



THE STATE OF NEVADA

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

Name of Permittee: NATIONAL OILWELL VARCO, LP
Source: UNDERGROUND
Basin: ELKO SEGMENT
Manner of Use: COMMERCIAL
Period of Use: JANUARY 1ST TO DECEMBER 31ST
Priority Date: 05/18/1981

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 78944 is issued subject to the terms and conditions imposed in said Permit 78944 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.

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

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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

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

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.007 cubic feet per second or 2.0 acre-feet annually.**

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

January 20 2013

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

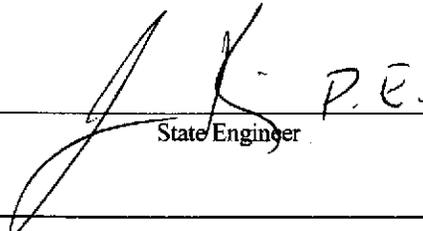
January 20 2015

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

January 20 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 20th day of January, A.D. 2012



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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 21 2011

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 17 2011 under 81093T

The applicant National Oilwell Varco, L.P.
Box 900 of Wells
Street Address or PO Box City or Town
Nevada 89835 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
permit #78944

1. The source of water is underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.04 cfs / 2.0 acre-feet
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for commercial and domestic
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 municipal 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T.35N., R.56E., M.D.M., from which the N $\frac{1}{4}$ corner of said section 10 bears N.0°15'E., 1,581 feet distant (see map filed under #81093T).
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T.35N., R.56E., M.D.M., from which the SE corner of said section 10 bears S.59°58'19"E., 2,438.81 feet distant (see map filed under #78944).

49-EL

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

"Parcel No. 2" as shown on the Parcel Map for Elko County, Nevada, file #609776, filed on February 25, 2009, in the office of Elko County Recorder, said 20 acre parcel lying within a portion of the W½NE¼ and E½NW¼ of Section 10, T.35N.,R.56E., M.D.M. Elko County assessor parcel #006-320-039 (see attached parcel map copy).

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.)

Portions of SE¼SE¼ Section 3 & Section 10 lying south of the Interstate Highway 80 right-of-way, W½ Section 11 & NW¼ Section 15, all in T.35N.,R.56E., M.D.M. (the Northeastern Nevada Regional Railport and Industrial Area). See map under #78944.

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 January 1 to December 31 of each year.
Month and Day Month and Day

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

Drilled and cased well, storage tank, chlorination equipment, lines to offices and buildings.

12. Estimated cost of works est. \$100,000.00

13. Estimated time required to construct works one year

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use five 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.)

Installation of a grinding and packaging facility to process and ship mineral product (barite) by interstate highway and railroad transport. This plant will be normally staffed with 10 people, with water needed for culinary, sanitary and incidental landscaping uses, estimated as up to 2,000 gallons per day.

16. Miscellaneous remarks:

Please send copies of notices and correspondence to the undersigned agent.

wnisbet@chilton-inc.com
E-mail Address
(775)738-2121 111
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

William A. Nisbet

Type or print name clearly

William A. Nisbet

Signature, applicant or agent

Chilton Engineering & Surveying

Company Name

421 Court Street

Street Address or PO Box

Elko, Nevada 89801-3527

City, State, ZIP Code

STATE ENGINEER AS REQUIRED
2011 OCT 21 AM 11:51
RECEIVED

