



# TEMPORARY

## THE STATE OF NEVADA

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

**Name of Permittee:** RGGS LAND AND MINERALS, LTD, LP  
**Source:** UNDERGROUND  
**Basin:** MASON VALLEY  
**Manner of Use:** MINING AND MILLING AND DOMESTIC  
**Period of Use:** ONE YEAR FROM DATE OF ISSUANCE  
**Priority Date:** 12/03/1953

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#### 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 temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 77103 is issued subject to the terms and conditions imposed in said Permit 77103 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 Permittee shall keep monthly records of the amount of water pumped from this well and the records must be submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

This temporary 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 77103, 82281T and 82282T shall not exceed 723.97 acre-feet annually.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

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 0.1 cubic feet per second or 30.0 acre-feet annually.**

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

N/A

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

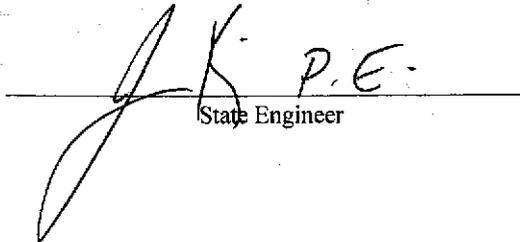
N/A

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 28<sup>th</sup> day of February, 2013

  
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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
Date of filing in State Engineer's Office NOV 14 2012
Returned to applicant for correction
Corrected application filed Map filed DEC 14 2011 UNDER 81341T

The applicant RGGG Land and Minerals, Ltd, L.P., A Delaware Limited Partnerships
900 Fannin, Suite 2600 of Houston
Street Address or PO Box City or Town
TX 77010 State and ZIP Code
hereby make(s) application for permission to change the

- [x] Point of diversion [ ] Place of use [ ] Manner of use [x] 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.)
77103

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.1 cfs / 0.5 cfs, not to exceed 30.0 af/year
Second foot, acre-feet. One second foot equals 448.83 gallons per minute.
GMT PHONE 11-15-2012 SLSHELL

3. The water to be used for Mining, Milling 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 Mining, Milling 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.)
SW1/4NW1/4, Section 3, T.12N., R.26E., T.12N., R.26E., M.D.B&M., or at a point from which the NW corner of Section 3, T.12N., R.26E., bears N 21° 47' 44" West a distance of 2347 feet
REL

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
SW1/4NE1/4, Section 2, T.12N., R.26E., T.12N., R.26E., M.D.B&M., or at a point from which the NE corner of Section 4, T.12N., R.26E., bears N 75° 08' 54" West a distance of 8,546.20 feet

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

Please see Attachment A

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.)

Please see Attachment A

9. Proposed use will be from Jan 1 to Dec 31 of each year.

10. Existing use permitted from Jan 1 to Dec 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 manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

The well is to be used for de-watering of an open pit mine with the water to be consumed for dust suppression and other mine related activities

12. Estimated cost of works \$350,000

13. Estimated time required to construct works 1 year

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 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.)

Well drilled approximately 860 feet BGSE, diameter of 14.75", 8" casing, Submersible pump, 50' Grout Seal with a 26" annular opening, Benotonite seal to a depth of 540', perf casing to 860'

16. Miscellaneous remarks:

Use map filed under 77103 for the existing point of diversion and the proposed point of diversion, and the existing and proposed places of use Proposed POD under paper plat 81341T

REV

GeorgeT@tecreno.com
E-mail Address
775-722-5380
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

George M. Thiel, P.E., S.W.R.S
Type of print name (if any)
Signature, applicant or agent
Thiel Engineering Associates, Inc.
Company Name
2801 Tamara Court
Street Address or PO Box
Minden, NV 89423
City, State, ZIP Code

**Attachment "A"****B. Proposed Place of Use****T.12N., R.26E., M.D.B. & M.****NW ¼, W ½ SW ¼, W ½ NE ¼, Section 1****All of Section 2****All of Section 3****All of Section 4****E ½, Section 5****E ½, Section 8****All of Section 9****All of Section 10****All of Section 11****NW ¼ NW ¼, Section 12****All of Section 14****All of Section 15****All of Section 16****E ½, Section 17****T.13N., R.26E., M.D.B. & M.****E ½, Section 32****All of Section 33****All of Section 34****All of Section 35****S ½ SW ¼, SW ¼ SE ¼, Section 36**