Permit 76008 is approved for the entire 164.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 102.5 acre-feet, can be diverted annually. Additional diversion up to the total 164,0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 102.5 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

December /3 2013

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

December <u>13</u> 2016

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

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13/1 day of December, A.D. 2011

	17-1,6.
	for State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued

78424 0.1525



# THE STATE OF NEVADA

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

Name of applicant:

KOBEH VALLEY RANCH, LLC (C/O GENERAL MOLY, INC)

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

06/03/1960

\*\*\*\*\*

APPROVAL OF STATE ENGINEER Vacated by Gurt Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76006, is issued subject to the terms and conditions imposed in said Permit 76006 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76008, 76802, 76803, 76804 and 76805 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded.

(Continued on Page 2)

#### Permit No. 76803

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to

the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

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

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

July 21,2012

July 21,2014

N/

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2 st day of July, A.D. 2009

	St	ate Engineer P.EV
Completion of work filed		<u> </u>
Proof of beneficial use filed		·
Cultural map filed	****	
Certificate No.		ssued
11b		

ORIGINAL



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

	THIS SPACE FOR OFFICE USE ONLY
Dat	te of filing in State Engineer's Office MAR 1 1 2008
Ret	turned to applicant for correction HAR 17 2008
Con	rected application filed Map filed MAR 2 7 2008 under 76802
The	epplicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
17	726 Cole Blvd., Suite 115 of Lakewood
C	olorado 80401 hereby make(s) application for permission to change the
	Suit and Zip Code
図 F	Point of diversion Place of use Manner of use of a portion
1.	The source of water is underground Nam of proof, life, underground sping or other source.
2.	The amount of water to be changed 0.435 cfs, 164.00 acre-feet annually Secret Box One record foot second box s
3,	The water to be used for Mining, milling and dewatering large to be used for Mining, milling and dewatering large to be used to be u
4.	The water beselofore used for Mining, milling and dewatering
5.	The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by consess and distance to a found section control. If our proventy of land, it should be wated.)
	Within the NW 1/4 of the SE 1/4 of Section 12, T.22N., R.51-1/2E., M.D.M., or at a point from which the northeast corner of unsurveyed Section 1, T.22N., R.51E., M.D.M. bears North 27*05'08" West a distance of 2752.05 feet. (Well MH3)
6.	The existing point of diversion is located within (11 point of diversion is not changed, do not someon.)
	the SE 1/4 of the SE 1/4 of uncurveyed Section 12, T.22N., R.51E., M.D.M., or at a point from which the west 1/4 corner of Section 13, T.22N., R.51-1/2E., M.D.M. bears North 23°02'49" East a distance of 2183.38 feet.

150 20

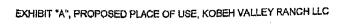
						•
	Proposed place of the (Decembe		-			
	See attached Exhibit "A" a	nd as shown on the	map that	accompanied Ap	plication No. 72695,	
			• •		•	
	•		•			
8, ;	Existing place of use (Describe to reserve drivers)	y legel sobdivisions. If obung	ing pisos of uso	ned/or manuar of war of in	igation permit, describe accusps to be	
	The place of use is not ch	anded.				
	•					
		3 4.8				
9.	Proposed use will be from _	January 1	to _[	ecember 31	of each year.	
	valutaria de 10	January 1		December 31	of each year.	
10.	Existing use permitted from	Month and Day	to!	Month and Day	OI cach.your.	
11.	Description of proposed worl	cs, (Under the provisi	on of NRS	535.010 you may t	e required to submit plans and	l
	specifications of your diversi	on or storage works.)	(State marever in	which water is to be diver	ted, i.e. diversion structure, dilahes, pipes se	ed:
	from a drilled well, pump and motor, a Dritted well, pump and pip	•	ine and mi	Il eite		
	., , ,		mo ano its	or well-law.		
12.	Estimated cost of works _\$3	1000,000		······································		
13.	Estimated time required to or	enstruct works 3 yes	ans			
				(Carell completed, e	Residence.	
14.	Estimated time required to co	amplete the applicatio	n of water t	o benericiai use	5 years	-
15.	Provide a detailed description (Palue to provide a dealed description me	a of the proposed pro-	ect and its	water visigo (1188 s	tachments if necessary):	
	(Paixes to provide a detailed description to	y serves a theory his processing.)				
	See attached addendum,					
		•				
					: 8	
					1 d d d d d d d d d d d d d d d d d d d	
				,		
16.	Miscellaneous remarks:					
					, , , , , , , , , , , , , , , , , , , ,	
				1.		
17	75) 358-9491			A inchange	SISMINES /	
	Phone No.	<del></del>	By Geogr	CONTRACTOR	Flan F	•
			JU.	WM XI	MALLINE	
gl	indesmith@tristateltd.com	Palating.	49 _ 1944 .	An Committee I be	or cu editate	
	b- <del>est</del> ri		111 60	ite Serveying Ltd	,	•
	•		19251	Frater Way		
			.,	Strickt Address or	P.CJ. BOX	
			Spark	6, NV 89434		

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: May 29, 2008, by Eureka County

Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Gurt Order 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT



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

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Page 1 of 1

Application No. 76803

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

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

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

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



# **AMENDED**

# THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

09/19/1961

\*\*\*\*\*

# APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76007 is issued subject to the terms and conditions imposed in said Permit 76007 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

(Continued on Page 2)

### Amended Permit No. 76804

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 in Kobeh Valley and Permits 76008, 76802, 76803, 76804, 76805 and 78424 in Diamond Valley shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 73548, 73549, 73550, 79911, 79912, 79914, 79916, 79918, 79919, 79922, 79924, 79925, 79928, 79929, 79930, 79931, 79933, 79936, 79937, 79938, 79939 and 79940 in Kobeh Valley shall not exceed 6,292.36 acre-feet annually.

The total combined duty of the above listed permits shall not exceed 11,300 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State

Engineer before any water is developed for mining.

This permit is approved for the entire 147.6 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 92.25 acre-feet, can be diverted annually. Additional diversion up to the total 147.6 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 92.25 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 147.6 acre-feet annually.

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

December 13, 2013

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

December 13, 2016 N/A

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

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of January, 2012

State Engineer	
	-
	-
Issued	

Permit No. 76804



# See amended

# THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

**PIAMOND VALLEY** 

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

09/19/1961

#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

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

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76007 is issued subject to the terms and conditions imposed in said Permit 76007 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

(Continued on Page 2)

Permit 76008 is approved for the entire 147.6 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 92.25 acre-feet, can be diverted annually. Additional diversion up to the total 147.6 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 92.25 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 147.6 acre-feet annually.

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

December <u>/3 2013</u>

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

December <u>/3</u> 2016

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

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1314 day of December, A.D. 2011



### THE STATE OF NEVADA

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

Name of applicant:

KOBEH VALLEY RANCH, LLC (C/O GENERAL MOLY, INC)

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

09/19/1961

\*\*\*\*\*

-APPROVAL OF STATE ENGINEER Vacated by Gurt Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76007, is issued subject to the terms and conditions imposed in said Permit 76007 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76008, 76802, 76803, 76804 and 76805 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded. (Continued on Page 2)

#### Permit No. 76804

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 147.6 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

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

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

July 21, 2012

July 2/ ,2014 July 2/ ,2014

#### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 215th day of July, A.D. 2009

			State E	ngineer	 1	<u>r</u> E
Completion of work filed					 	
Proof of beneficial use filed	······································				 	
Cultural map filed						
Certificate No.	 	·	_ Issue	d	,	
<u>llb</u>						

ORIGINAL



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

	THIS SPACE FOR OFFICE USE ONLY
Da	te of filing in State Engineer's Office MAR 1 1 2008
	turned to applicant for correction MAR 1 7 2008
Co	mocted application filed Map filed MAR 2.7 2008 under 76802
The	applicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
17	726 Cole Blvd., Suite 115 of Lakewood
_ <u>c</u>	Smit Address of PO. 1607  Colorado 80401  Smit and 220 Code  Character of Post and 220 Code  Character of Post and 220 Code  Character of Post and 220 Code
Z F	Point of diversion Place of use Manner of use of a portion
Ap	plication No. 76007
I.	The source of water is underground New of trees, late, second uping or other router.
2.	The amount of water to be changed 0.660 cfs, 147.60 acre-feet annually
3.	The water to be used for Mining, milling and dewatering makes to be used for Mining. milling and dewatering makes to be used for million power, missing, comments, see. It for sook, who must not find of whiteld. Mind there is no see and/or use.
4.	The water bereform used for Mining, milling and dewatering
5.	The water is to be diverted at the following point. (Describe as being within a 40-secs unddirinion of public survey and by course and distance to a found section occurs. If on memory-of lend, is about to stand.)
	Within the NE 1/4 of the SW 1/4 of unsurveyed Section 12, T.22N., R.51E., M.D.M., or at a point from which the west 1/4 corner of Section 13, T.22N., R.51-1/2E., M.D.M. bears North 77°48'34"  East a distance of 2865.65 feet. (Well MH1)
6.	The existing point of diversion is located within (if point of diversion is not changed, do not source.)
	the SE 1/4 of the SE 1/4 of unsurveyed Section 12, T.2ZN., R.51E., M.D.M., or at a point from which

of 2183.38 feet.

OCE SHIRK IND EXHIBIT A	and as shown on the	map that accompanie	i Application No. 72895.	
•			;	
. Existing place of use (possible	by legal subdivisions. If obsergi	ng place of this and/or marrier of th	s of irrigation persoit, describe screage to be	
The place of use is not of				
•				
Proposed use will be from	January 1	to December 31	of each year.	
10. Existing use permitted from		to December 3'	of each year.	
from or drilled well, pump and motor.  Drilled well, pump and place.	pelines or truck to mi	ne and mill site.		
2. Estimated cost of works 5	3,000,000			
3. Estimated time required to c	onstruct works 3 year		ided, describe well.	
	omplete the application			
<ol> <li>Estimated time required to c</li> </ol>				
	on of the proposed proje	ect and its water usage (v	se attachments if necessary):	[-]
		ect and its water usage (u	se attachments if necessary):	Thus it.
<ol> <li>Provide a detailed description of (Federa to provide a detailed description on</li> </ol>		ect and its water usage (u	se attachments if necessary):	Elva Line
Estimated time required to c     Provide a detailed description     Chilme to provide a detailed description as     See attached addendum		ect and its water usage (u	se attachments if necessary):	Zwi
<ol> <li>Provide a detailed description of (Federa to provide a detailed description on</li> </ol>		ect and its water usage (u	se attachments if necessary):	
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15. Provide a detailed description (Fillme to provide a detailed description as See attached addendum		ect and its water usage (u	;; ;	
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15. Provide a detailed description to Critime to people and educated description to See attached addendum  16. Miscellaneous remarks:  (775) 358-9491		Tri State (Survey)	ith pylsmyrs (	

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: May 29, 2008, by Eureka County

Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Court order 4/10/10 Pro. Overruled 7/15/11 See Ruling #6127



Division	Section	Township	Range	Meridian
Ali	1-3	21N	50E	M.D.M.
ΑJI	10-15	21N	50E	M.D.M.
Aif	22-27	21N	50E	M.D.M.
All	34-35	21N	50E	M.D.M.
All	1-36	21N	51E	M.D.M.
AR	6 & 7	· 21N	52E	M.D.M.
Äll	18 & 19	21N	52E	M.D.M.
All	30 & 31	21N	52E	M.D.M.
All	36	21 1/2N	51 1/2 E	M.D,M,
Ali	31 - 36	21 1/2N	52E	M.D.M.
All	34-36	22N	50E	M.D.M.
All	1-3	22N	51E	M.D.M.
All	10-15	22N	51E	M.D.M.
All	20-29	22N	51E	M.D.M.
<b>HA</b>	31-36	22N	51E	M.D.M.
Ali	1	22N	51 1/2 E	M.D.M.
All	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25	22N	51 1/2 E	M.D.M.
'All	36	22N	51 1/2 E	M.D.M.
Ali	1 - 36	22N	52E	M.D.M.
All	6&7	22N	53E	M.D.M.
All	18 & 19	22N	53E	M.D.M.
All	30 & 31	22N	53E	M.D.M.
Αll	34-36	23N	51E	M.D.M.
Ali	31	21 1/2 N	53E	M.D.M.

SIR III LITTIN

Page 1 of 1

Application No. 76804

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

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

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

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



# AMENDED

#### THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

06/03/1960

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

### **APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76009 is issued subject to the terms and conditions imposed in said Permit 76009 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

(Continued on Page 2)

#### Amended Permit No. 76805

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 in Kobeh Valley and Permits 76008, 76802, 76803, 76804, 76805 and 78424 in Diamond Valley shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 73548, 73549, 73550, 79911, 79912, 79914, 79916, 79918, 79919, 79922, 79924, 79925, 79928, 79929, 79930, 79931, 79933, 79936, 79937, 79938, 79939 and 79940 in Kobeh Valley shall not exceed 6,292.36 acre-feet annually.

The total combined duty of the above listed permits shall not exceed 11,300 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

This permit is approved for the entire 303.08 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 189.43 acre-feet, can be diverted annually. Additional diversion up to the total 303.08 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 189.43 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.02 cubic feet per second or 303.08 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

beneficial use shall be filed on or before:

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

December 13, 2013

December 13, 2016

N/A

#### IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

	State Engineer
Completion of work filed	
Proof of beneficial use filed	V
Cultural map filed	
Certificate No.	Issued





# THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

06/03/1960

# APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

\*\*\*\*\*

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76009 is issued subject to the terms and conditions imposed in said Permit 76009 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

(Continued on Page 2)

This permit is approved for the entire 303.08 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 189.43 acre-feet, can be diverted annually. Additional diversion up to the total 303.08 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 189.43 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.02 cubic feet per second or 303.08 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: Water must be placed to beneficial use and proof of the application of water to

December <u>/3 2013</u>

December 13 2016

beneficial use shall be filed on or before:

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

Certificate No. \_\_\_\_\_\_ Issued

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1310 day of December, A.D. 2011

Completion of work filed Proof of beneficial use filed \_\_\_\_\_ Cultural map filed \_\_\_\_\_



#### THE STATE OF NEVADA

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

Name of applicant:

KOBEH VALLEY RANCH, LLC (C/O GENERAL MOLY, INC)

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

06/03/1960

\*\*\*\*\*

APPROVAL OF STATE ENGINEER Vacated by Court order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76009, is issued subject to the terms and conditions imposed in said Permit 76009 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76008, 76802, 76803, 76804 and 76805 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded. (Continued on Page 2)

#### Permit No. 76805

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to

the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.02 cubic feet per second or 303.08 acre-feet annually.

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

July 21,2012

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

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

July 21 , 2014

### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this \_\_2| st\_ day of July, A.D. 2009

State Engineer Completion of work filed \_\_\_\_\_ Proof of beneficial use filed Cultural map filed \_\_\_\_\_ Certificate No. \_\_\_\_\_\_Issued \_\_\_\_\_\_

llb

ORIGINAL



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

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office MAR 1 1 2008
Returned to applicant for correction MAR 1 7 2008
Corrected application filed Map filed MAR 2 7 2008 under 76802
The applicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
1726 Cole Bivd., Suite 115 of Lakewood
Colorado 80401 hereby make(s) application for permission to change the
866 and 24 Code    Point of diversion   Place of use   Manner of use   Of a portion
Application No. 76009
The source of water is underground     Nexe of them, lete, underground spring or other busyes.
2. The amount of water to be changed 1.020 cfs, 303.08 acre-feet annually second first are that the second first are the second
3. The water to be used for Mining, milling and dewatering Interest, the united and license stated. Mark that to one stage that
The water heretofore used for Mining, milling and dewatering     By the stool, table number and bad of entirely.  By the stool, table number and bad of entirely.
5. The water is to be diverted at the following point (Describe as being within a 40-new subdivision of public survey and by course and distance to a found section sower. If on somewayed land, it should be stated.)
Within Mineral Survey 37A in Section 13, T.22N., R.51-1/2E., M.D.M., or at a point from which the west-corner of said Section 13 bears North 77*57*47" West a distance of 2838.81 feet. (Well MH4)
6. The existing point of diversion is located within (17 point of diversions is not almost do not server.)
the SE 1/4 of the SE 1/4 of unsurveyed Section 12, T.22N., R.51E., M.D.M., or at a point from white the west 1/4 corner of Section 13, T.22N., R.51-1/2E., M.D.M. bears North 23°02'49" East a distant

of 2183.38 feet.

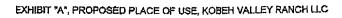
15 7 6 M

Ltobosed blace annue (Descript	by legal subdivisions. If for in	rigations, state coor	per of eciet to go priess	sd.)
See attached Exhibit "A" a	ind as shown on the	map that a	ocompanied Ap	plication No. 72695.
			•	
Existing place of use (Detoribe to removed from insigntion)	y logel subdivisions. L'elung	ing phos of use a	ad/or paramer of use of in	ignition parmit, chaosibe naranga to be
The place of use is not ch	anged.			
	· .	¥		
Proposed use will be from _	January 1	to _D	ecember 31	of each year.
0. Existing use permitted from	January 1	to	ecember 31	of each year.
Description of proposed work specifications of your diverse these or dilled well, peep and motor, a	ks. (Under the provisi on or storage works.)	on of NRS 5 (State manner in P	35.010 you may b	e required to submit plans and led, i.e. diversion structure, ditches, pipes an
Drilled well, pump and pip	•	ine and mill	site.	
2. Estimated cost of works \$3	,000,000			
3. Estimated time required to ex	onstruct works 3 year	ars		
4. Estimated time required to co	omplete the application	n of water to	nwell respicted, d beneficial use	
<ol> <li>Provide a detailed description (Fallow to possible a detailed description and</li> </ol>	A sense of quith to broncount.) If our relies be a house or better	oct and its M	STEE DESIGNATION OF	idilinana ii serromi yy-
See attached addendum.				
				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
				: .:
16. Miscellancous remarks:				. ****
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(775) 358-9491	)	зу <u>форфа</u> е	G. Lindle Smith	PLENNES CO
Page No.		Vin	n I Ilu	EUN /
glindesmith@tristateitd.com		Tri RI	Surveying Ltd	र्था बहुराहरे
		***************************************	Company Naturo	
		1925 E	Prater Way	O. Box
		Sparks;	NV 89434	

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: May 29, 2008, by Eureka County
Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Gurt Order 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127



Division	Section	Township	Range	Meridian
IIA	1-3	21N	50E	M.D.M.
All	10-15	21N	50E	M.D.M.
All	22-27	21N	50E	M.D.M.
AJI	34-36	21N	50E	M.D.M.
Ali	1-36	21N	51E	M.D.M.
Ali	6 & 7	· 21N	52E	M.D.M.
Äll	18 & 19	21N	52E	M.D.M.
Alt	30 & 31	21N	52E	M.D.M.
Aff	36	21 1/2N	51 1/2 E	M.O.M.
ΙΙΑ	31 - 36	21 1/2N	5.2E	M.D.M.
All	34-36	22N	50E	M.D.M.
Ali	1-3	22N	51E	M.D.M.
All .	10-15	22N	51E	M.D.M.
All	20-29	22N	51E	M.D.M.
All	31-36	22N	51E	M.D.M.
All	1	22N	51 1/2 E	M.D.M.
ίιΑ	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25	22N	51 1/2 E	M.D.M.
'All	36	22N	51 1/2 E	M.D.M.
АЛ	1 ~ 36	22N	52E	M.D.M.
All	6 & 7	22N	53E	M.D.M.
All	18 & 19	22N	53E	M,D.M,
All	30 & 31	22N	53E	M.D.M.
All	34-36	23N	51E	M.D.M.
All	31	21 1/2 N	53E	M.D.M.

SINCE HERE

Page 1 of 1

Application No. 768 05

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

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

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

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



# THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

07/25/1933

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

#### **APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 9682, Certificate 2780, is issued subject to the terms and conditions imposed in said Permit 9682, Certificate 2780 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

#### **Permit No. 76989**

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other

permits from State, Federal and local agencies.

This permit is approved for the entire 474 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 176.96 acre-feet, can be diverted annually. Additional diversion up to the total 474 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 176.96 acre-feet to be exceeded.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.6554 cubic feet per second or 474.0 acre-feet annually.

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

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

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

December

2012

N/A

### IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of <u>December</u>, A.D. 2011

	State Engineer	
Completion of work filed	<u>/</u>	
Proof of beneficial use filed		
Cultural map filed		
Certificate No.	Issued	



#### THE STATE OF NEVADA

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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

07/25/1933

\*\*\*\*\*

APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 9682, Certificate 2780, is issued subject to the terms and conditions imposed in said Permit 9682, Certificate 2780, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300.00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

Permits 76989 and 76990 approved for the entire 796.5 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 458.0 acre-feet, can be diverted annually. Additional diversion up to the total 796.5 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 458.0 acre-feet to be exceeded.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.6554 cubic feet per second or 474.0 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

beneficial use shall be filed on or before:

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

July 21,2012

July 21 , 2014

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of July, A.D. 2009

	1 2.
	State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued
<u>llb</u>	



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

	THIS SPACE FOR OFFICE USE ONLY
De	ate of filing in State Engineer's Office APR 2 3 2008
Re	oturned to applicant for correction
C	orrected application filed Map filed JUL 1 1 2007 under 75979
The	applicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
1	728 Cole Blvd., Suite 115 of Lakewood
-	colorado 80401 hereby make(s) application for permission to change the
8	Sain and Zip Code  Point of diversion E Place of use E Manner of use of a portion
idon	water heretofore appropriated under (deathy existing right by Fernik, Cartifords, Proof or Claim Nos. If Decreed, give title of Decree and nity right in Decree).  Sermit No. 9682, Certificate 2780
1.	The source of water is UNDERGROUND New of threat, Male, underground, spring or other source.
2.	The amount of water to be changed 0.6554 cfs, 474.0 acre-feet armuelly
3.	The water to be used for Mining and milling longered, the War sook, who minion sed kind of seamel. Must built to one major we.
4.	The water heretofore used for Irrigation and domestic
5,	The vester is to be diverted at the following point (Describe to being within a 40-pers subdivision of public survey and by access and distance to a found section corner. If on reserveyed land, it should be seed.)  Within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27°21' West a distance of 9,320 feet. (Well 206) See map supporting Application 75979.
б.	The existing point of diversion is located within (II point of direction in and changed, do not support.)
	the SE 1/4 of the NE 1/4 of Section 17, T.19N., R.50E., M.D.M., or at a point from which the northwest corner of Section 19, T.19N., R.50E. bears \$ 75°05' W a distance of 10,906 feet. See

map to Accompany Proof of Beneficial Use Under Permit No. 9682.

139-ELJ

	See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.
8.	Existing place of use (userito by legal subdivisions. If showing place of use and/or measure of use of brighten parallel, describe accesses to be resolved from triguition.)  See attached Exhibit "B" and as shown on the map accompanying this application.
9.	Proposed use will be from January 1 to December 31 of each year.
10.	Existing use permitted from January 1 to December 31 of each year,
11.	Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State occurs to which water is to be diverted, i.e. diversion another, dischor, pipes and threet or delibed well, pump and motor, etc.)
	Drilled well, pump and pipelines or truck to mine and mill site.
12.	Estimated cost of works \$3,000,000
13.	Estimated time required to construct works 3 years
14.	Estimated time required to complete the application of water to beneficial use 5 years
15.	Provide a detailed description of the proposed project and its water usage (use attachments if necessary);  (Polest to provide a detailed description may cause a doly in processing)
	See attached addendum.
	See anathed adderdmit.
	კი დ.)
16	Miscellaneous remarks:
_(	775) 358-9491  By George G. Lindesmith P. S. Mires  Phone No.  By George G. Lindesmith P. S. Mires  Phone No.
<b>.</b> Ş	Alindesmith@tristateltd.com /Septimes.appoint or agent Trl State Sourceying Ltd. Copping Name
	1925 E. Prater Way

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Sparks, NV 89434

Protested: June 27, 2008, by Eureka County

Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Court Order 4/10/10 Pro. Overruled 7/15/11 See Ruling #6127

Application No. 76989

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

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

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

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

EXHIBIT "A"

Legal Description - Proposed Place of Use

Division	Section	Township	Range	Meridian
All	- 1-3	21N	50E	M.D.M.
AJI	10-15	21N	50E	M.D.M.
All	22-27	21N	50E	M.D.M.
All	34-36	21N	50E	M.D.M.
All	1-36	21N	51E	M.D.M.
Ali .	6 & 7	21N	52E	M.D.M.
All	18 & 19	21N	52E	M.D.M.
All	30 & 31 .	21N	52E	M.D.M.
Ai!	36	21 1/2N	51 1/2 E	M.D.M.
Ali	31 - 36	21 1/2N	52E	M.Q.M.
All	34-36	22N	50E	M.D.M.
All	1-3	22N	51E	M.D.M.
All	10-15	22N	51E	M.D.M.
Afi	20-29	22N	51E	M.D.M.
All	31-35	22N	51E	M.Ć.M
All	1	22N	51 1/2 E	M.D.M.
All	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25	22N	51 1/2 E	M.D.M.
All	36	22N	51 1/2 E	M.D.M.
All	1 - 36	22N	52E	M.D.M.
All	6 & 7	22N	53E	M.D.M.
IIA	18 & 19	22N ·	53E	M.O.M.
All	30 & 31 .	22N	53E ·	M.D.M.
All	34-35	23N	51 <b>⊑</b>	M.D.M.
All	31	21 1/2 N	53E	M,D,M.

Page 1 of 1

# EXHIBIT "B"

# TRANSFER TABLE PERMIT NO. 9682

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



# THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

02/25/1944

\*\*\*\*\*

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 11072, Certificate 2880, is issued subject to the terms and conditions imposed in said Permit 11072, Certificate 2880 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is approved for the entire 322.5 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount for 65,54 acres of the base right, 176.96 acrefeet, can be diverted annually. Additional diversion up to the total 322.5 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 176.96 acre-feet to be

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

The issuance of this permit totally abrogates 132.76 acres and 322.5 acre-feet in the name of Kobeh Valley Ranch from the base right, Permit 11072, Certificate 2880.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.76 cubic feet per second or 322.5 acre-feet annually.

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

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

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

December |

December

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this | 5 day of December, A.D. 2011

		State Engineer	
Completion of work filed	//		
Proof of beneficial use filed	· · · · · · · · · · · · · · · · · · ·		
Cultural map filed			
Certificate No.		Issued	



### THE STATE OF NEVADA

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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

**KOBEH VALLEY** 

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

02/25/1944

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

-APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 11072, Certificate 2880, is issued subject to the terms and conditions imposed in said Permit 11072, Certificate 2880, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300.00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

Permits 76989 and 76990 approved for the entire 796.5 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 458.0 acre-feet, can be diverted annually. Additional diversion up to the total 796.5 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 458.0 acre-feet to be exceeded,

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.76 cubic feet per second or 322.5 acre-feet annually.

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

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

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

July 21, 2012

July 2/ , 2014 July 2/ , 2014

### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of July, A.D. 2009

<u>Ilb</u>



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

	THIS SPACE FOR OFFICE USE ONLY
D	ete of filing in State Engineer's Office <u>APR 2 3 2008</u>
R	eturned to applicant for correction
C	orrected application filed Map filed JUL 1 1 2007 under 75979
The	e applicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
:1	1726 Cole Bhd., Suite 115 of Lakewood
	City is Town Colorado 80401 See and Ep Code
X	Point of diversion
1.	The source of water is underground    Name of different, labe, underground, speint or other sources.
2.	The amount of water to be changed 0.76 cfs, 322.5 acre-feet annually
3,	The water to be used for Mining and milling pugation, power, wanny, occupancial, etc. If the stock, state immoor and load of secretal Most limit to one major we.
4.	The water heretofore used for Irrigation and domestic  Heretock, state comber and incl assimals.
5,	within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27*21' West a distance of 9,320 feet. (Well 206) See map supporting Application 75979.
6.	The excisting point of diversion is located within (#point of diversion is not changed, do not nowner.)
රිත්	the NE 1/4 of the SE 1/4 of Section 17 and the SW 1/4 of the NW 1/4 of Section 16, T.19N., R.50E., M.D.M., or at a point from which the west 1/4 corner of said Section 16 bears North 83°56' East 429 feet and South 43°48' East 612 feet, respectively. See Map to Accompany Proof of Beneficial Use Under Application No. 11072.

139.EL)

7.	Proposed place of the (needbeby legal rebdivisions, If for integration, state number of some to be integrated.)  See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.	
8.	Existing place of use (Describe by legal subdivisions. If changing place of two under reasons of two of intestion permit, describe accesses to be reserved from integration.)  See attached Exhibit "B" and as shown on the map accompanying this application.	e
9. 10.	Proposed use will be from January 1 to December 31 of each year.    Month and Day   Month and Day   Month and Day	
	Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plan specifications of your diversion or storage works.) (Seek manuer in which water is to be directed i.e. diversion structure, diches, thance or delied well, pump and mixtr, etc.)  Drilled well, pump and pipelines or truck to mine and mill site.	s and pipes and
12.	Estimated cost of works \$3,000,000	
13.	Estimated time required to construct works 3 years	<del>V</del>
14.	Estimated time required to complete the application of water to beneficial use 5 years	
15.	Provide a detailed description of the proposed project and its water usage (use attachments if necessary); (Febru to provide a desiled description may came a delay in processing.)	· .
	See attached addendum.	1 13 15

16. Miscellanoous remarks;

glindesmith@tristatelid.com

Exact

Tri State Surveying Ltd.

Tri State Surveying Ltd.

Conquenty Name

1925 E. Prater Way

Special Address of F.O. Bold

Description:

State Surveying Ltd.

State Surveying Ltd.

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1925 E. Prater Way

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Sparks, NV 89434

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: June 27, 2008, by Eureka County

Pro. Overruled 3/26/2009 See Ruling #5966 Vacated by Cout-order 4/10/10 Pro. Overruled 7/15/11 See Ruling #6127

Application No. 46194

### ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

EXHIBIT "A"

Legal Description - Proposed Place of Use

Division	Section	Township	Range	Meridian
Αĭi	1-3	21N	50E	M.D.M.
All	10-15	21N	50E	M.D.M.
All	22-27	21N	50E	M.D.M.
, All	34-36	21N	50E	M.D.M.
, All	1-36	21N	51E	M.D.M.
All .	8&7	21N	52E	M.D.M.
IIA.	18 & 19	21N	52E	M.D.M.
All	30 & 31 .	21N	52E	M.D.M.
All	36	21 1/2N	51 1/2 E	M.D.M.
All	31 - 36	21 1/2N	52E	M.D.M.
· IIA	34-36	22N	50E	M.D.M.
All	1-3	22N	51E	M.D.M.
AĭI	10-15	22N	51E	M.D.M.
All	20-29	22N	51E	M.D.M.
All (	31-36	22N	51E	M.D.M.
ľΑ	1	22N	51 1/2 E	M.D.M.
All	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25	22N	51 1/2 E	M.D.M.
All	36	22N	51 1/2 E	M.D.M.
·All	1 - 36	22N	52E	M.D.M.
All	6 & 7	22N	53E	M.D.M.
ΑIJ	18 & 19	22N ·	53⊞	M.D.M.
AII	30 & 31	22N	53E ·	M.D.M.
All	34-36	23N	51E	M.D.M.
KA	31	21 1/2 N	53E	M.D.M.

Page 1 of 1

# TRANSFER TABLE PERMIT NO. 11072

TOWNSHIP	HANGE	SECTION	1/4 1/4	ACRES
19N.	50E.	9	SE SE	0,93
19N.	50E.	9	SW SE	10.21
19N.	50E.	10	SW SW	9.76
19N.	50E.	15	NE NW	16.42
19N.	50E.	15	NW NW	18.33
19N.	50E.	16	NM NW	18.38
19N.	50E.	16	NE NW	32,76
19N.	50E.	16	SE NW	8.16
19N.	50E.	16	NW NE	19.10
TOTAL		A		134.05

# **AMENDED**



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

	THIS SPACE FOR OFFICE USE ONLY
Da	ate of filing in State Lingineer's Office JUN 20 2008
Į.	sturned to applicant for correction JUN 26 2008
Co	precised application filed OCT 2 3 2008 Map filed OCT 2 3 2008
The	applicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
1	726 Cole Blvd., Suite 115 of Lakewood Steet Address of P.O. Box Cay or Town
	colorado 80401 hereby make(s) application for permission to change the
[文] ]	State and Top Croke Point of diversion Place of use Manner of use of a portion
•	
1.	The source of water is underground    Name of stream, lake, indirground, spring or other source.
2.	The amount of water to be changed 5.00 cfs, 1280.00 acre-feet annually
3.	The water to be used for Mining and milling Inguistic power, being connected, etc. It for which, white number and kind of animals. Must limit to one unique use,
4.	The water heretofore used for Mining and milling
5,	The water is to be diverted at the following point (Describe as being within a 40-acre subdiration of public purvey and by commanded distance to a formal section source: If on unsurroyed hard, it should be stated.)  Within the SE 1/4 of the NW 1/4 of Section 19 of T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 07°25' West a distance of 14,570 feet. (Well 214)
6.	The existing point of diversion is located within (it point of directors a not changed, do not conver.)
	the SW 1/4 of the SW 1/4 of Section 21, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 43°28' West a distance of

15,620 feet. (Well 204) See map that accompanied Application No. 75979.

•	Proposed place of the (Costeribu by loyal subdivisions. If for frequency, white remader of scree to be irrigated.)
	See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.
	Existing place of USS (Occorbo by logal subdivisions. If changing place of use analog moment of use of integrion person, describe screege to be reserved from integration.)
	The place of use is not changed.
	Proposed use will be from January 1 to December 31 of each year.
0.	Existing use permitted from January 1 to December 31 of each year.
1.	Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (Santo manner to which water is to be directed, i.e. diversion structure, dischas, pipes and fluores or drilled well, pump and pipelines or truck to mine and mill site.
2.	Estimated cost of works \$3,000,000
	Estimated time required to construct works 3 years
4.	Estimated time required to complete the application of water to beneficial use 5 years
5.	Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in proceeding.)
	See attached addendum.
	ω
	ZOUB C
16,	Miscellaneous remarks:  PATE DE COMPANY CONTRACTOR OF THE CONTRACT
(	Miscellaneous remarks:    Miscellaneous remarks:   Miscellaneous remark
Ţ	OMaurer Otristateltd.com  Tri State Surveying Ltd.
	1925 E. Prater Way

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT Sparks, NV 89434

Protested: December 23, 2008, by Eureka County Pro. Overruled 7-15-11 Ruling #6127

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

Division	Section	Township	Range	Meridian
All	1-3	21N	50E	M.D.M.
All	10-15	21N	50E	M.D.M.
All	22-27	21N	50E	M.D.M.
, All	34-36	21N	50E.	M.D.M.
All	1-36	21N	51E	M.D.M.
. Aft	6 & 7	· 21N	52E	M.D.M.
All	18 & 19	21 N	52E	M.D.M.
All	30 & 31	21N	52E	M.D.M.
All	36	21 1/2N	51 1/2 E	M.D.M.
Ali	31 - 36	21 1/2N	52E	M.D.M.
A	34-36	22N	50E	M.D.M.
Ali	1-3	22N	51E	M.D.M.
Αli	10-15	22N	51E	M.D.M.
ΙŁΑ	20-29	22N	51E	M.D.M.
All	31-36	22N	51E	M.D.M.
Ali	1	22N	51 1/2 E	M.D.M.
Ali	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25 <sup>-</sup>	22N .	51 1/2 E	M.D.M.
'All	36	22N	51 1/2 E	M.D.M.
All	1 - 36	22N	52E	M.D.M.
All	6 & 7	22N	53 <b>€</b>	M.D.M.
All	18 & 19	22N	53 <b>∈</b>	M.D.M.
All	. 30 & 31	22N	53E	M.D.M.
All	34-36	23N	51È	M.D.M.
All	31	21 1/2 N	53E	M.D.M.

STATE ENGINEERS OFFICE

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Page 1 of 1

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200 JUN 20 PH 3: 24

STATE ENGINEERS OFFICE

### ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

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STATE ENGINEERS OFFICE

STATE ENGINEERS OFFICE



### THE STATE OF NEVADA

# APPLICATION TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH LLC (C/O GENERAL MOLY INC)

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

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

**Priority Date:** 

06/23/1967

**DENIAL** OF STATE ENGINEER

This application is denied per State Engineer's ruling.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of July A.D. 2011

State Engineer





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

	THIS SPACE FOR OFFICE USE ONLY				
n	Date of filling in State Francisco Coffee JUN 20 2008				
Date of hi	ing in State Eng	neer's Office			
Returned (	o applicant for c	omection JUN 26 2008			
Corrected	application filed	OCT 2 3 2008 Ma	p filed OCT 2 3 2008 un	der 77171	
The applica	nt Kobeh Val	ey Ranch LLC (d/d	General Moly, Inc.)		
1726 Co	le Blvd., Suite	115	of Lakewood		
Calavad	Street Address of	P.O. Box	City o	(Town	
Colorado	State and Z	p Code	, hereby make(s) application	n for permission to change the	
Point of	diversion	Place of use	Manner of uso	of a portion	
••	n No. 76485  urce of water is	underground			
	,	N N	arter of streets, false, underground, spring or oil	ete protucional,	
2. The an	nount of water to	be changed 2.45 cfs, 33	Second feet, sent-feet, One second	Cost oquals 448,83 galions per mirruit.	
3. The w	ater to be used fo	Mining and milling	structural, olio, il for stock, state number soul kin	d of warmis. Must limb! to one major use.	
4. The wa	ater heretofore u	ed for Mining and milling	El the stock, shale member and kirel	of sourcels.	
thistertoe t	o a found rection come	r. If on unsurrayed land, it should be at			
Within	Within the NE 1/4 of the NE 1/4 of Section 36 of T.22N., R.50E., M.D.M., or at a point from which the				
tkros	east corner of	said Section 38 bears So	uth 00°30' East a distance o	of 4805 feet. (Well 228)	
6. The ex	cisting point of d	version is located within (u	point of diversion is not changed, do not un	www.)	
tront	west corner of	W 1/4 of Section 26, T.2: Section 2, T.21N., R.506 map that accompanied	2N., R.50E., M.D.M., or at a E., M.D.M. bears South 10°2 Application No. 75979.	point from which the 6' West a distance of 6,760	

See attached Exhibit "A" and as sho	wn on the map that accompanied Application No. 72695.
Bristing place of use (poembe by legal subdivi- reserved from infigation)     The place of use is not changed.	ions. If changing place of two rand/or reseases of two of infiguilion partrial, describe acrosses to be
9. Proposed use will be from January	1 to December 31 of each year.
10. Existing use permitted from January	1 to December 31 of each year.
<ol> <li>Doscription of proposed works. (Under a specifications of your diversion or storag fluture or drilled well, pump and motor, etc.)</li> </ol>	the provision of NRS 535.010 you may be required to submit plans and ge works. Nispet morner in which water is to be diverted, i.e. diversion structure, dischoo, pipes and
Drilled well, pump and pipelines or t	ruck to mine and min site.
12. Estimated cost of works \$3,000,000	
13. Estimated time required to construct wo	rks 3 years  # well completed, doscribe well
14. Estimated time required to complete the	application of water to beneficial use 5 years
15. Provide a detailed description of the pro- (full are to provide a detailed description every more a selection)	prosed project and its water usage (use attachments if necessary):
See attached addendum.	•
16. Miscellaneous remarks:	RECEIVED 208 DCI 23 PM 22: 14 STATE ENGINEERS OFFIC
(775) 358-9491	By Debra D. Maurer, C.S.T.
DMaurer@tristateltd.com	Tri State Surveying Ltd.
	1925 E. Prater Way
	Street Address or P.O. Box Speaker NV 89434

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: December 23, 2008, by Eureka County

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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

Division	Section	Township	Range	Meridian
Ali	1-3	21N	50E	M.D.M.
All	10-15	21N	50E	M.D.M.
All	22-27	21N	50E	M.D.M.
All	34-36	21N	50E	M.D.M.
•				1
Αŭ	1-36	21N	51E	M.D.M.
. All	647	21N	52E	M.D.M.
Àl)	18 & 19	21N	52E	M.D.M.
Ali	30 & 31	21N	52E	M.D.M.
•				
A)	35	21 1/2N	51 1/2 E	M.D.M.
			•	
All	31 - 36	21 1/2N	52E	M.D.M.
Ali	34-36	22N	50E	M.D.M.
4.00	4.6		ram	11 D 13
All	1-3	22N	51E	M.O.M.
All	10-15	22N	51E	M.D.M.
All	20-29	22N	51E	M.D.M.
All	31-36	22N	51E ·	M.D.M.
All	1	22N	51 1/2 E	M.D.M.
All	12 & 13	22N 22N	51 1/2 E	M.D.M.
All	24 & 25	22N	51 1/2 E	M.D.M.
All	36	22N . 22N	51 1/2 E	M.D.M.
να	30	2214	31 1/2 E	(A1-12-1A1-
All	1 - 36	22N	52E	M.D.M.
Au	7 - 30	ZZIV	يدعن	141.15.141.
All	6 & 7	22N	53E	M.D.M.
Ali	18 & 19	22N	53E	M.D.M.
All	30 & 31	22N	53E	M.D.M.
* ***	20 4 01	Calcal 4	VV	******
Ail	34-36	23N	51E	M.D.M.
		20.		•
Ali	31	21 1/2 N	53E	M.D.M.

Page 1 of 1

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Application No.77174

# ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

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STATE ENGINEERS OFFICE

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### THE STATE OF NEVADA

# APPLICATION TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH LLC (C/O GENERAL MOLY INC)

Source:

**UNDERGROUND** 

Basin:

**KOBEH VALLEY** 

Manner of Use:

MINING AND MILLING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

01/26/1960

**DENIAL OF STATE ENGINEER** 

\*\*\*\*\*

This application is denied per State Engineer's ruling.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of July A.D. 2011

State Engineer

# **AMENDED**



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

	THIS SPACE	FOR OFFICE USE ONLY	
		0 2008	1
Dat	rice of thing as prais tengineer's Office		
	sturned to applicant for correctionJUN 26 20		
Con	preceded application filed OCT 2 3 2008	Map filed OCT 2 3 2008 under	77171
The	applicant Kobeh Valley Ranch LLC	(c/o General Moly, Inc.)	
17	726 Cole Blvd., Suite 115	of Lakewood	
	Street Address or P.O. Bus	*	e e e e e e e e e e e e e e e e e e e
	Colorado 80401	, hereby make(s) application for pe	mission to change the
	• • • • • • • • • • • • • • • • • • • •	Manner of use	of a portion
N F	Peint of diversion Place of use	CI Manual of use	m
ı.	The source of water is underground	Name of wheart, lake, underground oping or other sources.	
2.	The amount of water to be changed 5.40 cfs,		44 Li gallons per misute.
3.	The water to be used for Mining and milling	ng, commercial, etc. If for stock, while mather and kind of seame	ic. Must heart to one major use.
	The water heretofore used for Mining and mi		
4.	The water necessities used for animal of the first	II for stock, sinte marcher and kind of sources.	
5.	The water is to be diverted at the following pot thatmost a a found section corner. If on unarreyed land, it should	f bastyted.)	
	Within the NW 1/4 of the NE 1/4 of Section	n 31 of T.22N., R.51E., M.D.M., or at	a point from which
	the southwest comer of said Section 31 b	ears South 39°49' West a distance of	2292 teer (AAGII 252)
<b>6</b> .	The existing point of diversion is located with	ID (If point of diversion is not changed, do not answer)	
	Within the SE 1/4 of the NW 1/4 of Section southwest corner of Section 31, T.22N., I	R.51E., M.D.M. bears South 63°34' W	point from which the est a distance of

	Proposed place of use (Describe by legal subdivisions. If for integration, state number of some to be intigered.)  See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.					
١,	Existing place of USC (Describe by logal subdivisions. If changing place of use staticy measure of use of irrigation permit, describe excesses to be removed from irrigation.)					
	See attached Exhibit "B".					
),	Proposed use will be from January 1 to December 31 of each year.    Month and Day   Month and Day   Month and Day					
10.	Existing use permitted from January 1 to December 31 of each year.					
1.	Description of proposed works, (Under the provision of NRS 535,010 you may be required to submit plans and specifications of your diversion or storage works, (Santo measure in which water is to be diverted, i.e. diversion accusant, dictors, pipes and fluence or drilled well, pump and motor, etc.)					
	Drilled well, pump and pipelines or truck to mine and mill site.					
12.	Estimated cost of works \$3,000,000					
13.	Estimated time required to construct works 3 years					
14.	Estimated time required to complete the application of water to beneficial use 5 years					
15,	Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Falture to provide a detailed description may owner a setty in proceeding.)					
	See attached addendum.					
	STATE ENGINEERS OFF					
16.	. Miscellaneous remarks:					
	775) 359 0404					
(	775) 358-9491 By Debra D. Maurer, C.S.T.					
-						

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Sparks, NV 89434

Protested: December 23, 2008, by Eureka County

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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

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

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Page 1 of 1

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STATE ENGINEERS OFFICE

### ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

THE UNIVERS OFFICE

STATE ENGINEERS OFFICE STATE ENGINEERS OF FIGURES



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

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office OCT 2 3 2008
Returned to applicant for correction
Corrected application filed Map filed QCT 2 3 2008under 7 7 17 1
The applicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
1726 Cole Blvd., Suite 115 of Lakewood
Colorado 80401 hereby make(s) application for permission to change the
Season of ZpCook  ☑ Point of diversion ☐ Place of use ☐ Manner of use ☐ of a portion
Application No. 75990
The source of water is underground     Name of dress, table, underground, speng or other sources.
2. The amount of water to be changed 1.0 cfs, 272.64 acre-feet annually
3. The water to be used for Mining and milling income, space, encounted, etc. If the stock, class marches and kind of wrants. Must be not to cau super use.
4. The water heretofore used for Mining and milling
5. The water is to be diverted at the following point (Decribe as being within a 40-acc subdivision of public narray and by occase and distance to a found rection corner. If on unsurveyed land, is abouted be nated.) Within the SW 1/4 of the NE 1/4 of Section 3, T.21N., R.50E., M.D.M., or at a point from which the northeast corner of said Section 3 bears North 44°40' East a distance of 3180 feet. (Well 220)
6. The existing point of diversion is located within (if point of diversion is not changed, do not source.)
the NW 1/4 of the SE 1/4 of unsurveyed Section 13, T.22N., R.50E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 07"27" East a distance of 18,695 feet. (Well 207) See map that accompanied Application No. 75979.

BELL

7.	Proposed viene of the court, but at the court of the cour
,,	Proposed place of use (Describe by legal subdivisions, If for irrigation, site number of some to be irrigated.)
	See attached Exhibit "A" and se shown on the map that accompanied Application No. 72695.
	·
8,	Existing place of use (Describe by logal rubdivisions. If changing place of use under seasons of use of intention permit, describe screeze to be removed from artigation.)
	The place of use is not changed.
	·
9.	Proposed use will be from January 1 to December 31 of each year.
10.	Existing use permitted from January 1 to December 31 of each year.
11	Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and
•••	Specifications of your diversion or storage works.) (State escent in which water is to be diverted, i.e. diversion structure, discher, pipes and flumes or diffied well, people and motor, etc.)
	Drilled well, pump and pipelines or truck to mine and mill site.
12.	Estimated cost of works \$3,000,000
13.	Estimated time required to construct works 3 years
14.	Estimated time required to complete the application of water to beneficial use 5 years
15.	Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Pelter to provide a detailed description may cause a day in processing.)
	See attached addendum.
	<b>ω</b>
	Miscetlaneous remarks:  SIATE REPORT 23  RECT 23  775) 358-9491  By George G. Lindseyfith PLSIMRS
16,	Miscellaneous remarks:
(7	775) 358-9491  By George G. Lindesplith/PLS/MRS
	Less Whillpre & R III
9	lindesmith@tristateltd.com
	Tri State Surveying Ltd. Company Name

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

1925 E. Prater Way

Blood Address of P.O. Box

Spanlos, NV 89434

Protested: December 23, 2008, by Eureka County Pro. Overruled 7-15-11 Ruling #6127

Application No. 77525

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

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

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

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

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

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Page 1 of 1



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

1	ጥርስ	IS SPACE FOR OFFICE USE	ONLY	
		DOT 0 9 2000		
D	ate of filing in State Engineer's Office	OCT 2 3 2008		
R	eturned to applicant for correction			
c	corrected application filed	Map filed OCT	2 3 2008 <sub>under</sub>	77171
Th	e applicant Kobeh Valley Ranch Li	LC (c/o General Moly	, inc.)	
1	1726 Cole Blvd., Suite 115	of Lakewo	od	
***	Breef Address or P.O. Box		City of Town	
_(	Colorado 80401 State and Zip Code	, hereby mal	ce(s) application for	permission to change the
×	··· · · ·	ce of use 🔲 Ma	anner of use	☐of a portion
	The survey of the state of the	id.	= '	
1.	The source of water is <u>undergroun</u>	Name of Monthly Jake, and	dispressed, spring of Other son	1002
1. 2.	The source of water is undergroun  The amount of water to be changed	0.45 cts. 300.76 acre-feet	annually	
	The amount of water to be changed	0.45 cfs, 300.76 acre-feet	annually	quala 440.83 gallens per meruda,
2. 3. 4.	The amount of water to be changed  The water to be used for Mining ar  The water heretofore used for Minis	Name of stores, lab. we  0.45 cfs, 300.76 acre-feet  8cccod 62  nd milling on power, salving, communical, etc. 11 fbx eloc ng and milling  (Fox alock)	erroually, erro lect. One second fool or a condition of a conditio	runts 4-R.R.S gallens per petrode, persits, blust Rant to one major see.
<b>2</b> . <b>3</b> .	The amount of water to be changed  The water to be used for Mining ar  The water heretofore used for Minin	Near of traver, lat. with the control of the contro	erroually, erro lect. One second fool or a condition of a conditio	runts 440.03 gallens per paireds, persile, blust Bank to one major see.
2. 3. 4.	The amount of water to be changed  The water to be used for Mining at The water heretofore used for Minit The water is to be diverted at the fol distance to a forad section come. If our unsurveyed Within the SE 1/4 of the NW 1/4 northwest corner of Section 6, T	Nesse of travers, lab. and 0.45 cfs, 300.76 acre-feet borout too more from the second too more from the second too make the second too make the second too of Section 16, T.21N. R.5	APPILIABLY, across tools of control of the control	gusts 480.05 galleon permission.  Grants: Must last to man segior see.  Finds:  a point from which the
2. 3. 4.	The amount of water to be changed  The water to be used for Mining at The water heretofore used for Minit The water is to be diverted at the fol distance to a forced vection corner. If ou assurance Within the SE 1/4 of the NW 1/4 northwest corner of Section 6, 7 18, 075 feet. (Well 223)	Near of trees, lat. with Near of trees, lat. with Near of trees, lat. with Near of the Nea	enthually serio lect. One accessed from on the extention and third of a count number and third number and thir	grant 4811 galleon per mirroto.  First, Kent land to one major we.  First.  Public survey and by coreso and  a point from which the est a distance of

130-603

7.	Proposed place of USF (Describe by legal subdivisions, If for irrigation, state number of acres to be irrigated.)  See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.
В,	Existing place of use (Describe by high subdivisions. If changing place of use and/or manner of use of irrigation portain, describe servery reserved from irrigation.)  The place of use is not changed.

Month and Day	Month and Day	
10. Existing use permitted from January 1	to December 31	of each year.
<ol> <li>Description of proposed works. (Under the provision specifications of your diversion or storage works.)(s fluors or dilled well, pump and motor, etc.)</li> </ol>	n of NRS 535,010 you may tato moreour in which water is to be div	be required to submit plans and rested in diversion structure, dischen pipes and
Drilled well, pump and pipelines or truck to mir	ne and mill site.	
12. Estimated cost of works \$3,000,000		
13. Estimated time required to construct works 3 year	rs	
	[f well completed	
<ol> <li>Estimated time required to complete the application</li> </ol>	of water to beneficial use	5 years
Provide a detailed description of the proposed proje (Failure to provide a detailed description way setue a delay in proceeding.)  See attached addendum.		
oee anached addendum,		
		9
		2.2
		ių '∰
		E 8
16. Miscellaneous remarks:		STATE ENGINEERS
TO THE PERSON OF		్లో త
		OCT 23 PM
	4	
(775) 358-9491		Alama X 3 1
Phone No.	George G. Lindesmitt	PYSNARGE /
	N. inner	trasan ?
glindesmith@tristateltd.com	Steristure, applie	ment pe agent
E-small	Tri State Surveying Lt	d.
	Company Name	
	1925 E. Prater Way	
•		r F.C. BOX
	Sparks, NV 69434	
APPLICATION MUST BE SIGNED	City, State, Zip (	Code
BY THE APPLICANT OR AGENT		

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: December 23, 2008, by Eureka County Pro. Overruled 7-15-11 Ruling #6127

Application No. 77526

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

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

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

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

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

Division	Section	Township	Range	Meridian
All	1-3	21N	50 <b>⊞</b>	M.D.M.
AR	10-15	21N	50€	M.D.M.
ΙA	22-27	21N	50E	M.D.M.
Ali	34-36	21N	50€	M.D.M.
Αll	1-36	21N	51E	M.D.M.
All	6 & 7	21N	52E	M.D.M.
Αll	18 & 19	21N	52E	M.D.M.
All	30 & 31	21N	52E	M.D.M.
All	36	21 1/2N	51 1/2 E	M.D.M.
All	31 - 36	21 1/2N	52E	M.D.M.
All	34-36	22N	50E	M.D.M.
All	1-3	22N	51E	M.C.M
All	10-15	22N	51E	M.D.M.
All	20-29	22N	51E	M.D.M.
All	31-36	22N	51E	M.D.M.
All	4:	22N	51 1/2 E	M.D.M.
All	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25	22N	51 1/2 E	M.D.M.
All	36	22N	51 1/2 E	M.D.M.
All	1 - 36	22N	52E	M.CI,M
All	6 & 7	22N	53E	M.D.M.
Αli	18 & 19	22N	53E	M.D.M.
All	30 & 31	22N	53E	M.D.M.
All	34-36	23N	51 <b>E</b>	M.D.M.
Ali	31	21 1/2 N	53E	M.D.M.

STATE ENGINEERS OFFICE STATE CELLVETS PRISE LE

Page 1 of 1

# **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  E-filing pursuant to Section IV of District of Nevada Electronic Filing Procedures
fully addressed as follows:

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 Parsons Behle & Latimer 50 West Liberty Street, Ste 750 Reno, NV 89501

Therese A. Ure Laura A. Schroeder Schoeder Law Offices, P.C. 400 Marsh Avenue Reno, NV 89509  $\underline{rdelipkau@parsonsbehle.com}$ 

<u>t.ure@water-law.com</u> <u>schoeder@water-law.com</u> Y 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



# **AMENDED**

### THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

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

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

Priority Date:

09/19/1961

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57835 is issued subject to the terms and conditions imposed in said Permit 57835 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.0 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

(Continued on Page 2)

### Amended Permit No. 76008

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 in Kobeh Valley and Permits 76008, 76802, 76803, 76804, 76805 and 78424 in Diamond Valley shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 73548, 73549, 73550, 79911, 79912, 79914, 79916, 79918, 79919, 79922, 79924, 79925, 79928, 79929, 79930, 79931, 79933, 79936, 79937, 79938, 79939 and 79940 in Kobeh Valley shall not exceed 6,292,36 acre-feet annually.

The total combined duty of the above listed permits shall not exceed 11,300 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State

Engineer before any water is developed for mining.

This permit is approved for the entire 155.48 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 97.18 acre-feet, can be diverted annually. Additional diversion up to the total 155.48 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 97.18 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 155.48 acre-feet annually.

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

December 1, 2013

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

December 1, 2016 N/A

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

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 44 day of January, 2012

	State Engineer	
Completion of work filed		
Proof of beneficial use filed	<u> </u>	_
Cultural map filed		
Certificate No.	Issued	





### THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

09/19/1961

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

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57835 is issued subject to the terms and conditions imposed in said Permit 57835 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.0 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.0 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.0 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

(Continued on Page 2)

#### Permit No. 76008

Permit 76008 is approved for the entire 155.48 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 97.18 acre-feet, can be diverted annually. Additional diversion up to the total 155.48 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 97.18 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 155.48 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

beneficial use shall be filed on or before:

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

December 2013

December | 2010

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1st day of December, A.D. 2011

	P.E.
,	State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

09/19/1961

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

-APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57835, is issued subject to the terms and conditions imposed in said Permit 57835 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded. (Continued on Page 2)

#### Permit No. 76008

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to

the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 155.48 acre-feet annually.

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

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

J

July 21, 2012

July 21, 2014 July 21, 2014

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

## IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 215± day of July, A.D. 2009

:		1_	State Engineer	Pré
Completion of work filed				
Proof of beneficial use filed	•		· · · · · · · · · · · · · · · · · · ·	
Cultural map filed		•		
Certificate No.			Issued	
1114			• • • • • • • • • • • • • • • • • • • •	

#### AMENDED



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

	THIS SPACE FOR OFFICE	e use only
Date of filing in State Engineer's Off	ce JUN 29 2007	
Returned to applicant for correction	JUL 16 2007	
Corrected application filed	SEP 1 4 2007	Map filed SEP 1 4 2007 under 76005
*		
The applicant Kobeh Valley Ranch	LC	y The second date (to the product to before the graph of the graph of the contract of the cont
10 North Post Street, Suite 610	of Spo	cane City or Town
Street and No. or P.O. Box No. Washington 99201	heret	y makes application for permission to change the
State and Zip Code No.	Principal in the Company of the Comp	<b>*</b>
Point of Diversion, Place and Man	er of Use	trades south the contract of t
of water heretofore appropriated under	Permit No. 57835	to the second district the second part of participation in the second se
ton	identify aristing right by	Permit, Certificate, Proof or Claim Nes. If Detreed, give title of Decree
onlinki jakokalalalalalalalalala kiping kiping kiping pinong kiping kiping kiping kiping kiping kiping kiping 	The state of the s	ماه والمادية والمادية والمادة والمادة والمادة والمادة والمادية والم
and identify right in Decree.		
1. The source of water is undergranger. 2. The amount of water to be changed. 3. The water to be used for Milnin Invision. 4. The water heretofore used for in inc. 5. The water is to be diverted at the f	Name of stream, is  0.66 cfs, 165.48 ac Second for, are  j, milling and dewateri over, mining commercial, etc. if figation  (f6	ike, underground, spring or other sources.  To feet annually  feet. Our second foot equals 448.83 gallons per minute.  Ing  or stock state number and kind of minutals. Most limit to one major use.  If stock, state number and kind of stimuls.  The SE 1/4 of the SE 1/4 of unature.  The SE 1/4 of the SE 1/4 of unature.
Section 12, T.22N., R.51E., M.D.M.	or at a point from whi	ich the west 1/4 comer of Section 13, T.22N.,
and distance to a section corpor. If on insurveyed he R.51-1/2E., M.D.M. bears North 23	d, it should be utsted. DOMANT East a distance	of 2183 38 feet.
R.DI-1/2E., M.U.M. DBBIS NORTH 25	of 22 Corr of Distance	THE RESIDENCE AND ADDRESS OF THE PROPERTY OF T
		/4 of the SW 1/4 of Section 13, T.23N., R.52E., if point of diversion is not changed, do not server:
M.D.M., at a point from which the	SW comer of sald Sec	tion 13 bears South 68*40'37" West, 2140.00
		gh 57840, filed July 10, 1992, in the State
State Engineer's Office.		

7. Pr	roposed place of use				ngia bengapan da bid satah satah sa Piking pu
tno of	tanhad Evhibit #A	Describe by legal a	mbdivisions. If for a	rigation state sumber of same to be brig panied Application No. 72	sec. 395.
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8. E	xisting place of use	within the E 1/2 & the E 1	/2 W 1/2 of Se	ction 24; the NE 1/4 & E 1	2 NW 1/4 of
		Describe by legal subd	livisions. If permit is	for irrigation, state number of scree arri	Sator it minibale hance or
ise and/o	r marmer of use of irrigation	permit, describe screage to be removed	d from irrigation.	9 and the W 1/2 NW 1/4 of	
T.23N.	., R.5JE., M.D.M I	Refer to map supporting A	Applications	57835 through 57840, filed	July 10, 1992,
in the	State Engineer's C	Office.	1	a bull dig a l'en prive de copèrce à se descriptor à ser en pro-lègal à la bise par partent en comb	
			<del>a an tarren euro ete prost</del> erma MA	Paranther 31	of each year.
9. U	SE ANT DE ELOID	January 1  Month and Day	<u>60</u>	Month and Day	
10. U	se permitted from	January 1 Month and Day	to	December 31	of each year.
11. D	escription of propose	Moon and Day d works. (Under the provision	as of NRS 535.0	10 you may be required to sub-	mit plans and
				II, pump and pipelines at r	
sį	pecurications of your o	liversion or storage works.)	Dulled Ma	it, puttip and pipetitos at the manner in which water is to be diver	ed, i.e. diversion structure,
	nd mill site.	all with purps and motor, otc.		والمراوات والموضوع والواوات والمراوات والمواوات والمواوات والمواوات والمواوات والمواوات والمواوات والمواوات	تجار والمنطقة فاستراسه أدد أبابرا هفاة خفار إسنا باستراسه متصاباتي مجد
		in excess of \$3,000,00	00.		
		described bed bedded to a personne a period of self-problement who		FWINE STORES	
13, 13	sumated time require	ed to construct works3	years	If well completed, describe well.	<del>y dag de a bles pi</del> e <del>n l bynd</del> yw'r êpry fan hawnenen had by
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14. E	estimated time require	ed to complete the application	of water to ben	eficial use 5 years	and the second second and the second between second
					ed or annual
consup	æmarks: Por use om optive use.	er man irrigation of stock water	ering, state dud	iber and type of units to be serv	<b>94 9- Hammer</b>
See at	ttached addendun	1.		a salahan sa	ng han had day 3 Sapakay hamakan ang kananangka ya sung ka ku ku
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				41. MIZ	
	(775) 358	-9491	By L	low Hugh	M.
	Phone N		Marie Charles	Signature of Agent, Coorge C. 12. Surveying 1925 E. Prate	nicanità r Wav
		ENGINEERS OFFICE	31A12	Street and No., or P.O. Box 1	VO.
		E SIGNE S ON HO TI 43	C 100 Sparks,	Nevada 89434 City, State, Zip Code No.	
	ACATION MUST B HE APPLICANT O	R AGENT		City, Stave, Auto Code No.	
		ECEINED		· · · · · · · · · · · · · · · · · · ·	(O)-1583A (Rev. 10-89)
		\$150 FILING FEE MUST	ACCOMPANT	APPLICATION	(Obtame (user unes)

Protested by Eureka Co. 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Vacaded by Gurtorder 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

## ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

2007 JUN 29 PH 3: 49 STATE Embalacies utrins

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

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

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Page 1 of 1

2001 JUN 29 Fil 3: 49



# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

06/03/1960

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

#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 66062 is issued subject to the terms and conditions imposed in said Permit 66062 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for a total combined duty of 616.0 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.0 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.0 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

(Continued on Page 2)

#### Permit No. 76009

Permit 76009 is approved for the entire 303.08 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 189.43 acre-feet, can be diverted annually. Additional diversion up to the total 303.08 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 189.43 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.02 cubic feet per second or 303.08 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

December 2012

beneficial use shall be filed on or before:

December 2012

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

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of <u>December</u>, A.D. 2011

	State Engineer
Completion of work filed	
Proof of beneficial use filed	V
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

06/03/1960

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

-APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 66062, is issued subject to the terms and conditions imposed in said Permit 66062 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded.

(Continued on Page 2)

#### Permit No. 76009

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to

the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.02 cubic feet per second or 303.08 acre-feet annually.

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

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

July 2! ,2012

July 21, 2014

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

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

TTL. P.B.

	State Engineer	
Completion of work filed		
Proof of beneficial use filed	and the state of t	· ,
Cultural map filed	,	
Certificate No.	Issued	

<u>llb</u>

AMENDED

76009

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

7	THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Offic	∞ JUN 29 2007
Returned to applicant for correction	JUL 16 2007
Corrected application filed	SEP 1 4 2007 Map filed SEP 1 4 2007 under 76005
The applicant Kobeh Valley Ranch L	
10 North Post Street, Suite 610	of Spokane  City or Town  herefor myles amplication for permission to change the
Street and No. or P.O. Box No. Washington 99201	hereby makes application for permission to change the
State and Zip Code No.	Market and and an analysis and a second as
Point of Diversion, Place and Mann	er or use
of water heretofore appropriated under	Permit No. 66062  Identify existing right by Permit, Cortificate, Proof or Clean Nos. If Decreed, give title of Decree
and identify right in Decree.	
and have share charter and are and here and to charte here had been provided to be the best provided and and been a	大大 (1) 医水子 (1) [1] [1] [1] [1] [1] [1] [1] [1] [1] [1]
	The state of the s
<del>april der 100 (10 °° 10</del>	Experiment of the contract of
1. The source of water is undergro	SLUSCÍ
William Street	Name of stream, lake, underground, spring or other noutes.
2. The amount of water to be changed	1.02 cfs, 303.08 acre feet annually  Second feet, sere-feet. One second foot equals 448.83 gallons per manute.
3. The water to be used for Mining	. milling and dewatering
Irrigation, p	j, milling and dewatering owe, palaing, commercial, etc. If for stock state number and kind of animals. Must besit to one pager use.
4. The water beretofore used forin	rigation and domestic  If for stock, state number and kind of animals.
5. The water is to be diverted at the fo	ollowing point within the SE 1/4 of the SE 1/4 of unsurveyed  Describe as being within a 40-acre subdivision of public survey and by course
	Describe as being ween a 10-dres social value of Section 13, T.22N., or at a point from which the west 1/4 corner of Section 13, T.22N.,
and distance to a section corner. If on unsurveyed but	d, it should be stated.
R.61-1/2E., M.D.M. bears North 23°	02'49" East a distance of 2183.38 feet.
and the second s	William Deliver the Control of the C
6. The existing point of diversion is le	ocated within the SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,  If point of diversion is not changed, do not acrow.
M.D.M., at a point from which the	SW corner of said Section 13 bears South 68°40'37" West, 2140.00
	plications 57835 through 67840, filed July 10, 1992, in the State
	had had a make the second second property deep and a 1 th man and
State Engineer's Office.	and have been been been been been proportionally and the proportion of the been been been been been been been be

7	Proposed place of use		
	Describe by les	gal subdivisions. If for arrigation state number of same to be arrigation state number of same to be arrigated as a fine of the same to be arrived as a fine of the same to be a same to be arrived as a fine of the same to be a	
DC.	attached Exhibit "A" and as shown on the r	map that accompanied Application No. 72	(C. (C. C. C
BC	tion 13; the E 1/2 NW 1/4, NE 1/4, E 1/2 SW 1	subdivisions. If permit is for irrigation, state number of acts in 1/4 & SE 1/4 of Section 24; the E 1/2 NW 1/1 oved from irrigation.	4 & NE 1/4
	ection 25, all in T.23N., R.52E., M.D.M., The		
	tion 30, all in T.23N., R.53E., M.D.M., Refer (		ough 6/640,
lec	I June 10, 1992, in the State Engineer's Offic	C <b>C.</b>	و الله و الل
9.	Use will be from January 1  Month and Day	to December 31  Month and Day	of each year.
),	Use permitted from January 1  Month and Day	to December 31	of each year.
i.	Month and Day  Description of proposed works, (Under the provis	Month and Day tions of NRS 535,010 you may be required to sub	onit plans and
		th spaillanin bas aroung thou better	mine
	specifications of your diversion or storage works.)	State manner in which water is to be diver	ted, i.e. diversion structure,
	and mill site.  diches and firmes, drilled well with pump and motor, etc.	The section of the St.	had but any pao har has nan hadadi any rabitaan are ary
9.	Estimated cost of works in excess of \$3,000	,000.	
.3,	Estimated time required to construct works	3 years  If well completed, describe well.	
4,	Estimated time required to complete the application	on of water to beneficial use 5 years	
15.	Remarks: For use other than irrigation or stock was sumptive use.		
3ec	attached addendum.	THE REAL PROPERTY TO THE PROPERTY OF THE PERSON OF THE PER	14 tanana 1. A. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
		and the second second are used the two party was their party open company (or physical physicals having an epig to bryadows	ad tripping jobs dad grapes and an analysis and an analysis and
			he dave had in hackel have a first date of the solding by the solding of the sold
	-thyses set in the second program is a second secon	and the state of t	propert gay and this hid this total field to being the time of the same and an
,	(775) 358-9491	By Man Andrew	
******	Phone No.	ignature of Agent, George G. L.	er Way
	endineeko ollige		No.
ΑP	PLICATION MUST BE SECTION WY 11 des	Sparks, Nevada 89434  City, State, Zip Code No	
BY	THE APPLICANT OR AGENT		
	ECEINED ROME SOME STATES OF THE STATES OF TH	CI T ACCOMPANY APPLICATION	(C)-1583A (Flov, 10-6

Protested by Eureka Co 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Vacaded by Court-Order 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

7007 JUN 29 PH 3: 49

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

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

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

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

SINTE ENGINEERS OFFICE

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

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

STATE ENGINEERS OFFICE
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Page 1 of 1

2001 JUN 29 PH 3: 49



# APPLICATION TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

"MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

09/28/1939

**DENIAL OF STATE ENGINEER** 

This application is denied per State Engineer's ruling.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of July A.D. 2011

State Engineer



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

Name of applicant:

KOBEH VALLEY RANCH LEC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

Priority Date:

09/28/1939

- DENIAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This application is hereby denied since the water that forms the basis for the change application is forfeited.

IN TESTIMONY WHEREOF, I, TRACY-TAYLOR, P.E.,

State Engineer

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this <u>26th</u> day of <u>March</u>, A.D. <u>2009</u>



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

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office NOV 1 4 2007
Returned to applicant for correction
Corrected application filed Map filed Map filed under 75979
The applicant Kobeh Valley Ranch LLC
1726 Cole Blvd., Suite 115 of Lakewood Grafford
Colorado 80401 hereby make(s) application for permission to change the
See and Eq. Code   Mannex of use
of weater heretofore appropriated under (Meetify existing right by Percia, Cartificate, Proof or Claim Nos. If Decreed, give title of Decree and Identify right in Decree.)
Permit No. 10426, Certificate 2782
The source of water is underground     Name of about, lake, molegoout, spring or some sources.
2. The amount of water to be changed 0.05 cfs, 15.50 acrs-feet annually Second live, since feet One second tool equals 446.81 gallons per season.
3. The water to be used for Mining and milling beginning commercial, do. If for short, while small that of intends. Must kind to one susper use.
4. The water heretofore used for Irrigation and domestic
5. The Water is to be diverted at the following point (Describe as being within a 40-are subdivision of public survey and by concess and distance to a found section concer. If on unsurveyed lead, is should be cheed.)

Within the SE 1/4 of the NW 1/4 of Section 21, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 41°50' West a distance of 18,260 feet. (Well 203) UND DAR. 75979

the SW 1/4 of the NW 1/4 of Section 20, T.19N., R.49E., M.D.M., or at a point from which the W 1/4 corner of said Section 20 bears 8 73°36' W a distance of 56 feet. See map to Accompany Proof of

6. The existing point of diversion is located within at point of divection is not changed, do not service.)

Beneficial Use Under Application No. 10426.

PARE TELL CON 19 NOON 07

139 EU

- Proposed place of est (Describe by Jegal endity bions. If for integration, state purples of some to be integrated.)

  See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.
- Existing place of use (Describe by legal subcirisions. If changing place of use sodior memor of use of irrigation permit, describe screege to be responsed from irrigation.)
   S.O acres in the SW 1/4 NW 1/4 of Section 20, T.19N., R.49E., M.D.M..

9.	Proposed use will be from January 1 to December 31 of each year.
10.	Existing use permitted from May 1 to October 1 of each year.
l <b>1</b> .	Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (Sate mores to which wase is to be directed in dire
	Drilled well, pump and pipelines or truck to mine and mill site.
12.	Estimated cost of works \$3,000,000
13.	Estimated time required to construct works 3 years
.,	Estimated time required to complete the application of water to beneficial use 5 years
ı +.	Continued one reduined to combine the abbitestricator Agree to negations use
15.	Provide a detailed description of the proposed project and its water usage (use attachments if necessary):

16. Miscellaneous remarks:

See attached addendum.

glindesmith@tristatehd.com

From Process

Groupe G. Lindes

Process

Tri State Surveyin

Coopen

1005 E. Perser W.

By Georgie G. Lindes mith PLSMP(S)

Pries of program classiff

Tri State Surveying Ltd.

Coopery Name

1925 E. Prater Way

Sparks, NV 89434

Sparks, NV 89434

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: January 18, 2008, by Eureka County

EXHIBIT "A"

Legal Description - Proposed Place of Use

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

Page 1 of 1

Application No. 76483

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

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

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

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



# APPLICATION TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH LLC

Source:

UNDERGROUND

Basin:

**KOBEH YALLEY** 

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

01/26/1960

**DENIAL OF STATE ENGINEER** 

\*\*\*\*

This application is denied per State Engineer's ruling.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of July A.D. 2011

State Engineer



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

Name of applicant:

KOBEH VALLEY RANCH LEC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

01/26/1960

- DENIAL OF STATE ENGINEER Vacated by Court order 4/10/10

This application is hereby denied since the water that forms the basis for the change application is forfeited.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of March, A.D. 2009

**ROA SE 298** 



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

	THIS SPACE FOR OFFICE USE ONLY	
l	and the second s	1
Da	ste of filing in State Engineer's Office NOV 1 4 2007	
Ro	turned to applicant for correction	
Co	orrected application filed Map filed JUL 1 1 2007 under 75979	]
The	applicant Kobeh Valley Ranch LLC	
1	726 Cole Blvd., Suite 115 of Lakewood Care Total	
	colorado 80401	
図)	State and Zip Gods  Point of diversion   ☐ Place of use ☐ Manner of use ☐ of a portion	ı
	armit No. 18544, Certificate 6457	
1.	The source of water is underground	
2.	The amount of water to be changed 5.40 cfs, 1292.40 acre-feet annually    Ecount fiest, post-field Cfs record feet equals 48.85 galloon per minute.	
3.	The water to be used for Mining and milling brushes, power, moving, occasional, also, if the shock, take transfer and hint of astimals. Must be the surrounder safe.	
4.	The water heretofore used for imigation  ### ### How stock wate market and hand of watering.	•
5.	The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by source and distance to a found section corner. If on unsurveyed land, it should be shadd.)  Within the SE 1/4 of the NW 1/4 of Section 32, T.22N., R.51E., M.D.M., or at a point from which the	•
	southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 63'34 Year a distance of 7,640 feet. (Well 205). L.D. 15979	WAL MADOUT
6.	The existing point of diversion is located within (tracine at diversion is not obsequed, do not automate.)	my DOM
	the NE 1/4 of the NE 1/4 of Section 30, T.19N., R.49E., M.D.M., or at a point from which the NE corner of said Section 30 bears N 21°00' E a distance of 272.0 feet. See map(s) supporting Permit	•

No. 18544.

179.EU

7. Proposed place of the (Describe See attached Exhibit "A" a			
OCC SUBMINO CAMUNE A 6	HICH AS SHOWN ON THE III	ah mar accompanies . T.	
Existing place of use (Describe transved from irrigation.)	y legal subdivisions. If changing p	alsoe of use and/or memoer of use of irri	gation permit, describe accorgs to be
See attached Exhibit "B",			
Proposed use will be from	January 1	to December 31	_ of each year.
D. Existing use permitted from	January 1	to December 31	of each year.
Description of proposed work     specifications of your diversing the proposed work     purposed sector,	on or storage works.)(sa	of NRS 535,010 you may be to measure in which water is to be divert	e required to submit plans and ad, i.e. diversion structure, disches, pipes and
Drilled well, pump and pig	elines or truck to mine	and mill site.	
2. Estimated cost of works \$3	1,000,000		
3. Estimated time required to c	onstruct works 3 years	I well completed, de	Sealer wall
4. Estimated time required to c	omplete the application of	•	5 years
5. Provide a detailed descriptio (Padum to provide a detailed description as			tachments if necessary):
See attached addendum.			
16. Miscellancous remarks;			
		$\Omega I$	M/20
(775) 358-9491 From No.	Ву	George G. Lindesmith	p(kmrs/)
glindeemith@trletateltd.com	_	Tri State Surveying Ltd.	S & S
R-color		Company Nume	
	•	1925 E. Prater Way	O. Box
		Sparks, NV 89434	<u>د چې دی</u>
APPLICATION MUS	T BE SIGNED	CMy, Stute, Zin Co	e

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: January 18, 2008, by Eureka County

BY THE APPLICANT OR AGENT

**EXHIBIT "A"** 

Legal Description - Proposed Place of Use

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

Page 1 of 1

EXHIBIT "B"

# Legal Description - Existing Place of Use

Twp.	Rng.	Section	1/4 1/4	Acres
19N	49E	18	SW SE	23.3
19N	49E	19	NW NE	40.0
19N	49E	19	NE NE	40.0
19N	49E	19	NW SE	35.0
19N	49E	19	NE SE	40.0
19N	49E	19	SW NE	24.8
19N	49E	19	SE NE	40,0
19N	49E	20	SW NW	40.0
19N	49E	20	NW SW	40.0
	<u> </u>	<del></del>	TOTAL	323.1

Application No.76484

## ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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



# APPLICATION TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH LLC

Source:

UNDERGROUND

Basin:

**KOBEH VALLEY** 

Manner of Use:

MINING AND MILLING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

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

**Priority Date:** 

06/23/1967

## **DENIAL OF STATE ENGINEER**

This application is denied per State Engineer's ruling.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of July A.D. 2011

State Engineer





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

Name of applicant:

KOBEH VALLEY RANCH LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

Priority Date:

06/23/1967

\*\*\*\*

DENIAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This application is hereby denied since the water that forms the basis for the change application is forfeited.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this <u>26th</u> day of <u>March</u>, A.D. <u>2009</u>

For State Engineer

**ROA SE 305** 



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

	THIS SPACE FOR OFFICE USE ONLY	
Da	te of filling in State Engineer's Office NOV 1 4 2007	
Re	turned to applicant for correction	
Co	meeted application filed Map filed JUL 1 1 2007 under 75979	
The	applicant Kobeh Valley Ranch LLC	
17	726 Cole Blvd., Suite 115 of Lakewood	
c	clorado 80401 hereby make(s) application for permission to change the	
<b>Z</b> ] 1	Point of diversion Place of use Manner of use Oof a portion	
	ii; right in Divore.) HTTR No. 23951, Certificate 8002	
ı.	The nonree of water is underground  Name of street, late, wedness or other norms.	
2.	The amount of water to be changed 2.45 cfs, 332.64 acre-feet annually Economisms, are let the second foot counts 647.30 palloss per primate.	
3.	The water to be used for Mining and milling brigation, power, mining conserved, stat if for stock, state market, state indicate and bind of anomals. Most limit to one ranger use.	
4.	The water heretofore used for Imigation and domestic	
<b>5</b> .	The water is to be diverted at the following point (Oscarios as being within a 40-same materials of public survey and by course and distance to a found section course. If on memoraped land, a should be seared.)	
	Within the NW 1/4 of the SW 1/4 of Section 26, T.22N., R.50E., M.D.M., or at a point from which the northwest corner of Section 2, T.21N., R.50E., M.D.M. beans South 10°26' West a distance of 6,760 feet. (Well 209) 4.ND12. 75919	OLOGIP JAPA COSLIT JET MACO/CU
б.	The existing point of diversion is located within (a point of diversion is not changed, do not somere.)	my bowy
	the SW 1/4 of the SW 1/4 of Section 29, T.19N., R.49E., M.D.M., or at a point from which the SW corner of said Section 29 bears S 55°58' W a distance of 690.0 feet. See map(s) supporting Permit	

No. 23951.

139...67

7.	Proposed place of the (Describs by leget subdivisions. If for integration, that number of some to be integrated.)
	See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.
	one smoothed myllimit. A still as stroathout the titab area accompanion to the
٠.	The state of the s
8.	Existing places of the (Describe by legal subdivisions. If changing place of use engles summer of use of impation permit, describe arrange to be removed from injustion).
	See attached Exhibit "B".
9.	Proposed use will be from January 1 to December 31 of each year.
•	Month and Day Month and Day
10.	Existing use permitted from April 1 to December 1 of each year.  How and Day Kook and Day
••	
17.	Description of proposed works, (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (States meaners in which water in to be diversed, i.e. diversion structure, disclass, pipes and
	flumes or deliled well, promp and motor, etc.)
	Orilled well, pump and pipelines or truck to mine and mill site.
12.	Estimated cost of works \$3,000,000
13.	Estimated time required to construct works 3 years
14	Estimated time required to complete the application of water to beneficial use 5 years
15.	Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Falses to provide a detailed description may came a delay in provincing.)
	A course in heavened money hand decimal states or furnished?)
	See attached addendum.
16.	. Miscellaneous remarks:
	$\alpha$ . ()
r	775) 358-9491 Declaration of Indocument of SAMRS
7	775) 358-9491  By George G. Lindesmith PLSWRS  Phone No.
	W. Marci VI tu suove
g	illndesmith@tristateitd.com
	Tri State & Guveying Ltd.

Sparks, NV 89434

DI THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: January 18, 2008, by Eureka County

EXHIBIT "A"

Legal Description - Proposed Place of Use

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

Page 1 of 1

EXHIBIT "B"

## Legal Description - Existing Place of Use

Twp.	Rng.	Section	1/4 1/4	Acres
19N	49E	29	SW NW	30.19
19N	49E	29	NW SW	24.79
19N	49E	29	SWSW	12.39
19N	49E	30	NE NE	3.97
19N	49E	30	SE NE	11.82
		<del></del>	TOTAL:	83,16

Application No. 76485

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

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

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

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



# APPLICATION TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

06/23/1967

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

# **DENIAL OF STATE ENGINEER**

This application is denied per State Engineer's ruling.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of July A.D. 2011

**ROA SE 311** 



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

Name of applicant:

KOBEH VALLEY RANCH LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

06/23/1967

-DENIAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This application is hereby denied since the water that forms the basis for the change application is forfeited.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this <u>26th</u> day of <u>March</u>, A.D. <u>2009</u>



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

Det	THIS SPACE FOR OFFICE USE ONLY NOV 1 4 2007	
Re	harned to applicant for correction	
Со	rrected application filedMap filedMap filed	
The	applicant Kobeh Valley Ranch LLC	
47	726 Cole BMd., Suite 115 of Lakewood	
	Springs Address on P. C. Store	
<u>c</u>	clorado 80401 hereby make(s) application for permission to change the	
101 Y	Point of diversion Place of use Manner of use	
-		
Of V	Water horetofore appropriated under (Identify scieting right by Permit, Certificate, Proof or Claim Non. If Decreed, give title of Decree and By right in Decree)	
Pe	rmit No. 23952, Certificate 8003	
	ł	
	- undergraund	
1.	The source of water is underground Name of states, take, we desground, apony or other sources.	
2.	The amount of water to be changed 2.70 cts, 238.64 acre-fact annually	
	A 4 A	
3.	The water to be used for Mining and milling manner of the stock, state maker and hast of manuals. Must have been made use.	
4.	The water heretofore used for Imigation and domestic	
5.	The water is to be diverted at the following point (Describe as being within 40-acre subdivisions of public survey and by source and distance to a found sention occurs. If our uncorrespond lend, it should be sented.)	
	Mishing the SE 1/4 of the NAV 1/4 of Section 21 T 22N. R.51E., M.D.M., or at a point from which the	WHIL MHONOT PER TELCOS WY DDM
	southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 41°50' West a distance of	BEN JET (02)
	18,280 feet. (Well 203) 5979	ساماد ارس
6.	The existing point of diversion is located within (repoint of diversion is not obseque, do not suspen.)	
	the NE 1/4 of the NE 1/4 of Section 30, T.19N., R.49E., M.D.M., or at a point from which the NE	
	corner of said Section 30 bears N 21°00' E a distance of 272.0 feet. See map(s) supporting Permit	
	POSTER DIRECT DE PORTO IL EL MO MEMBERSON DE LA MANDE DEL MANDE DE LA MANDE DE LA MANDE DEL MANDE DE LA MANDE DE L	

No. 23952.

139.60

	Proposed place of use (Describe by legal subdivisions If for irrigation, state number of seres to be irrigated.)
	See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.
	Existing place of use (Describe by legal subdivisions. If charging place of use antice number of use of stigation partial, describe acrosps to be
	second from initiation) 39.83 acres in the SE 1/4 SE 1/4 of Section 19 and 19.83 acres in the SW 1/4 SW 1/4 Section 20,
	T.19N., R.49E., M.D.M., Total 59.66 acres
	Proposed use will be from January 1 to December 31 of each year.
D.	Existing use permitted from April 1 to December 1 of each year.
	Martin and Day Month and Day
•	Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, dischas, pipes and flower or dilled well, pump and protoc, etc.)
	Drilled well, pump and pipelines or truck to mine and mill site.
Z.	Estimated cost of works \$3,000,000
	Retirested time required to construct works 3 years
	II MAR CORRECTOR ACCUSATION ACCUSATION
	Estimated time required to complete the application of water to beneficial use 5 years
j.	Provide a detailed description of the proposed project and its water usage (use attachments if necessary): graine to provide a detailed description may case a solely in proceeding.)
	See attached addendum,
6.	Miscellameous remarks;
(	175) 358-9491 By George G. Lindesmith / LSM/R6

3:52 \$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Sparks, NV 89434

Protested: January 18, 2008, by Eureka County

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

EXHIBIT "A"

Legal Description - Proposed Place of Use

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

Page 1 of 1

Application No. 76486

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

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

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

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



## APPLICATION TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH LLC

Source:

UNDERGROUND '

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

\*\*\*\*\*

**Priority Date:** 

10/01/1951

**DENIAL OF STATE ENGINEER** 

This application is denied per State Engineer's ruling.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this <u>15th</u> day of <u>July</u> A.D. <u>2011</u>

State Engineer



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

Name of applicant:

KOBEH VALLEY RANCH LEC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

Priority Date:

10/01/1951

- DENIAL OF STATE ENGINEER Vocated by Court Order 4/10/10

This application is hereby denied since the water that forms the basis for the change application is forfeited.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office; this <u>26th</u> day of <u>March</u>, A.D. <u>2009</u>

State Engineer P.E.



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

	THIS SPACE FOR OFFICE USE ONLY
Dad	te of filing in State Engineer's Office FEB 1 3 2008
Ret	turned to applicant for correction
Соя	precised application filed Map filed JUI, 1 1 2007 under 75979
The	applicant Kobeh Valley Ranch LLC
17	726 Cole Blvd., Suite 115 of Lakewood
	Short Address of F.O. Box
C	Charle sent 7 in Carte
IXI E	Point of diversion  Place of use  Manner of use  Mora portion
ì.	The source of water is Underground New of source, late, metagoowd, space or what source.
2.	The amount of water to be changed 4.28 cfs, 950.64 acre-feet annually
3,	The wester to be used for Mining and milling logs to be used for Mining and Minin
4.	The water bereforce used for impation and domestic  Uter dock, while weater and had of received.
5,	The water is to be diverted at the following point (Describe se being within a 40-sers subdivision of public servey and by course and distance to a found section corner. If on meanwayed land, is should be seared.)
	Within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27*21' West a distance of 9,320 feet (Well 206). Refer to map supporting Application No. 75979.
6.	The existing point of diversion is located within (1 point of diversion is not observed, do not sorrow.)
	the NE 1/4 of the SE 1/4 of Section 5, T.19N., R.49E., M.D.M., or at a point from which the east 1/4 corner of said Section 5 bears North 79*30' East a distance of 410 feet. Refer to map supporting

Application No. 13849.

(39-EL)

Proposed place (Describe	by legal subdivisions. If for it	rigacion, state manther of acres to be imigat	od)	
See attached Exhibit "A" a	nd as shown on the	e map that accompanied Ap	oplication No. 72695.	
Existing place of use (nearibob reserved free impation)	y logal subdirivious. If clary	ring place of the analyse ansares of the origin	rigation permit, describe screege to be	
See attached Exhibit "B" a	nd as shown on th	e map supporting Appli	cation 76679.	
Proposed use will be from _	January 1	to December 31	_ of each year.	
. Existing use permitted from		to October 1	of each year.	
Description of proposed work specifications of your diversis there or drilled well, pump and secon, of Drilled well, pump and pip. Estimated cost of works \$3.	on or storage works.) *:) elines or truck to m	(Study expenser in which weater is to be dire	ted, i.e. diversion structure, disolore, piper	e send
<del></del>				•
3. Estimated time required to co	nstruct works 3 ye	EH 80 [] well occupieded,	describe well.	
Estimated time required to co				
<ol> <li>Provide a detailed description (Fellore to provide a detailed description was</li> </ol>	of the proposed pro- cesses addry in processing.)	ject and its water usage (use a	ttachments if necessary):	
See attached addendum,				
	٠			
			6. 6. 6.	700
			( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( ) ( )	7
5. Miscellaneous remarks:			; ( <del>.</del>	<i>;</i>
			~ <i>(</i> )	
(775) 358-9491	·	By Georgia/G. Lindesphilip	PLSMRS A	
Phoce No.		Many	The March	
GLindesmith@TriStateLtd.co	<u>m</u>	Tri State Surveying Ltd	1.	
		1925 E. Prater Way		
		Sparks, NV 89434	P.O. Bok	
		- Charlest Line and Land		-

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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

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

Division	Section	Township	Range	Meridian
All	1-3	21N	50E	M.D.M.
Ali	10-15	21N	50E	M.D.M.
All	22-27	21N	50E	M.D.M.
All	34-36	21N	50E	M.D.M.
All	1-36	21N	51E	M.D.M.
ILA	6&7	21N	52E	M.D.M.
All	18 & 19	21N	52E	M.D.M.
Ail	30 & 31	21N	52E	M.D.M.
Alt	36	21 1/2N	51 1/2 E	M.D.M.
Ali	31 - 36	21 1/2N	52E	M.D.M.
All	34-36	22N	50E	M.D.M.
Ali	1-3	. 22N	51E	M.D.M.
All	10-15	22N	51E	M.D.M.
All	20-29	22N	51E	M.D.M.
Ali	31-38	. 22N	51E	M.D.M.
. All	1	22N	51 1/2 E	M.D.M.
IIA	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25	22N .	51 1/2 E	M.D.M.
All	36	22N	51 1/2 E	· M.D.M.
Ali	1 - 35	22N	52E	M.O.M.
All	6&7	. 22N	53E	M.D.M.
IIA	18 & 19	22N	53E	M.D.M.
All	30 & 31	22N	53E	M.D.M.
All	34-36	23N	51E	M.D.M.
Ali	31	21 1/2 N	53E	M.D.M.

EXHIBIT "B"

Item #8, EXISTING PLACE OF USE UNDER PERMIT 13849

Twp.	Rng.	Section	1/4 1/4	Acres
19N.	49E.	4	SE NW	40.000
19N.	49E.	4	SW NE	34.474
19N.	49E.	4	NW SW	38.074
19N,	49E.	4	NE SW	19,175
19N,	49E.	4	SW SW	25.938
19N.	49E.	5	SE NE	40,000
19N.	49E.	5	NE SE	40,000
		- <del></del>	<u> </u>	237,66

Application No. 76744

## ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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



## PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

05/30/1997

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

#### **APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 35866 is issued subject to the terms and conditions imposed in said Permit 35866 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other

permits from State, Federal and local agencies.

Permits 76745 and 76746 are approved for the entire total combined duty of 819.24 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 552.99 acre-feet, can be diverted annually. Additional diversion up to the total 819.24 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 552.99 acre-feet to be exceeded.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.21 cubic feet per second or 819.24 acre-feet annually.

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

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

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

December 2012

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of <u>December</u>, A.D. 2011

	State Engineer P. E.
Completion of work filed	
Proof of beneficial use filed	<u> </u>
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

05/30/1997

\*\*\*\*\*

APPROVAL OF STATE ENGINEER Vacated by Court Order 410 10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 35866, is issued subject to the terms and conditions imposed in said Permit 35866 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300,00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

Permits 76745 and 76746 are approved for the entire 819.24 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 471.1 acre-feet, can be diverted annually. Additional diversion up to the total 819.24 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 471.1 acre-feet to be exceeded.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.22 cubic feet per second or 819.24 acre-feet annually.

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

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

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

July 21, 2012

July 2, ,2014 July 2, ,2014

#### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21 54 day of July, A.D. 2009

	State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued
llb	



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

<del></del>							
	THIS SPACE FOR OFFICE USE ONLY						
Der	te of filing in State Engineer's Office FEB 1 3 2008						
Rc	turned to applicant for correction						
Co	rected application filed Map filed JUL 1 1 2007 under 75979						
The	applicant Kobeh Valley Ranch LLC						
17	726 Cole Blvd., Suite 115 of Lakewood						
	olorado 80401 hereby make(s) application for permission to change the						
X F	Point of diversion Pisce of use Manner of use						
Pe	rmit No. 35866						
1.	The source of water is underground State of stream, take, medagramed, training or other sources.						
2.	The amount of water to be changed 1.21 cfs, 819.24 acre-feet annually						
3,	The water to be used for Mining and milling highest to one sense and the first to one sense set. If he stock, state results and lind of winness black heart to one sense set.						
4.	The water heretofore used for Irrigation and domestic						
5.	The Water is to be diverted at the following point (Describe as being within a 40-acc subdivision of public navey and by course and sinesce to a found action corner, if on uncurrence hand, is about to be of the course of the c						
	Within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27*21' West a distance of 9,320 feet. (Well 206) Refer to map supporting Application No. 75979.						
б.	The existing point of diversion is located within (a point of deventon is not changed, do not someon)						
	the SW 1/4 of the SW 1/4 of Section 16, T.19N., R.47E., M.D.M., or at a point from which the West 1/4 corner of said Section 16 bears North 04°04'42" West a distance of 1423.52 feet. Refer to map						

supporting Application No. 35866.

139-EU

	Existing place of use (Describe by reserved from integration.)				
	See attached Exhibit "B" a	ind as shown on th	ie map sut	porting Appli	cation5 76680 47668
	Proposed use will be from	January 1	to	December 31	of each year.
Ò.	Existing use permitted from	January 1	to	December 31	of each year.
11.	specifications of your diversi- flures or dilled well, pump and motor, o	on or storage works. (c.)	)(Shtu samost is	switch water is to be time	be required to submit plans and ted in direction structure, disches, pipes and
	Drilled well, pump and pip		nine and m	ill site.	
12,	Estimated cost of works \$3	,000,000.00			<del></del>
13.	Estimated time required to co	enstruct works 3 ye	ars	If well completed,	herolibe wall.
14	Estimated time required to co	unplete the ambiesti	on of water		
15,	Provide a detailed description (Falture to provide a stabiled description pro-	of the proposed pro course states in processing.)	oject and its	water usage (use a	ttachments if necessary):
	٠				TOTAL TOTAL
16.	Miscellaneous remarks:				<u> </u>
			n. Gook	G. Lindesmith	PASIANRS CO
<u>(</u>	775) 358-9491 Phone No.		By Gon	man de la company	- Cano
		om	XV	ote Surveying Ltr	hallow.
	Phone No.  SLindesmith@TriStateLtd.co	om	Tri St	ate Surveying Lite Company Name E. Prater Way	

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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

Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Gurt Order 4/10/10

Pro. Overruled 7/15/11 See Ruling #6127

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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

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

Page 1 of 1

#### EXHIBIT "B"

Item #8, EXISTING PLACE OF USE UNDER PERMIT 35866

	Le	gal Descript	ion	
Twp.	Rng.	Section	1/4 1/4	Acres
19N.	47E.	16	SWSW	40.00
19N.	47E.	16	NW SE SW	10.00
19N.	47E.	16	SW SE SW	10.00
19N.	47E.	16	NE SE SW	10.00
19N.	47E.	16	N1/2 SW SE	20.00
19N.	47E.	16	SE SE	40.00
19N.	47E.	21	NW NW	40.00
19N.	47E.	21	NW NE NW	10.00
19N.	47E.	21	SW NE NW	10.00
19N.	47E.	21	SE NE NW	10.00
19N.	47E.	21	NW NE	4.81
	· · · · · · · · · · · · · · · · · · ·		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	204.81

Application No. 76745

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

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

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

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



## PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

05/30/1997

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

#### **APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 64616 is issued subject to the terms and conditions imposed in said Permit 64616 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other

permits from State, Federal and local agencies.

Permits 76745 and 76746 are approved for the entire total combined duty of 819.24 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 552.99 acre-feet, can be diverted annually. Additional diversion up to the total 819.24 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 552.99 acre-feet to be exceeded.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.24 cubic feet per second or 819.24 acre-feet annually.

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

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

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

December | 1

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15+ day of December, A.D. 2011

	 State Engineer	
Completion of work filed		
Proof of beneficial use filed		
Cultural map filed		
Certificate No.	Issued	



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

05/30/1997

\*\*\*\*\*

APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 64616, is issued subject to the terms and conditions imposed in said Permit 64616 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300.00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

Permits 76745 and 76746 are approved for the entire 819.24 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 471.1 acre-feet, can be diverted annually. Additional diversion up to the total 819.24 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 471.1 acre-feet to be exceeded.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.24 cubic feet per second or 819.24 acre-feet annually.

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

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

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

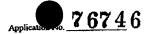
July 2

2014 July 2

## IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 215+ day of July, A.D. 2009

	State Engineer		
Completion of work filed			
Proof of beneficial use filed			
Cultural map filed			
Certificate No.	Issued		
<u>llb</u>			



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

	THIS SPACE FOR OFFICE USE ONLY
D	ede of filing in State Engineer's Office FEB 1 3 2008
	eturned to applicant for correction
i	orrected application filed Map filed Map filed 11 2007 under 75979
u	orrected application filed Map filed Will I took
The	e applicant Kobeh Valley Ranch LLC
1	1726 Cole Blvd., Suite 115 of Lakewood
	Beard Address on F.O. Box
	Colorado 80401 , hereby make(s) application for permission to change the
IXI	Point of diversion Place of use Manner of use Zof a portion
Pŧ	ermit No. 64616
J. 2.	The source of water is underground  Name of pressing later, condenguated, spring or other courses.
ı.	The source of water is underground  Near of stress, but, codesposed, spring or other source.  Near of stress, but, codesposed, spring or other source.  2.24 cfs, 819.24 acre-feet annually  Second But serve foot One second foot squals 448 15 gallous per mande.
I. 2.	The source of water is underground  Name of pressing later, condenguated, spring or other courses.
1. 2. 3.	The source of water is underground  The amount of water to be changed  2.24 cfs, 819.24 scre-feet annually  Bear of stress, blc, codesposed, pring or other course.  Example of the codesposed pring or other course.  Bear of stress, blc, codesposed, pring or other course.  Example of the codesposed principle of
1. 2. 3.	The source of water is underground    Name of stream, lake, codesposed, spring or other source.
1. 2. 3. 4.	The source of water is underground  Name of stream, but, codesposed, spring or other source.  The amount of water to be changed 2.24 cfs, 819.24 acre-feet annually  Second Bid, some for Cross second find separal 4818 gallous per manual.  The water to be used for Mining and milling language, commercial, str. If the shock, sixts manufor and first of symmals. Manufactures are benefit or an analysis and considered and find or stream.  The water heretofore used for Irrigation and domestic  If the stock, this manufor and bridge of milling and point (Owersho as being written a 40-acre madder size of public servey and by course seed.)
1. 2. 3.	The source of water is underground    Name of stream, lake, codesposed, spring or other source.
1. 2. 3. 4.	The source of water is underground  Near of stream, late, codesposed, spring or other source.  The amount of water to be changed 2.24 cfs, 819.24 acre-feet annually Second BM, sore for One second find squals 400.15 gallous per mande.  The water to be used for Mining and milling Integration and domestic If the stock, sixts number and lead of water is to be diverted at the following point (Overribe as being within a 40-acre mability source or public survey and by comes and distance to a found section corner. If on unsurveyed land, is should be stated.)  Within the SE 1/4 of the NE 1/4 of Section 30, T.22N., R.51E., M.D.M., or at a point from which the southwest corner of Section 31, T.22N., R.51E., M.D.M. bears South 27°21' West a distance of

139-50

7.	Proposed place describe by legal relativisions. If for irrigation, state compare to be irrigated.)  See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.
8.	Existing place of use (Describe by legal additivations. If changing place of use and/or masses of two of integration permit, describe accompt to be reserved from integration.)  See attached Exhibit "B" and as shown on the map supporting  Application 5 76680 \$ 76681.
9.	Proposed use will be from January 1 to December 31 of each year.  Ment and Day  Ment and Day
10.	Existing use permitted from January 1 to December 31 of each year.
11.	Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (Santo removes in which water is to be downed, i.e. divenion structure, diaber, pipes and fluxes or dilled well, panep and cooler, etc.)
12.	Drilled well, pump and pipelines or truck to naive and mill site.  Estimated cost of works \$3,000,000.00
	Estimated time required to construct works 3 years
	if wed tompleted, describe well.
	Estimated time required to complete the application of water to beneficial uso 5 years  Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  (Falses to provide a detailed description may cause a delay in proceeding.)
	See attached addendum.
16.	Miscellaneous remarks;
(7	775) 358-9491 By Gentle G. Lindesmith, PLSMRS
<u>-</u>	Company Name  Phone No.  Phone No.  Phone code of the disease of the code of t

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Sparks, NV 89434

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

Pro. Overruled 3/26/09 See Ruling #5966 Vacated by court order 4/10/10

Pro. Overruled 7/15/11 See Ruling #6127

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

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

Page 1 of 1

EXHIBIT "B"

Item #8, EXISTING PLACE OF USE UNDER PERMIT 64616

	Le	gal Descripti		
Twp.	Rng.	Section	1/4 1/4	Acres
19N.	47E.	18	SW SW	40.00
19N.	47E.	16	NW SE SW	10.00
19N.	47E.	16	SW SE SW	10.00
19N.	47E.	18	NE SE SW	10.00
19N,	47E.	16	N1/2 SW SE	20.00
19N.	47E.	16	SE SE	40.00
19N.	47E.	21	NWNW	40.00
19N.	47E.	21	NW NE NW	10.00
19N.	47E.	21	SW NE NW	10.00
19N.	47E.	21	SENENW	10.00
19N.	47E.	21	NW NE	4.81

Application No. 76746

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

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

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

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



## **AMENDED**

#### THE STATE OF NEVADA

## PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

06/03/1960

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

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76005 is issued subject to the terms and conditions imposed in said Permit 76005 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

(Continued on Page 2)

#### Amended Permit No. 76802

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 in Kobeh Valley and Permits 76008, 76802, 76803, 76804, 76805 and 78424 in Diamond Valley shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 73548, 73549, 73550, 79911, 79912, 79914, 79916, 79918, 79919, 79922, 79924, 79925, 79928, 79929, 79930, 79931, 79933, 79936, 79939 and 79940 in Kobeh Valley shall not exceed 6,292.36 acre-feet annually.

The total combined duty of the above listed permits shall not exceed 11,300 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

This permit is approved for the entire 164.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 102.5 acre-feet, can be diverted annually. Additional diversion up to the total 164.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 102.5 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

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

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

December 13, 2013

December 13, 2016

<u>N/4</u>

## IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 44 day of January, 2012

	State Engineer
Completion of work filed	
Proof of beneficial use filed _	V
Cultural map filed	
Certificate No.	Issued



# See amended

#### THE STATE OF NEVADA

## PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

06/03/1960

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

#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76005 is issued subject to the terms and conditions imposed in said Permit 76005 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times,

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining. (Continued on Page 2)

Permit 76008 is approved for the entire 164.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 102.5 acre-feet, can be diverted annually. Additional diversion up to the total 164.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 102.5 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

December <u>13 2013</u>

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

December /3 2016

beneficial use shall be filed on or before:

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

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13H day of December, A.D. 2011

	State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC (C/O GENERAL MOLY, INC)

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

06/03/1960

\*\*\*\*\*

APPROVAL OF STATE ENGINEER Vacaded by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76005, is issued subject to the terms and conditions imposed in said Permit 76005 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76008, 76802, 76803, 76804 and 76805 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded.

(Continued on Page 2)

#### Permit No. 76802

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to

the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

July 2 , 2012

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

July 21 , 2014

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

July Z. , 2014

## IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this ZIST day of July, A.D. 2009

State Engineer (

Completion of work filed \_\_\_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_\_\_

Cultural map filed \_\_\_\_\_\_\_

Certificate No. \_\_\_\_\_\_ Issued \_\_\_\_\_\_

IIb

ORIGINAL



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

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office MAR 1 1 2008
Returned to applicant for correction MAR 17 2008
Corrected application filed Map filed MAR 2 7 2008
The applicant Kobeh Valley Ranch LLC (c/o General Moly, Inc.)
1726 Cole Blvd., Suite 115 of Lakewood
Colorado 80401 , hereby make(s) application for permission to change the
Sec = 42 2 cost   Place of use   Manner of use   Of a portion
identify right in Decree.) Application No. 76005
The source of water is underground     Nurs of streets, bits, well-typesed, sporing or other tources.
2. The amount of water to be changed 0.435 ofs, 164.00 acre-feet annually
3. The water to be used for Mining, milling and dewatering integrates and the water to be used for Mining, milling and dewatering integrates power, mining, commented, etc. If the stock, that months and had of salests. West bord to one case or water.
4. The water heretofore used for Mining, milling and dewatering
5. The waster is to be diverted at the following point (Describe as being within a 40-acc subdivision of public rervey and by course and distance to a found section occurs. If on measure, yell and, it should be stated.)
Within the NW 1/4 of the SE 1/4 of unsurveyed Section 1, T.22N., R.51E., M.D.M., or at a point from which the northeast corner of said Section 1 bears North 44°02'54" East a distance of 3737.64 feet. (Well MH2)
6. The existing point of diversion is located within (17 point of diversion is not changed, do not manuer.)
the SE 1/4 of the SE 1/4 of unsurveyed Section 12, T.22N., R.51E., M.D.M., or at a point from which

of 2183,38 feet.

157.80

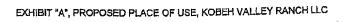
7.	Proposed place of use (Describe by legal subdivisions.)	If fire irrigation, state number of sures to be irrigated	,
	See attached Exhibit "A" and as shown o	n the map that accompanied App	dication No. 72695.
		** I	•
		•	
8.	Existing place of use (Describe by legal subdivisions. I removed from integration.)	Legachiek bywo of me worker menner of the or passing	pation permit, describe acreego to bo
	The place of use is not changed.	٠	
		•	,
	·	ř	
9.	Proposed use will be from January 1	to December 31	of each year.
10.	Existing use permitted from January 1	to December 31	of each year.
11.	Description of proposed works. (Under the pr	rovision of NRS 535.010 you may be	required to submit plans and
	specifications of your diversion or storage wo	MRS. Martin common so supper asset in to pe quantu	d, i.e. diversion structure, ditalica, pipus and
	Drilled well, pump and pipelines or truck	to mine and mill site.	
12	Estimated cost of works \$3,000,000		
13.	Estimated time required to construct works	3 years	or the well.
14	Estimated time required to complete the appl		
	Provide a detailed description of the propose		
•••	(Fallure to provide a detailed description stay cause a delay in proces	Military)	
	See attached addendum.	•	
		•	ν <del></del> ν
16	. Miscellaneous remarks;		r.\$
			<del>, 23</del>
	•	$O_{i}$	$n \cap n$
(	775) 358-9491	By George S. Lindesmith,	MEMPRS )
		KUMIKA	Mysell !
S	ilindesmith@tristateitd.com	Tri State Surveying Ltd.	C Special
		Company Hune	

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Sparks, NV 89434

Protested: May 29, 2008, by Eureka County
Pro. Overruled 3/26/09 See Ruling #5966 Vacaded by Courtorder 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127



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

Page 1 of 1

Application No. 76802

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

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

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

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



## **AMENDED**

### THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

06/03/1960

\*\*\*\*

#### **APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76006 is issued subject to the terms and conditions imposed in said Permit 76006 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

(Continued on Page 2)

#### Amended Permit No. 76803

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 in Kobeh Valley and Permits 76008, 76802, 76803, 76804, 76805 and 78424 in Diamond Valley shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 73548, 73549, 73550, 79911, 79912, 79914, 79916, 79918, 79919, 79922, 79924, 79925, 79928, 79929, 79930, 79931, 79933, 79936, 79937, 79938, 79939 and 79940 in Kobeh Valley shall not exceed 6,292.36 acre-feet annually.

The total combined duty of the above listed permits shall not exceed 11,300 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State

Engineer before any water is developed for mining.

This permit is approved for the entire 164.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 102.5 acre-feet, can be diverted annually. Additional diversion up to the total 164.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 102.5 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

December 13, 2013

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

December 13, 2016

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

N/A

## IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

	State Engineer	
Completion of work filed		
Proof of beneficial use filed	V	
Cultural map filed		
Certificate No.	Issued	



# See amended

## THE STATE OF NEVADA

# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DJAMOND VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

06/03/1960

## APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

\*\*\*\*

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76006 is issued subject to the terms and conditions imposed in said Permit 76006 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76008, 76802, 76803, 76804, 76805 and 78424 are approved for a total combined duty of 616.00 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.00 acre-feet, can be diverted annually. Additional diversion up to the total 616.00 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.00 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

(Continued on Page 2)

## 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
Electronically Filed
Dec 27 2012 02:19 p.m.
District Court Case No. 17 acie K. Lindeman
CV 1108-15; CV 108-157; CV 1112-164;
CV 1112-165; CV 1202-170

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 32

KAREN A. PETERSON, NSB 366

kpeterson@allisonmackenzie.com

JENNIFER MAHE, NSB 9620

jmahe@allisonmackenzie.com

DAWN ELLERBROCK, NSB 7327

dellerbrock@allisonmackenzie.com

ALLISON, MacKENZIE, PAVLAKIS,

WRIGHT & FAGAN, LTD.

402 North Division Street Carson City, NV 89703 (775) 687-0202

and

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

Attorneys for Appellant, EUREKA COUNTY

# CHRONOLOGICAL APPENDIX TO APPEAL FROM JUDGMENT

DOCUMENT	<u>DATE</u>	<u>vol</u>	JA NO.
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

DOCUMENT	<u>DATE</u>	<u>vol</u>	JA NO.
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

DOCUMENT	<b>DATE</b>	<u>vol</u>	JA NO.
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

DOCUMENT	<u>DATE</u>	<u>vol</u>	JA NO.
Order Granting Extension	01/26/2012	31	5702-5703
Answer to Petition for Judicial Review	01/30/2012	31	5704-5710
Answer to First Amended Petition for Judicial Review	01/30/2012	31	5711-5717
Supplemental Petition for Judicial 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

DOCUMENT	DATE	<u>vol</u>	JA NO.
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

DOCUMENT	<u>DATE</u>	<u>VOL</u>	JA NO.
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 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
Answer to Petition for Judicial Review	01/30/2012	31	5704-5710
Answer to First Amended Petition for Judicial Review	01/30/2012	31	5711-5717
Answer to Petition to Judicial Review	02/23/2012	34	6398-6403
Answering Brief	02/24/2012	34	6404-6447
Corrected Answering Brief	04/05/2012	35	6780-6822
Eureka County's Supplemental Summary of Record on Appeal - CV1108-155	01/13/2012	29-30	5421-5701
Eureka County's Summary of Record on Appeal - CV1112-0164	01/13/2012	28	5244-5420
Eureka County's Opening Brief	01/13/2012	27	5178-5243
Eureka County's Reply Brief	03/28/2012	34	6566-6638
Excerpts from Transcript of Proceedings	10/13/2008	36	6952-6964

DOCUMENT	<u>DATE</u>	<u>vol</u>	JA NO.
Findings of Fact, Conclusions of Law, and Order Denying Petitions for Judicial Review	06/13/2012	36	6823-6881
First Additional Summons and Proof of Service, State Engineer, Division of Water Resources	08/17/2011	1	129-133
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
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
Notice of Verified Petition for Writ of Prohibition, Complaint and Petition for Judicial Review	08/10/2011	1	07- 08
Notice of Petition for Judicial Review	08/11/2011	1	69-117
Notice of Entry of Findings of Fact, 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
Opening Brief of Conley Land & Livestock, LLC and Lloyd Morrison	01/13/2012	27	5112-5133

DOCUMENT	DATE	<u>vol</u>	JA NO.
Order Allowing Intervention of Kobeh Valley Ranch, LLC, to Intervene as a Respondent	09/14/2011	1	134-135
Order Allowing Intervention of Kobeh Valley Ranch, LLC, as a Party Respondent	09/26/2011	1	141-142
Order Directing the Consolidation of Action CV1108-156 and Action No. CV1108-157 with Action CV1108-155	10/26/2011	1	161-162
Order Setting Briefing Schedule	12/02/2011	27	5053-5055
Order Granting Extension	01/26/2012	31	5702-5703
Partial Motion to Dismiss, Notice of 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

DOCUMENT	<u>DATE</u>	<u>vol</u>	JA NO.
Record on Appeal, Vol. II, Bates Stamped Pages 217-421	02/03/2012	32	5951-6156
Record on Appeal, Vol. I, Bates Stamped Pages 1-216	02/03/2012	31	5734-5950
Record on Appeal, Vol. III, Bates Stamped Pages 422-661	02/03/2012	33	6157-6397
Reply in Support of Partial Motion to Dismiss and Opposition to Request for Writ of Prohibition	12/15/2011	27	5056-5061
Reply Brief of Conley Land & Livestock, LLC and Lloyd Morrison	03/28/2012	34	6519-6541
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
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

DOCUMENT	<u>DATE</u>	<u>VOL</u>	JA NO.
Summons and Proof of Service, The State of Nevada	08/17/2011	1	124-128
Summons and Proof of Service, The State of Nevada	01/11/2012	27	5098-5100
Supplemental Petition for Judicial Review	01/31/2012	31	5718-5720
Transcript for Petition for Judicial 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
KAREN A. PETERSON, NSB #366
ALLISON, MacKENZIE, PAVLAKIS,
WRIGHT & FAGAN, LTD.
P.O. Box 646
Carson City, NV 89702

Attorneys for Appellant, EUREKA COUNTY

#### IN THE SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA 1 IN AND FOR THE COUNTY OF EUREKA 2 EUREKA COUNTY, a political 3 subdivision of the State of Nevada, 4 Petitioner. 5 VS. Case No.: CV 1108-155 STATE OF NEVADA, EX. REL., 6 Case No.: CV 1112-164 STATE ENGINEER, DIVISION OF Dept. No.: 2 WATER RESOURCES, 7 Respondent. 8 9 CONLEY LAND & LIVESTOCK, LLC a Nevada limited liability company 10 LLOYD MORRISON, an individual Case No.: CV 1108-156 11 Dept. No.: 2 Attorney General's Office 100 N. Carson Street Carson City, Nevada 89701-4717 Petitioners, 12 VS. 13 OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA, 14 DIVISION OF WATER RESOURCES, DEPARMENT OF CONSERVATION 15 AND NATURAL RESOURCES, JASON KING, State Engineer, KOBEH 16 VALLEY RANCH, LLC, Real Party in 17 Interest. Respondents. 18 19 KENNETH F. BENSON, an individual, DIAMOND CATTLE COMPANY, LLC, A Nevada Limited Liability Company, and MICHEL AND MARGARET ANN ETCHEVERRY FAMILY, LP, a Nevada Registered Foreign Limited Partnership, 20 21 Case No.: CV 1108-157 22 Case No.: CV 1112-165 Petitioners, 23 Dept. No.: 2 Vs. 24 STATE ENGINEER OF NEVADA, OFFICE OF THE State Engineer, DIVISION OF WATER RESOURCES 25 **VOLUME II Bates Stamped Pages** DEPARTMENT OF CONSERVATION 26 217-421 AND NATURAL RESOURCES. 27 Respondent,

-1-

28



#### THE STATE OF NEVADA

## PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

05/27/1980

#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

\*\*\*\*\*

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72585 is issued subject to the terms and conditions imposed in said Permit 72585 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

#### Permit No. 76001

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is approved for the entire 1,280.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 864.0 acre-feet, can be diverted annually. Additional diversion up to the total 1,280.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 864.00 acre-feet to be exceeded.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.72 cubic feet per second or 1280.0 acre-feet annually.

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

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

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

December 2012

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 151 day of December, A.D. 2011

	State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued



## THE STATE OF NEVADA

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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

05/27/1980

\*\*\*\*\*

-APPROVAL OF STATE ENGINEER Vocated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72585, is issued subject to the terms and conditions imposed in said Permit 72585 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534,030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300.00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

#### Permit No. 76001

Permits 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003 and 76004 are approved for the entire 6337.32 acre-feet annually as requested. However, pursuant to NRS 533,3703, initially only the net consumptive use amount of the base right, 3643.96 acre-feet, can be diverted annually. Additional diversion up to the total 6337.32 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 3643,96 acre-feet to be exceeded.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.72 cubic feet per second or 1280.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: Water must be placed to beneficial use and proof of the application of water to

July 2 , 2012

beneficial use shall be filed on or before:

July 2, 2014

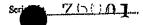
Map in support of proof of beneficial use shall be filed on or before:

July ZJ , 2014

#### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 215t day of July, A.D. 2009

e e	State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued
llb	



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

	SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office	JUN 2 9 2007
Returned to applicant for correction	menter suppressed address of the second state
Corrected application filed	Map filed _JUL 11 2007 under 75979
The applicant Kobeh Valley Ranch LLC	
10 North Post Street, Suite 610	of Spokane Cdy of Town
Street and No. or P.O. Box No.	Cay or Town hereby makes application for permission to change the
Washington 99201	hereby makes application for permission to comes and
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of water heretofore appropriated under	Permit No. 72585
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and identify right in Decree.	to be a second s
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١.	Use will be from	January 1	10	December 31	of each year.
).	Use permitted from	January 1	to	Month and Day December 31	of each year,
ι.	Description of proposed w	Month and Day  orks. (Under the provision	ns of NRS 535.01	Month and Day O you may be required to su	bmit plans and
	specifications of your dive				
		-0.02 or storage works.)	Sta	pump and pipelines or maner in which water is to be dive	cted, i.e. diversion structure,
	and mill site, ditches and flumes, drilled well w	ill prime and maker see	74   \$4   \$4   \$4   \$4   \$4   \$4   \$4	. 14 and 1471 1674 1684 1684 1673 1874 1874 1874 1874 1874 1874 1874 1874	Majded Mileson, year arranger review was sured as thest
),	Estimated cost of works	in excess of \$3,000,00	90.		
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	•		Consulus Ma	Street and No., or P.O. Box I	10.
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Y 7	THE APPLICANT OR AC	<del>J</del> ENT		1 '	

\$150 FILING FEE MUST ACCOMPANY APPLICATION

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

Protested by Eureka Co. 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Gartorder 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

Application	No.	
ADDIIGAIOTE	140.	

## ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

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

Division	Section	Township	Range	Meridian
All	1-3	21N	50E	M.D.M.
All	10-15	21N	50E	M.D.M.
All	22-27	21N	50E	M.D.M.
All	34-36	21N	50E	M.D.M.
All	1-36	21N	51E	M.D.M.
All	6&7	21N	52E	M.D.M.
Ali	18&19	21N	52E	M.D.M.
All	30 & 31	21N	52E	M.D.M.
All	36	21 1/2N	51 1/2 E	M.D.M.
All	31 - 36	21 1/2N	52E	M.D.M.
IIA	34-36	22N	50E	M.D.M.
Alf	1-3	22N	51E	M.D.M.
All	10-15	22N	51E	M.D.M.
Ali	20-29	22N	51E	M.D.M.
All	31-36	22N	51E	M.D.M.
Ali	1	22N	51 1/2 E	M.D.M.
All	12 & 13	22N	51 1/2 E	M.D.M.
All	24 & 25	22N	51 1/2 E	M.D.M.
All	36	22N	51 1/2 E	M.D.M.
All	1 - 36	22N	52E	M.D.M.
Ali	887	22N	53E	M.D.M.
All	18 & 19	22N	53E	M.D.M.
Ali	30 & 31	22N	53E	M.D.M.
All	34-38	23N	51E	M.D.M.
All	31	21 1/2 N	53E	M.D.M.

2007 UR 23 177 3:47

Page 1 of 1



## THE STATE OF NEVADA

## PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

05/30/1997

## APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

\*\*\*\*\*

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72586 is issued subject to the terms and conditions imposed in said Permit 72586 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

#### Permit No. 76002

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other

permits from State, Federal and local agencies.

This permit is approved for the entire 300.76 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 203.01 acre-feet, can be diverted annually. Additional diversion up to the total 300.76 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 203.01 acre-feet to be exceeded.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State

Engineer before any water is developed for mining.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.82 cubic feet per second or 300.76 acre-feet annually.

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

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

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

December 2012

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this \( \) \( \) \( \) \( \) day of \( \) \( \) December, A.D. \( \) 2011

	State Eylgineer	
Completion of work filed		
Proof of beneficial use filed	V	
Cultural map filed		_
Certificate No.	Issued	_



### THE STATE OF NEVADA

## PERMIT TO CHANGE POINT OF DIVERSION. MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

**KOBEH VALLEY** 

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

05/30/1997

\*\*\*\*\*

APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72586, is issued subject to the terms and conditions imposed in said Permit 72586 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NR\$ 534,030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300.00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

#### Permit No. 76002

Permits 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003 and 76004 are approved for the entire 6337.32 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 3643.96 acre-feet, can be diverted annually. Additional diversion up to the total 6337.32 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 3643.96 acre-feet to be exceeded.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by

the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.82 cubic feet per second or 300.76 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

July 2/, 2012

beneficial use shall be filed on or before:

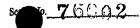
July 2 , 2014 July 2 , 2014

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

### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 215th day of July, A.D. 2009

Completion of work filed \_\_\_\_\_\_\_
Proof of beneficial use filed \_\_\_\_\_\_
Cultural map filed \_\_\_\_\_\_
Certificate No. \_\_\_\_\_\_ Issued \_\_\_\_\_\_
Ilb



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

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office JUN 2 9 2007	
Returned to applicant for correction	
Corrected application filed Map filed JUL 11 2007 under 75979	
The applicant Kobeh Valley Ranch LLC	
An North Don't Strant Suite 246 of Snakana	u-un
Street and No. or P.O. Box No.	
State and Zip Code No.	
Point of Diversion, Place and Manner of Use	
of water heactofore appropriated under Permit No. 72588  Identify existing right by Permit, Certificate, Froof or Claim Nos. If Decreed, give title of De	200
and identify right in Decree.	
1. The source of water is underground  Name of stream, lake, underground, spring or other sources.  2. The amount of water to be changed  0.82 cfs, 300.76 acre feet annually  Second feet, scre-feet. One second foot equals 448.83 galloes per samule.	dend pend
3. The water to be used for Mining and milling Irrigation, poser, mining, commercial, etc. If for stock state number and kind of suitmets, Most limit to one major	isc.
4. The water heretofore used for Irrigation and Domestic  If for stock, size number and kind of snimals.	*******
5. The water is to be diverted at the following point within Lot 4 of Section 2, 7.21N., R.50E., M.D.M.,  Describe as being within a 40-acre subdivision of public survey and by c	OUFSC
or at a point from which the northwest corner of said Section 2 bears North 40°40' West a distance and distance to a section corner. If or unsurveyed land, it should be stated.	14446 <del>1</del> 44
of 580 feet. (Well 208)	
6. The existing point of diversion is located within the SW 1/4 of the SW 1/4 of Section 22, T.19N., R.47	
M.D.M., or at a point which bears South 18°09'28" East, 4223.74 feet from the NW comer of said Sec	
22 (Well No. 3). Refer to map supporting Applications 72580 through 72588, filed April 12, 2005, in	HEHP14
the State Engineer's Office.	.,

139-EU

7. Proposed place of use			
e attached Exhibit "A"		ubdivisions. If for irrigation state number of man p that accompanied Application	No. 72695.
	**************************************	OPPORTUNITIES STATEMENT OF THE PROPERTY OF THE	naccal curves ( property year ) ( a long buy part and gad banggad toda 300 lying 8 fol 100
	and one present the pay principle for Missian Marketine		and y call the grown and series they sid they did had be dead a sea yet may proper the search proper and and t
	Describe by legal subdi	n 15: the 8 1/2 N 1/2, a portion o visions. If penuit is for irrigation, state member o and SW 1/4 of Section 22; N 1/2	ox social nurbation in campfault harce or
and/or manner of use of irrigation	permit, describe acreage to be removed	from irrigation.  Refer to map supporting Appl	
	5, in the State Engineer's	•	naci prope besseranin basan lagi (mj. porton besta enaryne hasten per ma tr
. Use will be from	January 1	to December 31	of each year.
). Use permitted from	January 1 Mosta and Day January 1	to December 3 Month and Day	of each year.
. Description of proposed	Month and Day I works. (Under the provision	noon not pay s of NRS 535,010 you may be require	ed to submit plans and
	iversion or storage works.)	Healed well numn and pineli	
and mill site.	II . St.	the shall the base of the state	2 1962 3-51
* *	s in excess of \$3,000,00	0.	
3. Estimated time required	d to construct works3	/8818 If well completed, describ	e well.
S. Estimated time required	d to complete the application of	of water to beneficial use 5	years
5. Remarks: For use other	r than irrigation or stock wate	ring, state number and type of units t	
insumptive use.		ring, state number and type of units t	to be served or annual
nsumptive use.		ring, state number and type of units t	
nsumptive use.		sing, state number and type of units t	
nsumptive use.		sing, state number and type of units t	23
nsumptive use.		sing, state number and type of units t	20
nsumptive use.		sing, state number and type of units t	2007
ee attached addendum.		By Mahadhud	In Company
ee attached addendum		By My Signature of Agont, Goo	2007 2007 2007 2007 2007 2007 2007 2007
onsumptive use.  de attached addendum.  (775) 358-		By Signature of Agont, Goo Tri State Surveying 1925 Sirect and No., or	Solution Way
onsumptive use.  de attached addendum.  (775) 358-	9491	By My Sunday of Agon, Go	Compared to the control of the contr

Protested by Eureka Co. 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Vacaded by Court Order 4/0/10
Pro. Overruled 7/15/11 See Ruling #6127

\$150 FILING FEE MUST ACCOMPANY APPLICATION

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

7607 北岸 29

21 3: 47

Application	No.	
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## ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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



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

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

2907 JHR 29 PH 3: 47

Page 1 of 1



# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

05/27/1980

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

#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72587 is issued subject to the terms and conditions imposed in said Permit 72587 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other

permits from State, Federal and local agencies.

This permit is approved for the entire 1,280.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 864.0 acre-feet, can be diverted annually. Additional diversion up to the total 1,280.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 864.0 acre-feet to be exceeded.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State

Engineer before any water is developed for mining.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second or 1,280.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion December of work shall be filed on or before: Water must be placed to beneficial use and proof of the application of water to December | 2012 beneficial use shall be filed on or before: Map in support of proof of beneficial use shall be filed on or before:

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of December, A.D. 2011

	State Engineer
Completion of work filed	
Proof of beneficial use filed	V
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

05/27/1980

\*\*\*\*\*

-APPROVAL OF STATE ENGINEER Vacaded by Courtorder 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72587, is issued subject to the terms and conditions imposed in said Permit 72587 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300,00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

Permits 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003 and 76004 are approved for the entire 6337.32 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 3643.96 acre-feet, can be diverted annually. Additional diversion up to the total 6337.32 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 3643.96 acre-feet to be exceeded.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by

the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second or 1280.0 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

July 2/ , 2012

beneficial use shall be filed on or before:

July 2/ ,2014 July 2/ ,2014

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

# IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2154 day of July, A.D. 2009

•	State Engineer	
G 1 C 1 C 1		
Completion of work filed		
Proof of beneficial use filed		
Cultural map filed		
Certificate No.	Issued	
<u>llb</u>		

Series 76003

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

TH	is space for office use only
Date of filing in State Engineer's Office	JUN 2 9 2007
Corrected application filed	Map filed JUL 11 2007 under 75979
Transition of Mahab Volter Danch III	P
The applicant Kobeh Valley Ranch LL	
10 North Post Street, Suite 610	of Spokane City or Town
Machineton 99201	hereby makes application for permission to change the
State and Zap Code No.	
Point of Diversion, Place and Manner	of Use
of water heretofore appropriated under	Permit No. 72587  Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give tale of Decree
and identify right in Decree.	my in the spirit and have been been been been been been been be
	Account to the second of the s
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4 this blooms are any and put point and any and a bound had not fail and arter the free and after the after the standard property and a few for the standard points are a few for the standard points and a few fo	PORT AND THE PROPERTY OF THE P
	the second secon
All Appropriates and to be a supplicated and the propriate and the property of	Contract the state of the state
I. The source of water is underground	nd
	Name of aircam, lake, underground, spring or other
2. The amount of water to be changed	5.00 cfs, 1,280.0 acre feet annually  Second fort, sore-feet. One second foot equals 448.83 gallons per annute.
3. The water to be used for Mining a	ad milling
Irrigation, post	at, mining, commercial, etc. If for stock state number and schar or analysis
4. The water heretofore used for lirig	ration and Domestic  Her stock, state number and kind of entreak.
5. The water is to be diverted at the following	owing point within the SW 1/4 of the SW 1/4 of Section 21, T.Z2N.,
DE4E MITM or at a point from Wi	nich the southwest corner of Section 31, T.22N., R.51E., M.D.M.,
and distance to a section corner, it on unsurveyor sure,	is profess on sensor
bears South 43°28' West a distance	of 15,620 feet. (Weil 204)
6. The existing point of diversion is loc	ated within the SW 1/4 of the NW 1/4 of Section 23, T.19N., R.47E.,
THE PART AND ADDRESS OF THE PARTY OF THE PAR	if point of diversion is not changed, do not answer.  If point of diversion is not changed, do not answer.  Buth 43°41'48" East, 1908.68 feet from the NW corner of said Section
W.r.w., of at a bolut which nears or	72588 filed April 12, 2005, in
23 (Well No. 2). Refer to map suppo	orting Applications 72580 through 72588, filed April 12, 2005, in
the State Engineer's Office.	

139-50

7.	Proposed place of us	anggarang malanggah-ngga malangga saman managgapang bahanggi jang	المورد ارست ومار سند است است الموادرة والواقعة والمار		
ee	attached Exhibit "A" and	Describe by legal a  shown on the ma	p that accomp	gation state number of sates to be in- sanied Application No. 7:	2695.
	TTTEETTEETTE TO SOFFORE SAFERIE AL OF OPENING SOFFORE SOFFORE ALL SOFFORE THE MEDICAL SOFFORE SOFFORE ALL SOFFORE SOFF	B34 P846 P64 642			
	Existing place of use with	Describe by logal subd	rvisions. If permit is f	or irrigation, state assuber of across in	igneed. If changing place of
E	1/4 NE 1/4, and N 1/2 S 1/2	of Section 21; N 1/2	and SW 1/4 of	Section 22; N 1/2 of Sec	tion 23 and
W	1/4 of Section 24, all in T.	19N., R.47E., M.D.M.	Refer to map	supporting Application	s 72580 through
26	88, filed April 12, 2005, in	the State Engineer's	Office.		
••••					und führt dem under sond sond dem dehnders dem verst bena junn set.
<b>)</b> ,	Use will be from	January 1	to	December 31  Month and Day	of each year.
		January 1  Month and Day	to	December 31 Month and Day	of each year,
l,	Description of proposed work	ks. (Under the provision			omit plans and
	specifications of your diversi	on or storage works.)	Drilled well	, pump and pipelines or	truck to mine
	and mill site.	omphet bed is discoved, in the constant by distributed by the process of the constant of the c		polyký kaj kaj kaj polyký vedenky sece kodovou vo sovy kos voda od dběd bá y kod bě	render en
٧.	ditches and flumes, drilled well with Estimated cost of works		0.		
_				MININGSHIP COMPANY OF THE PROPERTY OF THE PROP	1-1-1-1
·.	Estimated time required to o	onstruct works3	Veria	If well completed, describe well.	2.04.0 - 1.0
1.	Estimated time required to c	omplete the application o	of water to benef	icial use 5 years	a man and boulders part find you have had been been been been been been been bee
	Remarks: For use other than	a irrigation or stock wate	ring, state numb	er and type of units to be ser	ved or animal
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	attached addendum.		····		
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~~	Phone No.			Signature of Agent, George G. 1.	ndeamilia ne Ware
			Tn State	Street and No., or P.O. Box	No.
	PLICATION MUST BE SIG		Spanis, n	evada 89434 Cay, State, Zip Code No	

Protested by Eureka Co. 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Gurt order 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(C)-1503A (Tow, 10-95)

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Application	No.	

### ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

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

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

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Page 1 of 1



# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

05/27/1980

\*\*\*\*\*\*\*\* APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72588 is issued subject to the terms and conditions imposed in said Permit 72588 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined consumptive duty of water under Permits, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,007.64 acre-feet annually.

The total combined duty of water under Permits 72695, 72696, 72697, 72698, 73545, 73546, 73547, 73548, 73549, 73550, 73551, 73552, 74587, 75988, 75989, 75990, 75991, 75992, 75993, 75994 and 75995 shall not exceed 6,292.36 acre-feet annually.

The total combined duty of all of the above listed permits shall not exceed 11,300 acre-feet annually.

(Continued on Page 2)

N/A

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other

permits from State, Federal and local agencies.

This permit is approved for the entire 1,280.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 864.0 acre-feet, can be diverted annually. Additional diversion up to the total 1,280.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 864.0 acre-feet to be exceeded.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State

Engineer before any water is developed for mining.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second or 1,280.0 acre-feet annually.

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

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

December 2012

December 2012

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

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of <u>December</u>, A.D. <u>2011</u>

	State Engisteer
Completion of work filed	
Proof of beneficial use filed	V
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

KOBEH VALLEY

Manner of Use:

MINING AND MILLING

Period of Use:

January 1st to December 31st

**Priority Date:** 

05/27/1980

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

APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 72588, is issued subject to the terms and conditions imposed in said Permit 72588 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 73551, 73552, 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 11,300.00 acre-feet annually.

The total combined duty of water under Permits 75988, 75989, 75990, 75991, 75992, 75993, 75994, 75995, 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003, 76004, 76745, 76746, 76989 and 76990 shall not exceed 5,961 acre-feet annually.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

(Continued on Page 2)

Permits 75996, 75997, 75998, 75999, 76000, 76001, 76002, 76003 and 76004 are approved for the entire 6337.32 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 3643.96 acre-feet, can be diverted annually. Additional diversion up to the total 6337.32 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 3643.96 acre-feet to be exceeded.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water. The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this permit,

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0 cubic feet per second or 1280.0 acre-feet annually.

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

Water must be placed to beneficial use and proof of the application of water to

July 21, 2012

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

July Z , 2014 July Z , 2014

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

#### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2154 day of July, A.D. 2009

State Engineer (P. E.

Completion of work filed \_\_\_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_\_

Cultural map filed \_\_\_\_\_\_\_

Certificate No. \_\_\_\_\_\_ Issued \_\_\_\_\_\_

ilb

75004

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

THE	S SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office	JUN 2 9 2007
Corrected application filed	Map filed 1111 11 2007 under 75979
All the state of t	
The applicant Kobeh Valley Ranch LLC	
10 North Post Street, Suite 610 Street and No. or P.O. Box No.	of Spokane Cky or Town
Street and No. or P.O. Box No. Washington 99201	City or Town hereby makes application for permission to change the
Point of Diversion, Place and Manner	of Use
of water heretofore appropriated under	
and identify right in Decree.	
Make the second that gains and and and an extrement to the days of pages and the second the second transfer of the	
The source of water is undergroun	Name of stream, lake, underground, spring or other sounces.
2. The amount of water to be changed	5.00 cfs, 1,280.0 acre feet annually Second first, sero-feet. One second foot equals 448.83 galliess per minute.
3. The water to be used for Mining as Inigation, posses	and the same of th
4. The water heretofore used forirrigu	ation  If for stock, state number and kind of sounds.
5. The water is to be diverted at the follo	wing point within Lot 4 of Section 2, T.21N., R.50E., M.D.M.,
or at a point from which the northwest and distance to a section corner. If on unsurveyed land, it	st comer of said Section 2 bears worm 40 40 vector a distance
of 680 feet. (Well 208)	
6. The existing point of diversion is loca M.D.M., or at a point which bears 80	the SW 1/4 of the SW 1/4 of Section 22, T.19N., R.47E.,  If point of diversion is not changed, do not season.  uth 18°09'28" East, 4223.74 feet from the NW corner of said Section
	rling Applications 72580 through 72588, filed April 12, 2005, in
the State Engineer's Office.	

(39-EN)

7. Proposed place of use				
	Describe by legal s	abdivisions, If for in		rriguted. 72605
BE STURE EXHIBIT "A	and as shown on the ma	p that accomp	Management of the second of th	AND THE PROPERTY AND ADDRESS OF THE PROPERTY ADDRESS OF THE PROPERTY AND ADDRESS OF THE PROPERTY ADDRE
and the plantage and the second participal telegraphic bases	of the Philipping was a track of the Control of the	<del>(Million parencep,</del>	manufacture of the state of the	
IE 1/4 NE 1/4, and N 1/2	8 1/2 of Section 21; N 1/2	ivisions. If permit is 1 and SW 1/4 of	for invigation, state member of acres	Bullinger or committee have or
e and/or manuar of use of irrigation IW 1/4 of Section 24, al	permit, describe screage to be removed I in T.19N., R.47E., M.D.M.	Refer to may	supporting Application	ns 72580 through
2588, filed April 12, 200	5, in the State Engineer's	Office.		napęta a do napolica napolica po posta po do de de de seu em em em a de de
9. Use will be from	January 1		December 31 Mosth and Day	of each year.
0. Use permitted from	January 1  Month and Day	to	December 31  Month and Day	of each year.
11. Description of propose	ed works. (Under the provision	s of NRS 535.01	10 you may be required to	arbmit plans and
specifications of your	diversion or storage works.)	Drilled well	I, pump and pipelines to be d	or truck to mine iverted, i.e. diversion structure,
and mill site.	cll with pump and motor, etc.	****	والمراوة فأراه المام المند كمام ومام وماء ومد محد محد أن و إمام كالمقطوع ومد يأبان ويجد	wy dain ne y mar war war who had
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13. Estimated time require	ed to construct works 3	years		
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14. Estimated time requir	ed to complete the application	of water to bene	ficial use 6 year	\$
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APPLICATION MUST É		Sparies,	Nevada 89434 City, State, Zip Code	No.
BY THE APPLICANT O	R AGENT			

S150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1969A (Rev. 10-06)

Protested by Eureka Co. 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Vacaded by Gowtorder 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

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	v	u	U	7

Application	No	
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## ADDENDUM TO ITEM 15 - "REMARKS"

This application, when granted, is intended to be utilized in conjunction with other Applications to Change filed simultaneously herewith. The Applications to Change are similarly intended to be utilized in conjunction with Applications to Appropriate numbered 72695 through 72696, 73545 through 73552 and 74587, previously filed with the State Engineer.

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

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

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

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

Same of the same party.

Page 1 of 1



# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

06/03/1960

\*\*\*\*\*

#### **APPROVAL OF STATE ENGINEER**

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57840 is issued subject to the terms and conditions imposed in said Permit 57840 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for a total combined duty of 616.0 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.0 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.0 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining. (Continued on Page 2)

Permit 76005 is approved for the entire 164.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 102.5 acre-feet, can be diverted annually. Additional diversion up to the total 164.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 102.5 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

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

D

December 2012

December 2012 N/A

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

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of <u>December</u>, A.D. <u>2011</u>

1 1

		L- P.	E
		State Engineer	
Completion of work filed	<u> </u>		
Proof of beneficial use filed			
Cultural map filed			
Certificate No.		Issued	



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

UNDERGROUND

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

06/03/1960

\*\*\*\*\*

-APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57840, is issued subject to the terms and conditions imposed in said Permit 57840 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded.

(Continued on Page 2)

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

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

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

July 2 , 2012

July 2 , 2014 July 2 1 , 2014

### IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2154 day of July, A.D. 2009

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_ Ilb

#### AMENDED

	7 F S. H H B MA.
81-XIO.	76005

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

r	HIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Offic	e JUN 29 2007
Returned to applicant for correction	
Corrected application filed	SEP 1 4 2007 Map filed SEP 1 4 2007
he applicant Kobeh Valley Ranch L	
9 North Post Street, Suite 610 Street and No. or P.O. Box No.	of Spokane City or Town
Vashington 99201	City or Town hereby makes application for permission to change the
State and Zip Code No. Point of Diversion, Place and Mann	er of Use
the state of the s	
f water heretofore appropriated under	Permit No. 57849  Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree
nd identify right in Decree.	A train best about the profession for the profession and the professio
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p file a trade and the deficiency of the state of the state and the state of the first of the state of the st	The state of the s
1. The source of water is undergro	Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed	0.435 cfs, 164 acre feat annually Second feet, sure-feet. One second feet equals 448.83 gallons per misute.
	second red, success, this second red, success, and second red, success, such as the second red, success,
Inigation, p	oser, mining, commercial, etc. If for stock state number and kind of annutate research
4. The water heretofore used for in	rigation  If for stock, state number and kind of semmels.
5. The water is to be diverted at the fo	ollowing point within the SE 1/4 of the SE 1/4 of unsurveyed  Describe as being within a 40-acre subdivision of public survey and by course
Section 12, T.22N., R.51E., M.D.M.,	or at a point from which the west 1/4 comer of Section 13, T.22N.,
and distance to a section corner. If on unsurveyed in	ol, is should be stated 02'49" East a distance of 2183.38 feet.
KD1-1/ZE, W.U.M. DEGIS NOTH 25	WA TO LAGE Q Widows to Commence of the Commenc
والمتراهدة ويتراه والمتراهدة والمتراوية والم	the local control of the second state of the s
6. The existing point of diversion is l	located within the SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,  If point of diversion is not changed, do not snower.
M.D.M., at a point from which the	SW corner of said Section 13 bears South 68°40'37" West, 2140.00
State Court of the	Pleasing 57835 through 57840, filed July 10, 1992, in the State
feet, Refer to map supporting Ap	plications 57835 through 57840, filed July 10, 1992, in the State
State Engineer's Office.	

7.	Proposed place of us				
ee	attached Exhibit "A" ar			rigition state marker to be initially panied Application No. 72	•
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	V	Describe by legal sub	divisions, If pennel is	ection 24; the NE 1/4 & E 1 for irrigation, state number of acres in	igated. If changing place of
C	tion 26, T.23N., R.62E., I	M.D.M.; the W 1/2 W 1/	2 of Section 1	9 and the W 1/2 NW 1/4 of	Section 30,
2	3N., R.53E., M.D.M Ref	er to map supporting	Applications I	57835 through 57840, filed	July 10, 1992,
t	ne State Engineer's Offic	ce.		SEP.	
	A STATE OF THE PARTY OF THE PAR	<u>abeliki baka elek in pare pi perminakan propinsi pra 1961 fili pi</u>	arben a feld fi fatha arrect o equippe a sed pr		
y	Use will be from	January 1	to	December 31	of each year.
).		Month and Day		Month and Day	of each year.
•	Use permitted from	January 1  Month and Day		Month and Day	or oner Jun.
•				10 you may be required to sub	mit plans and
	specifications of your dive	rsion or storage works.)	Drilled we	II, pump and pipelines at	mîne
	and mill site.		Su	nte manner in which water is to be diver	ted, i.e. diversion structure,
	disches and flumes, drilled well wi			24 to find to a fall for front to the time time to the long to the part plan to a safe, the ball the ball to b	
9.	Estimated cost of works	in excess of \$3,000,0	00.	(cd) yet had had you had had gat place by the proposition and the analyst proposition in the proposition of	ومساوم والمحاورة والمداور والمداور والمحاورة و
3.	Estimated time required to	construct works 3	years		
		Managla And Straymorts	Ağı ili təki ilmi en sanı eli eli eli eli ele ele em e	If well completed, describe well.	
4	The first and th				Lictur lar <del>ac</del> ted <del>his brightest (2004)</del> but the proper
٠.	Estimated time required to	complete the application	of water to bene	ficial use 5 years	***************************************
5. m:	Remarks: For use other the numptive use.	an irrigation or stock wat	ering, state num	ber and type of units to be serv	ved or annual
	attached addendum.				
30	ammandamandamandamanda ammanda		1 TY 1 THE SECTION SEC	والمراوية والمناورة والمراوية والمروية والمناورة والمناو	And the Philo this summer integral properties is win but had upon
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	(776) 358-949	1	By J	ou Khudes	re
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pr	PLICATION MUST BE SI THE APPLICANT OR AG	IF VHID: SETTING	3S Allarks,	Nevada 89434 City, State, Zip Code No.	1610 \$164 M CHILDON SIS IN SISS HAVE HAVE AND
Y	THE APPLICANT OR A	GENT AMALTO	ግኒነ	And amond with many 4100	•
	É1E	CEINED		APPI ICATION	(C)-1683A (Rev. 10-85)
	313	o a arang pres must a	<b>LUCUMPARY</b>	ULT PECUTION	(a) income feater to any

Protested by Eureka Co. 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Gurt Order 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

## ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

2007 JUN 29 PH 3: 49

STATE ENGINEERS OFFICE

SOBJEE IT PHILIS

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

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

STATE ENGINEERS OFFICE
STATE ENGINEERS OFFICE

Page 1 of 1

2007 JUN 29 PN 3:49



# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

JANUARY 1ST TO DECEMBER 31ST

**Priority Date:** 

06/03/1960

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

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57839 is issued subject to the terms and conditions imposed in said Permit 57839 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for a total combined duty of 616.0 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.0 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.0 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining. (Continued on Page 2)

Permit 76006 is approved for the entire 164.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 102.5 acre-feet, can be diverted annually. Additional diversion up to the total 164.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 102.5 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

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

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

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

December 1 2012

December 1 2012

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1st day of December, A.D. 2011

	State Engineer
Completion of work filed	
Proof of beneficial use filed	V
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

06/03/1960

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

-APPROVAL OF STATE ENGINEER Vacaded by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57839, is issued subject to the terms and conditions imposed in said Permit 57839 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded.

(Continued on Page 2)

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to

the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.435 cubic feet per second or 164.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion July 21, 2012 of work shall be filed on or before: Water must be placed to beneficial use and proof of the application of water to July 21 beneficial use shall be filed on or before: Map in support of proof of beneficial use shall be filed on or before:

# IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 215th day of July, A.D. 2009

	State Engineer			
Completion of work filed				
Proof of beneficial use filed				
Cultural map filed	,			
Certificate No.	Issued			
llb	•			

### AMENDED



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

THIS SPACE FOR OFFICE USE ONLY				
Date of filing in State Engineer's Off	ice JUN 29 200	)77		
Returned to applicant for correction	JUL 16 2007			
Corrected application filed	SEP 1 4 200	Map filed SEP 1 4 2007 under 76005		
The applicant Kobeh Valley Ranch	LLC			
10 North Post Street, Suite 610	(	of Spokane City or Town		
Street and No. or P.O. Box No. Washington 99201		hereby makes application for permission to change the		
State and Zip Code No.		•		
Point of Diversion, Place and Man	ner of Use	والما المزاولية ويوس مستعمل من والمراولية الما والماع الما والماع الما والماع الما والماع الماع الم		
of water heretofore appropriated under	Permit No.	. 67839 sing right by Pernet, Cartificate, Proof or Claim Nos. If Decreed, give title of Decree		
and identify right in Decree.	مهري ويردوه والمعارض المناوض المناوض والمناوض والمناوض	de la company de		
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The source of water isunderg     The amount of water to be change	Nati	o of stream, lake, underground, spring or other scarces.  164 acre feet annually  and feet, scre-feet. One second fool equals 448.83 gallons per minute.		
3. The water to be used for Minir		d - condensation of		
Irrigation	poser, mining, comos	CHARLES ITTS  COLD, etc. If for stock state number and kind of amounts. Must limit to one major uso.		
4. The water heretofore used for	rngation	If for stock, thate member and kind of animals.		
5. The water is to be diverted at the		within the SE 1/4 of the SE 1/4 of unsurveyed  Describe as being within a 40-acre subdivision of public survey and by course		
Section 12, T.22N., R.51E., M.D.M	, or at a point	from which the west 1/4 corner of Section 13, T.22N.,		
and distance to a section comer. If on unsurveyed I R.51-1/2E., M.D.M. bears North 2	кіжі, гі вроцікі бе шжел	•		
6. The existing point of diversion is	located within	the SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,  If point of diversion is not changed, do not surver.		
M.D.M., at a point from which the	SW comer of	said Section 13 bears South 66*40'37" West, 2140.00		
		35 through 57840, filed July 10, 1992, in the State		
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State Engineer's Office				

7.	Proposed place of use	announced cases that their sergery had their bereings ( printed ( list god for	are the second live as and a second live and a second	ion this supplet of to be in	galod.
B <b>@</b>	attached Exhibit "A" an	d as shown on the mar	bdivisions. If for imper that accompa		
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 9.	Use will be from	January 1	to	December 31	of each year.
0.	Use permitted from	January 1	manuser to	December 31	of each year.
1.	Description of proposed we	orks. (Under the provision	s of NRS 535,010	you may be required to su	bmit plans and
	specifications of your diver		mannad weell	pump and pipelines at conner in which water is to be div	mine
9.	and mill site. dither and flumes, drilled well wi Estimated cost of works		0.		
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AF BY	PLICATION MUST BE S THE APPLICANT ON 8	ILVIAR IN	Raddy bing to myster express agental to a	City, State, Zip Code N	io.

\$150 FILING FEE MUST ACCOMPANY APPLICATION

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

Protested by Eureka Co. 8/30/07
Pro. Overruled 3/26/09 See Ruling #5966 Wooded by Gut Order 4/10/10
Pro. Overruled 7/15/11 See Ruling #6127

## ADDENDUM TO ITEM 15 - "REMARKS"

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

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

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

2001 JUN 29 PH 3: 49

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SINTE ENGINEERS OFFISE

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

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

STATE ENGINEERS OFFICE STATE ENGINEERS OFFICE

Page 1 of 1

2007 JUN 29 FN 3: 49



# PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

**JANUARY 1ST TO DECEMBER 31ST** 

**Priority Date:** 

09/19/1961

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

#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57836 is issued subject to the terms and conditions imposed in said Permit 57836 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for a total combined duty of 616.0 acre-feet annually. However, pursuant to NRS 533.3703, initially only the net consumptive use amount, 385.0 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 385.0 acre-feet to be exceeded. The place of use of these permits is limited to the Diamond Valley Hydrographic Basin (153).

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is subject to the approval of a monitoring, management and mitigation plan by the State Engineer before any water is developed for mining.

(Continued on Page 2)

Permit 76007 is approved for the entire 147.6 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 92.25 acre-feet, can be diverted annually. Additional diversion up to the total 147.6 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 92.25 acre-feet to be exceeded.

The point of diversion and place of use are as described on the submitted application to support this

permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 147.6 acre-feet annually.

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

December 2012

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

December | 2012

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

## IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of <u>December</u>, A.D. 2011

	State Engineer
Completion of work filed	
Proof of beneficial use filed	
Cultural map filed	
Certificate No.	Issued



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

Name of applicant:

KOBEH VALLEY RANCH, LLC

Source:

**UNDERGROUND** 

Basin:

DIAMOND VALLEY

Manner of Use:

MINING, MILLING AND DEWATERING

Period of Use:

January 1st to December 31st

**Priority Date:** 

09/19/1961

\*\*\*\*\*

-APPROVAL OF STATE ENGINEER Vacated by Court Order 4/10/10

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 57836, is issued subject to the terms and conditions imposed in said Permit 57836 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the groundwater basin.

Permits 76005, 76006, 76007, 76008 and 76009 are approved for the total combined duty of 616.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base rights, 354.2 acre-feet, can be diverted annually. Additional diversion up to the total 616.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 354.2 acre-feet to be exceeded.

(Continued on Page 2)

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies, and is specifically issued contingent upon approval by the Nevada Division of Environmental Protection of the dewatering project.

A monitoring, management and mitigation plan, approved by the State Engineer, is required prior to

the diversion of any water.

The State Engineer retains the right to require the applicant to perform additional monitoring. The permittee, on a schedule acceptable to the State Engineer, shall prepare and present an update on the activities of the mine and the monitoring on a periodic basis. The State Engineer retains the right to regulate pumping from the dewatering project and/or any other groundwater withdrawals herein authorized to protect the public interest and to protect existing rights.

The point of diversion and place of use are as described on the submitted application to support this

permit.

<u>11b</u>

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.66 cubic feet per second or 147.6 acre-feet annually.

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

July 21,2012

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

July 21 ,2014 July 21 ,2014

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

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

#### AMENDED



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

THIS SPACE FOR OFFICE USE ONLY					
Date of filing in State Engineer's Office JUN 29 2007					
Returned to applicant for correction					
Corrected application filed SEP 1 4 2007 Map filed SEP 1 4 2007 under 76005					
The applicant Kobeh Valley Ranch LLC					
10 North Post Street, Suite 610 of Spokene Street and No. or P.O. Box No. City or Town					
Weshington 90204 hereby makes application for permission to change the					
State tad Zip Code No.					
Point of Diversion, Place and Manner of Use					
of water heretofore appropriated under Pennit No. 57836  Identify existing right by Pennit, Cartiflaste, Proof or Claim Nos. If Decreed, give title of Decree					
and identify right in Decree.					
the base from the base of the second					
Proposition of the state of the					
The source of water is underground     Name of stream, lake, underground, spring or other sources.					
2. The amount of water to be changed 0.66 cfs, 147.6 acro feet annually  Second fiet, scrotest. One second first equals 448.83 gallous per minute.					
Second feet, sore-feet, One second first equals 448.83 gallous per sounds.					
3. The water to be used for Mining, milling and dewatering Imparion, poter, mining, commercial, etc. If for stock state number and kind of summals. Must limit to one major use.					
4. The water heretofore used for Irrigation  If for stock, auto number and kind of animals.					
5. The water is to be diverted at the following point within the SE 1/4 of the SE 1/4 of unsurveyed  New that the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within the SE 1/4 of the SE 1/4 of unsurveyed within th					
Section 12, T.22N., R.51E., M.D.M., or at a point from which the west 1/4 corner of Section 13, T.22N.,					
and distance to a section corner. If on measureyed land, a should be stated.  R.51-1/2E., M.D.M. bears North 23°02'49" East a distance of 2183.38 feet.					
No Prizz, Hivin, Doub Nous and Love to Lost a distance of a section of the sectio					
6. The existing point of diversion is located within the SE 1/4 of the SW 1/4 of Section 13, T.23N., R.52E.,					
M.D.M., at a point from which the SW corner of said Section 13 bears South 68°40'37" West, 2140.00					
feet. Refer to map supporting Applications 67835 through 57840, filed July 10, 1992, in the State					
State Fanineor's Office					

7.	Proposed place of use	of use							
See	attached Exhibit "A"	Describe by legal a	midivisions. If for in	exion state number of and to be improper Application No. 72	gator. 1695.				
	See attached Exhibit "A" and as shown on the map that accompanied Application No. 72695.								
4	در سام میشود میشود در بر میشود در ۱ میشود از ۱ میشود میشود میشود میشود میشود میشود میشود میشود میشود در سام در میشود میشود می	I AMERINA PER	14 to 14	bildered for the section of the name of state of the stat	has a prompte of the contract of the between the part of the best of the contract of the contr				
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		Describe by legal pube	livisions. If permit is	for irrigation, stats number of scree ar	SHOUT II CHREETENE DIRECT OF				
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T.2	3N., R.53E., M.D.M., Re	fer to map supporting /	Applications 5	7835 through 57840, filed	July 10, 1992,				
	he State Engineer's Of	3	,	427					
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9.	Use will be from	January 1	to	December 31	of each year.				
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10.	Use permitted from	January 1  Month and Day	to	December 31  Month and Day	or caon your.				
11.	Description of proposed	works. (Under the provision	28 of NRS 535.0	10 you may be required to sub	mit plans and				
	currifications of your div	ersion or storage works.)	Drillari wel	l, pump and pipelines at	mine				
	oponinations of your thi	CARON OF SOURSE WORKS.)	Sta	te meaner in which water is to be dive	ted, i.e. diversion structure,				
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9.		in excess of \$3,000,00	00.						
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13.	Estimated time required	to construct works3	years	If well completed, describe well.	e ter fer ter fer fer fer fer fer fer fer fer fer f				
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14.	Estimated time required	to complete the application	of water to bene	licial use 5 years					
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15,	Remarks: For use other sumptive use.	than irrigation or stock water	ering, state num	ber and type of units to be ser	ved of annual				
	attached addendum.								
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ΑP	PLICATION MUST RE	SIGNAZ: OIWY 11 d	IS LEGIPLANCE, I	Vevada 89434 City, State, Zip Code No					
BY	THE APPLICANT OR	AGENT	W	••					
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Protested by Eureka Co. 8/30/07 Pro. Overruled 3/26/09 See Ruling #5966 Vacated by Gurt Order 4/10/10 Pro. Overruled 7/15/11 See Ruling #6127

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

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All	36	21 1/2N	51 1/2 E	M.D.M
All	31 - 36	21 1/2N	52E	M.D.M.
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All	36	22N	51 1/2 E	M.D.M.
ΑII	1 - 36	22N	52E	M.D.M.
All	8&7	22N	53E	M.D.M.
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All	30 & 31	22N	53E	M.D.M.
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