



THE STATE OF NEVADA

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

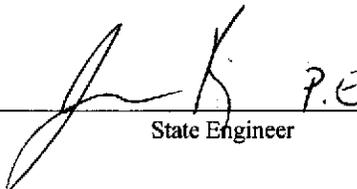
Name of Permittee: KOBEB VALLEY RANCH LLC
Source: UNDERGROUND
Basin: KOBEB VALLEY
Manner of Use: MINING AND MILLING
Period of Use: JANUARY 1ST TO DECEMBER 31ST
Priority Date: 06/23/1967

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



THE STATE OF NEVADA

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

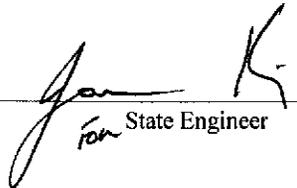
Name of applicant: **KOBEH VALLEY RANCH LLC**
Source: **UNDERGROUND**
Basin: **KOBEH VALLEY**
Manner of Use: **MINING AND MILLING**
Period of Use: **January 1st to December 31st**
Priority Date: **06/23/1967**

~~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 26th day of March, A.D. 2009



Tracy Taylor 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

Date of filing in State Engineer's Office NOV 14 2007

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 11 2007 under 75979

The applicant Kobeh Valley Ranch LLC

1726 Cole Blvd., Suite 115 of Lakewood

Street Address or P.O. Box City or Town

Colorado 80401, hereby make(s) application for permission to change the

State and Zip Code

- Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit No. 23951, Certificate 8002

1. The source of water is underground
Name of stream, lake, underground, spring or other source.
2. The amount of water to be changed 2.45 cfs, 332.64 acre-feet annually
Second foot, acre-foot. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining and milling
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.
4. The water heretofore used for Irrigation and domestic
If for stock, state number and kind of animals.
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
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. bears South 10°26' West a distance of 6,760 feet (Well 209) UNDER 75979
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

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.

*WHR 190006
Per TULCO
w/DDM*

139-EL

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

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

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

See attached Exhibit "B".

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.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

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

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

13. Estimated time required to construct works 3 years
If well completed, describe well.

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

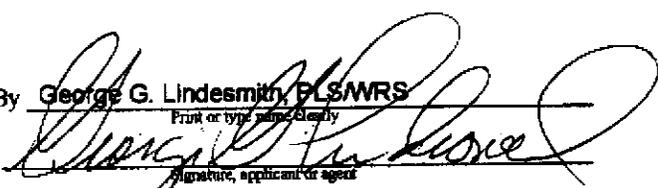
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

See attached addendum.

16. Miscellaneous remarks:

(775) 358-9491
Phone No.

glindesmith@tristateld.com
E-mail

By George G. Lindesmith, PLS/WRS
Print or type name clearly

Signature, applicant or agent
Tri State Surveying Ltd.
Company Name
1925 E. Prater Way
Street Address or P.O. Box
Sparks, NV 89434
City, State, Zip Code

STATE ENGINEER'S OFFICE
2007 NOV 14 PM 3:52

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

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	SW SW	12.39
19N	49E	30	NE NE	3.97
19N	49E	30	SE NE	11.82
TOTAL:				83.16

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 less than 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.