



THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of applicant: ROBINSON NEVADA MINING COMPANY
Source: UNDERGROUND
Basin: STEPTOE VALLEY
Manner of Use: MINING, MILLING AND DEWATERING
Period of Use: January 1st to December 31st
Priority Date: 11/03/2008

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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

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

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.

Monthly records shall be kept of the following and reported within 15 days after the end of each quarter:

- A. The total volume of water pumped from each diversion in acre-feet.
- B. The maximum flow rate from each diversion in cubic feet per second.
- C. The pumping water level from each well in feet above mean sea level.
- D. The volume of water consumptively used for mining and milling in acre-feet.
- E. The amount of water diverted to other consumptive uses, if any, in acre-feet.
- F. The amount of water lost through evaporation or other system losses project wide.

(Continued on Page 2)

Failure by the permittee to continually mitigate interference impacts on existing senior rights will result in curtailment of this junior right.

A groundwater monitoring plan shall be submitted to the State Engineer for approval that includes monthly water level and spring discharge data both inside the areas of dewatering and mining, and in areas located immediately outside the South Block Aquifer.

This permit is issued subject to State Engineer's Ruling Number 6038.

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 15.61 cubic feet per second or 11,300 acre-feet annually.**

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

April 22 2011

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

April 22 2015

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

April 22 2015

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of April, A.D. 2010

K.L. Hamel P.E.

for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office.....	<u>NOV 03 2008</u>
Returned to applicant for correction.....	
Corrected application filed.....	Map filed <u>NOV 03 2008</u>

The applicant Robinson Nevada Mining Company

PO Box 271 of Ruth
Street Address of P.O. Box City of Town

NV, 89319, hereby make(s) application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a co partnership or association give names of members.)
November 13, 1990, Delaware

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 26.74 cfs
Second feet, acre feet, One second foot equals 448.83 gallons per minute
(a) If stored in reservoir give number of acre-feet _____
3. The water to be used for Mining, Milling, Domestic and Dewatering
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated _____
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

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5. The water is to be diverted from its source 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.)

SE1/4 NE1/4 Section 15, T.16 N., R.62 E., M.D.B. & M., or at a point from which the NE corner of Section 3, T.16 N., R.62 E., M.D.B. & M., bears N04°10'56"E., 12,689.32 feet distant.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

Sections 12, 13, 23, 24, 25 and 26 T.16 N., R.61 E., Sections 2 thru 24, 29 and 30 T.16 N., R.62 E., Sections 7, 17, 18, 19 and 20 T.16 N., R.63 E., and Section 19, 20, 28-30, 32 and 33 T.17 N., R.62 E., all in M.D.B. & M.

7. Use will begin about January 1 to December 31 of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion of 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.)

Dewatering wells will be drilled, equipped with pumps totaling flowmeter and a piping system to divert water to infiltration basins or point of discharge.

9. Estimated cost of works \$15,000,000.00

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

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

12. 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.)

This project requires dewatering the area prior to commencing mining operation. Therefore, dewatering wells will be drilled, equipped with pumps, totaling flowmeters and a piping system to divert water to infiltration basins or point of discharge. FOR A NON-CONSUMPTIVE RATE OF 19,303 gpm OR 12,000 gpm.

13. Miscellaneous remarks:

(775)289-4445
Phone No.

dean@summitnv.com
Email

By Dean Neubauer
Print or type name clearly

Dean Neubauer
Signature, applicant or agent

Summit Engineering Corporation
Company Name

824 East Aultman Street
Street Address or P.O. Box

Ely, Nevada, 89301
City, State, Zip Code

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STATE ENGINEERS OFFICE

APPLICATION MUST BE SIGNED
BY THE APPLICATION OR AGENT

\$250.00 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: January 7, 2009, by Edward D. Thomas; January 7, 2009, by Keith Carson; January 8, 2009, by City of Ely, Nevada; January 8, 2009, Gene and Debra Kolkman; January 8, 2009, by Ralph J. Gubler; January 9, 2009, by Murry Springs Bottling Company, Inc. - W/D 2/4/10

Pro. Overruled 4/6/10 See Ruling #6038

W/D
9/22/09

W/D 9-2-09

W/D 2/4/10