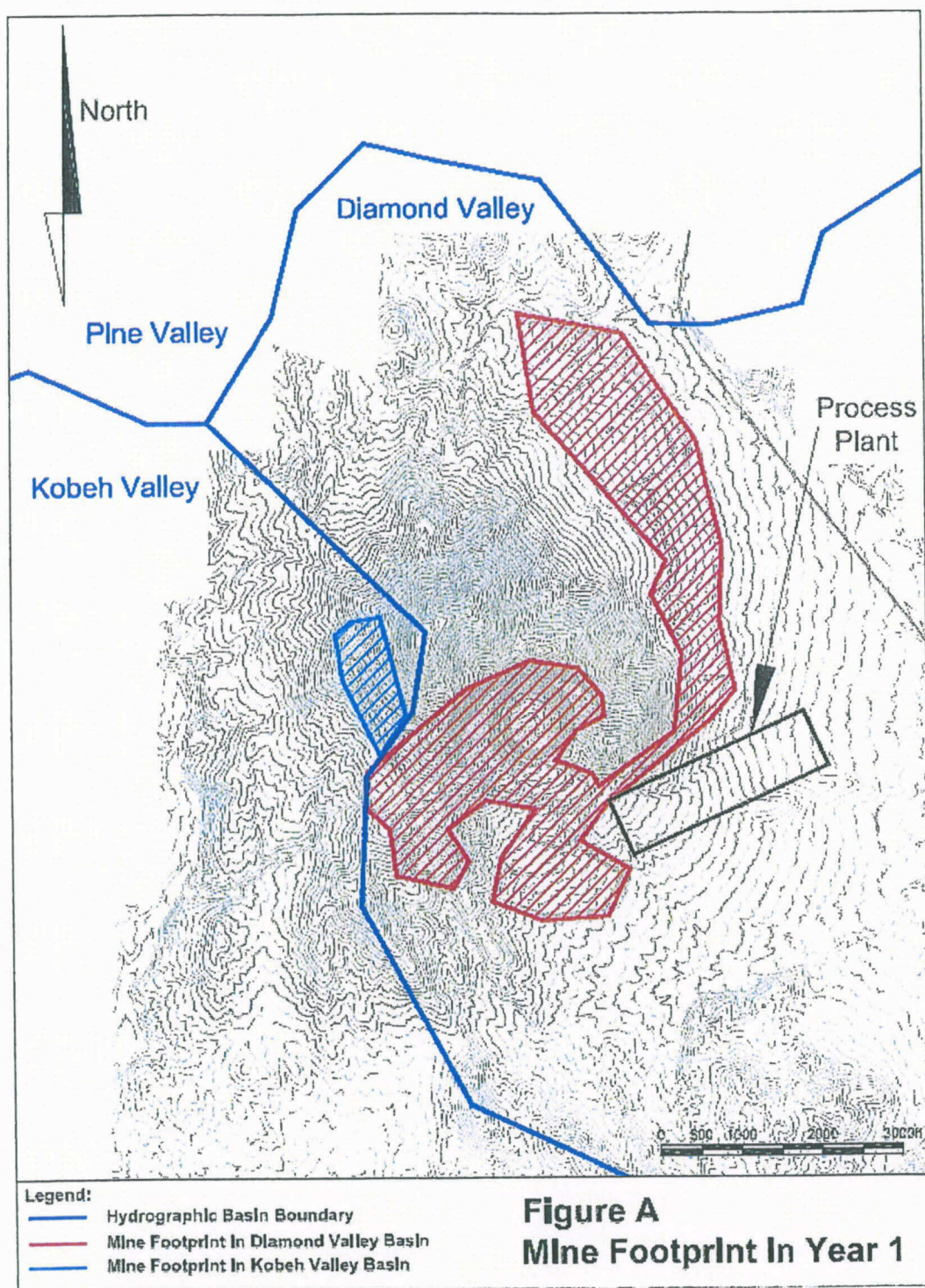
Additional Kobeh Valley water is consumed in Diamond Valley for use at the process plant. These uses are primarily dust control, evaporative losses and domestic water uses. Water losses used to suppress dust at the primary crusher and coarse ore conveyor, losses evaporated through the roaster stack and potable water uses (discharged from sanitary facilities to drain fields) comprise the majority of all uses (95%). The maximum use is estimated at 513 afa (see Table 2). This use is considered an interbasin transfer of Kobeh Valley wellfield water to the plant located in Diamond Valley.

4. General

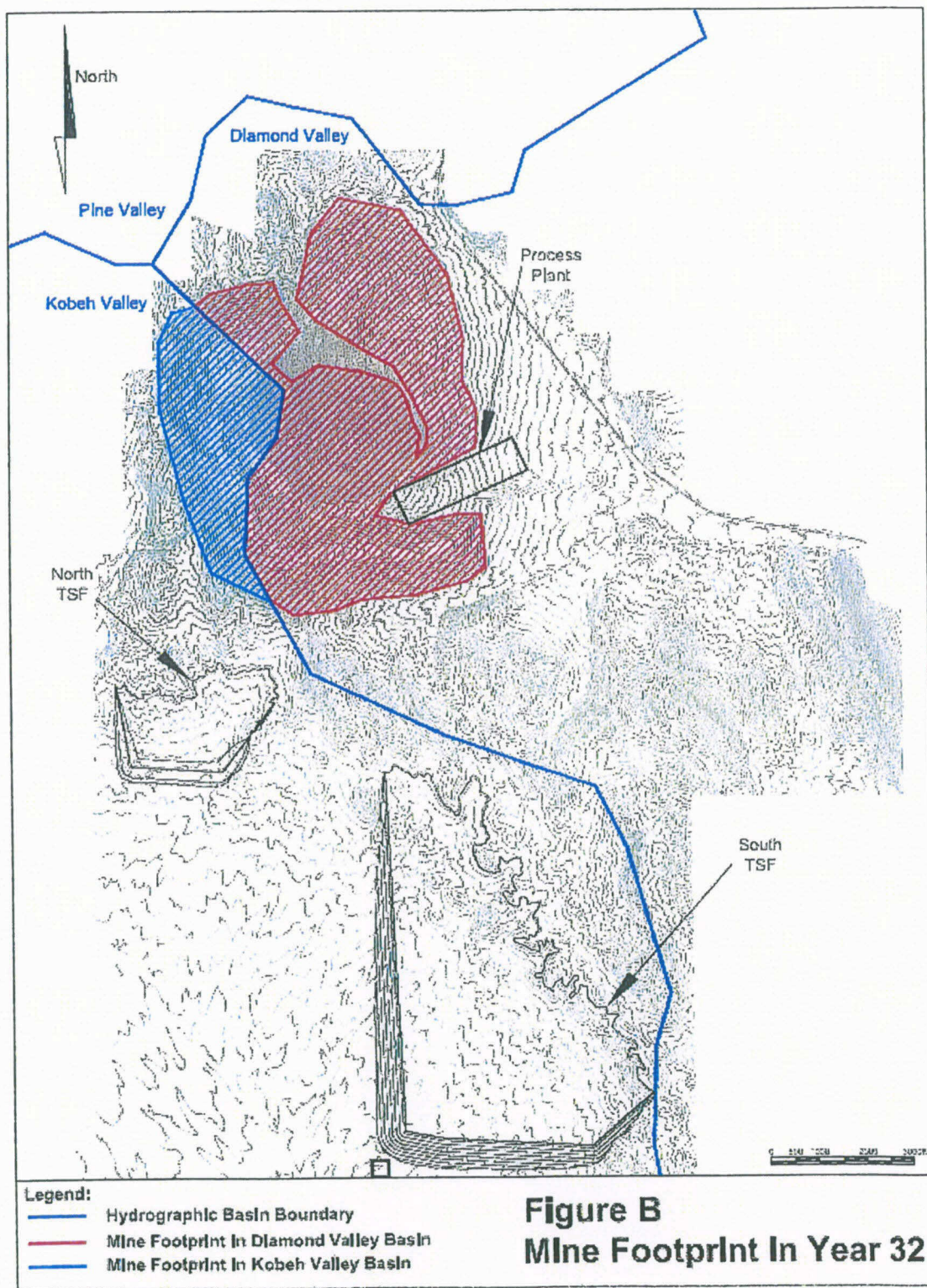
The primary consumptive use of Kobeh Valley wellfield water occurs in the tailings dam in both retained water in tailings slimes and water lost to evaporation at the tailings impoundments, both impoundments being situated entirely in Kobeh Valley. These uses are not considered an interbasin transfer in that the source of water is derived in Kobeh Valley and the tailings impoundments are situated in Kobeh Valley.

The primary source of water for the project is from Kobeh Valley where 10 production wells are planned. Two additional wells located in Kobeh Valley will be used for a construction water source to be located west of the south tailings facility that is located in Kobeh Valley (Exhibit 39). Other sources of water include the currently held Diamond Valley water rights appurtenant to the Mt. Hope mine, comprising 543 afa and approximately 485 afa that is currently appurtenant to the Gale Ranch in Diamond Valley, but subject to change applications pending before the State Engineer. Application to change a portion of the

Gale Ranch water is currently pending before the State Engineer. These Diamond Valley sources would be used for pit dewatering. Total water consumption for the proposed Mt. Hope mine is estimated at 11,300 afa.



Represents a compilation based on Exhibit 39



Represents a compilation based on Exhibit 39

Table 1: Estimate of Pit Inflows (dewatering) compared to Water used for Mine Dust Control ⁽¹⁾

Mine Year	Water Sources (in afa) ⁽²⁾					Water Uses (in afa) ⁽³⁾			
	from Kobreh Valley		from Diamond Valley	Mixed Water	Ratio	in Diamond Valley		in Kobreh Valley	
	Wellfield (makeup)	KV side of pit	DV side of pit	Pit + Makeup		total	sourced from KV	total	sourced from DV
Pre-prod 0	188	0	0	188	100%	188	188	0	0
1	108	0	94	202	54%	188	101	14	6
2	82	2	150	234	36%	210	76	24	15
3	149	3	113	265	57%	232	133	33	14
4	11	11	276	297	7%	253	18	43	40
5	95	11	222	328	32%	275	89	53	36
6	119	15	226	360	37%	297	111	63	40
7	125	20	247	392	37%	318	118	73	46
8	0	43	457	500	9%	340	29	83	76
9	130	32	292	455	36%	362	129	93	60
10	165	43	309	518	40%	405	163	113	67
15	148	57	355	560	37%	436	160	124	78
20	27	88	486	601	19%	466	89	135	109
25	8	107	527	643	18%	496	89	147	120
30	0	137	605	742	18%	526	97	159	129
End Mining 32	49	135	541	726	25%	555	141	171	127
Pit lake fills 33	70	92	368	530	100%	70	70	0	0
water 34	70	87	349	507	100%	70	70	0	0
remains 35	70	85	340	496	100%	70	70	0	0
in pit after 36	70	83	333	487	100%	70	70	0	0
Year 32. 37	70	82	327	479	100%	70	70	0	0
38	70	80	322	473	100%	70	70	0	0
39	70	79	317	467	100%	70	70	0	0
40	70	78	313	461	100%	70	70	0	0
41	70	77	309	456	100%	70	70	0	0
42	70	76	305	451	100%	70	70	0	0
43	70	75	301	447	100%	70	70	0	0
End of Project 44	70	74	298	442	100%	70	70	0	0
Average	80	60	314	454	63%	228	92	47	34
Maximum	188	137	605	742	100%	555	188	171	129

⁽¹⁾ Montgomery (2010). Exhibit 39.

⁽²⁾ Projected pit surface; ultimate pit surface at year 32 is approximately 20% in KV and 80% in DV. Dwight Smith testimony, December, 2010.

⁽³⁾ Water for Mine Dust Control is based upon mine/stockpile footprint assuming a maximum use of 726 afa in year 32 at 4,177 acre footprint. Exhibit 105.

Table 2: Water uses (excluding pit use) with Source from Kobeh Valley wellfield

Mount Hope Water Demand and Consumption at Maximum Production Rate by Hydrographic Basin Location

Water Consumption	Used in KV (afa)	Used in DV (afa)	Total Used (afa)
Roaster	0	150	150
Potable Water Systems	0	182	182
TSF Liner Seepage	21	-	21
Retention in the TSF Solids	8,628	-	8,628
Evaporation at TSF	1,396	-	1,396
Evaporation at tails thickeners	-	4	4
Evaporation at concentrate thickener	-	0.02	0.02
Evaporation at crusher/ conveyor dust suppression	-	156	156
Evaporation at truck wash	-	20	20
	10,045	513	10,558
Add back maximum pit inflow (afa)			742
Water application amount for KV and DV			11,300
Interbasin Transfer KV to DV (afa)		513	

Exhibit A

“Hydrographic Abstract” (Groundwater)

Number of Records: 149

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RLP','RVP','VST','DEC') AND source IN

Basin	Application	Transferor Application	File date	App status	Source	Point of Diversion	Diversion	Use	Figures Acres	Duty Balance	Sup?	Code	Owner name
72698			05-03-05	RFP	UG	NE NE 35 21N 51E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
73545			12-05-05	RFP	UG	SE SE 10 20N 51E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
73546			12-05-05	RFP	UG	SW SE 11 20N 51E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
73547			12-05-05	RFP	UG	SE NW 11 20N 51E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
73548			12-05-05	RFP	UG	NE SW 35 21N 51E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
73549			12-05-05	RFP	UG	NE NE 26 21N 51E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
73550			12-05-05	RFP	UG	NW NW 26 21N 51E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
73551			12-05-05	RFP	UG	NE SW 26 21N 51E	6.000	MMD	0.00	2669.50	Y	EU	KOBEH VALLEY RANCH LLC
73552			12-05-05	RFP	UG	NE SE 23 21N 51E	6.000	MMD	0.00	2669.50	Y	EU	KOBEH VALLEY RANCH LLC
74587			08-02-06	RFA	UG	NE NW 07 21N 52E	22.280	MM	0.00	0.00		EU	KOBEH VALLEY RANCH LLC
75988			06-29-07	RFP	UG	SE NW 21 22N 51E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC
75989			06-29-07	RFP	UG	SE NE 30 22N 51E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC
75990			06-29-07	RFP	UG	NW SE 13 22N 50E	1.000	MM	0.00	272.64	Y	EU	KOBEH VALLEY RANCH LLC
75991			06-29-07	RFP	UG	NW SE 13 22N 50E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC
75992			06-29-07	RFP	UG	NW SW 26 22N 50E	1.000	MM	0.00	272.64	Y	EU	KOBEH VALLEY RANCH LLC
75993			06-29-07	RFP	UG	NW SW 26 22N 50E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC
75994			06-29-07	RFP	UG	NW SW 26 22N 50E	1.000	MM	0.00	723.97	Y	EU	KOBEH VALLEY RANCH LLC
75995			06-29-07	RFP	UG	NW SW 26 22N 50E	1.000	MM	0.00	272.64	Y	EU	KOBEH VALLEY RANCH LLC
75996			06-29-07	RFP	UG	SW SW 21 22N 51E	0.450	MM	0.00	300.76	Y	EU	KOBEH VALLEY RANCH LLC
75997			06-29-07	RFP	UG	SE NW 21 22N 51E	4.700	MM	0.00	1142.40	Y	EU	KOBEH VALLEY RANCH LLC
75998			06-29-07	RFP	UG	SE NW 21 22N 51E	2.000	MM	0.00	500.00	Y	EU	KOBEH VALLEY RANCH LLC
75999			06-29-07	RFP	UG	SW SW 21 22N 51E	1.000	MM	0.00	211.25	Y	EU	KOBEH VALLEY RANCH LLC
76000			06-29-07	RFP	UG	SE NE 30 22N 51E	3.990	MM	0.00	842.91	Y	EU	KOBEH VALLEY RANCH LLC

Number of Records: 149

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RVP','VST','DEC') AND source IN

Basin	Application	Change of Application	Gen	File Date	App Status	Source	Point of Diversion	Diversion	Use	Integrated	Daily	Sup	CO	Owner Name
76001				06-29-07	RFP	UG	L14 02 21N 50E	2.720	MM	0.00	1280.00	Y	EU	KOBEH VALLEY RANCH LLC
76002				06-29-07	RFP	UG	L14 02 21N 50E	0.820	MM	0.00	300.76	Y	EU	KOBEH VALLEY RANCH LLC
76003				06-29-07	RFP	UG	SW SW 21 22N 51E	5.000	MM	0.00	1280.00	Y	EU	KOBEH VALLEY RANCH LLC
76004				06-29-07	RFP	UG	L14 02 21N 50E	5.000	MM	0.00	1280.00	Y	EU	KOBEH VALLEY RANCH LLC
76058				07-13-07	PER	UG	SW SW 16 19N 47E	0.014	STK	0.00	9.52	Y	LA	PETER JOE AND TOM DAMELE
76059				07-13-07	PER	UG	SE SW 16 19N 47E	0.410	IRR	0.00	150.48	Y	LA	PETER JOE AND TOM DAMELE
76483				11-14-07	RFP	UG	SE NW 21 22N 51E	0.050	MM	0.00	15.50		EU	KOBEH VALLEY RANCH LLC
76484				11-14-07	RFP	UG	SE NW 32 22N 51E	5.400	MM	0.00	1292.40		EU	KOBEH VALLEY RANCH LLC
76485				11-14-07	RFP	UG	NW SW 26 22N 50E	2.450	MM	0.00	332.64		EU	KOBEH VALLEY RANCH LLC
76486				11-14-07	RFP	UG	SE NW 21 22N 51E	2.700	MM	0.00	238.64		EU	KOBEH VALLEY RANCH LLC
76592				01-14-08	PER	UG	SW SW 16 19N 47E	0.223	IRR	0.00	150.48	Y	LA	PETER JOE AND TOM DAMELE
76744				02-13-08	RFP	UG	SE NE 30 22N 51E	4.280	MM	0.00	950.64		EU	KOBEH VALLEY RANCH LLC
76745				02-13-08	RFP	UG	SE NE 30 22N 51E	4.280	MM	0.00	819.24	Y	EU	KOBEH VALLEY RANCH LLC
76746				02-13-08	RFP	UG	SE NE 30 22N 51E	2.240	MM	0.00	819.24	Y	EU	KOBEH VALLEY RANCH LLC
76989				04-23-08	RFP	UG	SE NE 30 22N 51E	0.655	MM	0.00	474.00	Y	EU	KOBEH VALLEY RANCH LLC
76990				04-23-08	RFP	UG	SE NE 30 22N 51E	0.760	MM	0.00	322.50	Y	EU	KOBEH VALLEY RANCH LLC
77171				06-20-08	RFP	UG	SE NW 19 22N 51E	5.000	MM	0.00	1280.00		EU	KOBEH VALLEY RANCH LLC (C/O GENERAL MOLY INC)
77174				06-20-08	RFP	UG	NE NE 36 22N 50E	2.450	MM	0.00	332.64		EU	KOBEH VALLEY RANCH LLC (C/O GENERAL MOLY INC)
77175				06-20-08	RFP	UG	NW NE 31 22N 51E	5.400	MM	0.00	1292.40		EU	KOBEH VALLEY RANCH LLC (C/O GENERAL MOLY INC)
77205				07-01-08	PER	UG	SE SW 16 19N 47E	0.026	STK	0.00	9.52	Y	LA	PETER JOE AND TOM DAMELE
77525				10-23-08	RFP	UG	SW NE 03 21N 50E	1.000	MM	0.00	272.64		EU	KOBEH VALLEY RANCH LLC
77526				10-23-08	RFP	UG	SE NW 16 21N 51E	0.450	MM	0.00	300.76		EU	KOBEH VALLEY RANCH LLC

Number of Records: 149

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RLP','RVP','VST','DEC') AND source IN

Basin	Application	Change to Application	Cart	File date	App status	Source	Point of Diversion	Diversion	Use	Irrigated Acres	Duty balance	Sup?	CO	Owner name
			CC	Q	SEC	RWN	RNG							
										0.450				LLC
77527				10-23-08	RFP	UG	SE SE	07 21N 51E	MM	0.00	571.20		EU	KOBEH VALLEY RANCH LLC
77553				11-03-08	RFP	UG	SE NW	05 21NH 52E	MM	0.00	571.20		EU	KOBEH VALLEY RANCH LLC
78271				04-17-09	RFP	UG	NE NE	30 19N 49E	IRR	0.00	0.00		EU	GENERAL MOLY INC
78272				04-17-09	RFA	UG	NW NE	23 19N 47E	IRR	0.00	0.00		LA	KOBEH VALLEY RANCH LLC
78273				04-17-09	RFA	UG	SW NW	23 19N 47E	IRR	0.00	0.00		LA	KOBEH VALLEY RANCH LLC
78274				04-17-09	RFA	UG	NE SE	21 19N 47E	IRR	0.00	0.00		LA	KOBEH VALLEY RANCH LLC
78275				04-17-09	RFA	UG	SW SW	22 19N 47E	IRR	0.00	0.00		LA	KOBEH VALLEY RANCH LLC
78937				10-01-09	PER	UG	NW SE	17 20N 52E	STK	0.00	2.24	Y	EU	GARY AND MELODY GARAVENTA
78938				10-01-09	PER	UG	SW NW	17 20N 52E	STK	0.00	2.24	Y	EU	GARY AND MELODY GARAVENTA
79030				11-19-09	RFA	UG	SE SW	16 19N 47E	STK	0.00	9.52		LA	PETER JOE AND TOM DAMELE
79911				06-15-10	RFP	UG	SW SE	07 21N 51E	MM	0.00	2669.50		EU	KOBEH VALLEY RANCH LLC
79912				06-15-10	RFP	UG	SW NE	23 21N 50E	MM	0.00	2669.50		EU	KOBEH VALLEY RANCH LLC
79913				06-15-10	RFP	UG	SW SW	32 21N 50E	MM	0.00	1280.00		EU	KOBEH VALLEY RANCH LLC
79914				06-15-10	RFP	UG	SW SW	32 21N 51E	MM	0.00	2000.00		EU	KOBEH VALLEY RANCH LLC
79915				06-15-10	RFP	UG	SE SE	32 21N 50E	MM	0.00	1280.00		EU	KOBEH VALLEY RANCH LLC
79916				06-15-10	RFP	UG	SE SE	32 21N 50E	MM	0.00	2000.00		EU	KOBEH VALLEY RANCH LLC
79917				06-15-10	RFP	UG	NW NW	12 21N 50E	MM	0.00	1142.40		EU	KOBEH VALLEY RANCH LLC
79918				06-15-10	RFP	UG	NW NW	12 21N 50E	MM	0.00	2000.00		EU	KOBEH VALLEY RANCH LLC
79919				06-15-10	RFP	UG	SE SW	35 21N 50E	MM	0.00	723.97		EU	KOBEH VALLEY RANCH LLC
79920				06-15-10	RFP	UG	SE SW	35 21N 50E	MM	0.00	300.76		EU	KOBEH VALLEY RANCH LLC
79921				06-15-10	RFP	UG	SE SW	35 21N 50E	MM	0.00	211.25		EU	KOBEH VALLEY RANCH LLC
79922				06-15-10	RFP	UG	SE SW	35 21N 50E	MM	0.00	723.97		EU	KOBEH VALLEY RANCH LLC
79923				06-15-10	RFP	UG	SE SW	35 21N 50E	MM	0.00	474.00		EU	KOBEH VALLEY RANCH LLC

Number of Records: 149

Selection Criteria: basin IN ('139') AND app_status IN ('APP','CER','PER','RES','RFA','RFP','RLP','RVP','VST','DEC') AND source IN

Basin	Application	Change of Application	Filedate	App. State	Source	Point	Dir	Diversion	Diversion Rate	Use	Treated Acres	Div. Balance	Ship?	GO	Owner Name
79924			06-15-10	RFP	UG	SE	SW	35	21N	50E	1.000	MM	0.00	272.64	EU KOBEH VALLEY RANCH LLC
79925			06-15-10	RFP	UG	SE	SW	35	21N	50E	1.000	MM	0.00	723.97	EU KOBEH VALLEY RANCH LLC
79926			06-15-10	RFP	UG	NE	NE	36	22N	50E	3.990	MM	0.00	842.91	EU KOBEH VALLEY RANCH LLC
79927			06-15-10	RFP	UG	NE	NE	36	22N	50E	0.820	MM	0.00	300.76	EU KOBEH VALLEY RANCH LLC
79928			06-15-10	RFP	UG	NE	NE	36	22N	50E	3.000	MM	0.00	2000.00	EU KOBEH VALLEY RANCH LLC
79929			06-15-10	RFP	UG	NW	NE	31	22N	51E	1.000	MM	0.00	272.64	EU KOBEH VALLEY RANCH LLC
79930			06-15-10	RFP	UG	NW	NE	31	22N	51E	1.000	MM	0.00	723.97	EU KOBEH VALLEY RANCH LLC
79931			06-15-10	RFP	UG	NW	NE	31	22N	51E	1.000	MM	0.00	723.97	EU KOBEH VALLEY RANCH LLC
79932			06-15-10	RFP	UG	NW	NE	31	22N	51E	2.000	MM	0.00	500.00	EU KOBEH VALLEY RANCH LLC
79933			06-15-10	RFP	UG	NW	NE	31	22N	51E	1.000	MM	0.00	723.97	EU KOBEH VALLEY RANCH LLC
79934			06-15-10	RFP	UG	SW	NE	30	22N	51E	1.220	MM	0.00	819.24	EU KOBEH VALLEY RANCH LLC
79935			06-15-10	RFP	UG	SW	NE	30	22N	51E	0.760	MM	0.00	322.50	EU KOBEH VALLEY RANCH LLC
79936			06-15-10	RFP	UG	SW	NE	30	22N	51E	1.000	MM	0.00	272.64	EU KOBEH VALLEY RANCH LLC
79937			06-15-10	RFP	UG	SW	NE	30	22N	51E	1.000	MM	0.00	723.97	EU KOBEH VALLEY RANCH LLC
79938			06-15-10	RFP	UG	SW	NE	30	22N	51E	1.000	MM	0.00	723.97	EU KOBEH VALLEY RANCH LLC
79939			06-15-10	RFP	UG	SW	NE	30	22N	51E	1.000	MM	0.00	723.97	EU KOBEH VALLEY RANCH LLC
79940			06-15-10	RFP	UG	SE	NW	03	21N	50E	5.000	MM	0.00	2500.00	EU KOBEH VALLEY RANCH LLC
79941			06-15-10	RFP	UG	NW	NE	34	22N	51E	2.240	MM	0.00	819.24	EU KOBEH VALLEY RANCH LLC
79942			06-15-10	RFP	UG	NW	NW	35	22N	51E	2.720	MM	0.00	1280.00	EU KOBEH VALLEY RANCH LLC
79962			06-29-10	RFA	UG	NE	SE	17	19N	50E	3.200	IRR	0.00	0.00	EU WISE FAMILY DEVELOPMENT LLC
79963			06-29-10	RFA	UG	SE	NE	17	19N	50E	3.200	IRR	0.00	0.00	EU WISE FAMILY DEVELOPMENT LLC
79964			06-29-10	RFA	UG	SW	NW	16	19N	50E	3.200	IRR	0.00	0.00	EU WISE FAMILY DEVELOPMENT LLC
9682		2780	07-25-33	CER	UG	SE	NE	17	19N	50E	0.655	IRR	0.00	474.00	EU KOBEH VALLEY RANCH LLC

Exhibit B

“Hydrographic Abstract” (Surface Water)