



# TEMPORARY

## THE STATE OF NEVADA

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

Name of Permittee: EUREKA MOLY, LLC  
Source: UNDERGROUND (SADDLER BROWN PIT WELL)  
Basin: DIAMOND VALLEY  
Manner of Use: COMMERCIAL  
Period of Use: ONE YEAR FROM DATE OF ISSUANCE.  
Priority Date: 03/21/1962

\*\*\*\*\*

#### 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, place and manner of use of the waters of an underground source as heretofore granted under Permit 81650 is issued subject to the terms and conditions imposed in said Permit 81650 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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.

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

(Continued on Page 2)

A total of 106.45 acre-feet annually is abrogated from the base right. However, pursuant to NRS 533.3703 only 66.53 acre-feet (the net consumptive use amount) at 1.73 cubic feet per second can be diverted annually. Additional duty up to the total may be granted if it can be shown that this additional duty will not cause the consumptive use amount to be exceeded.

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:

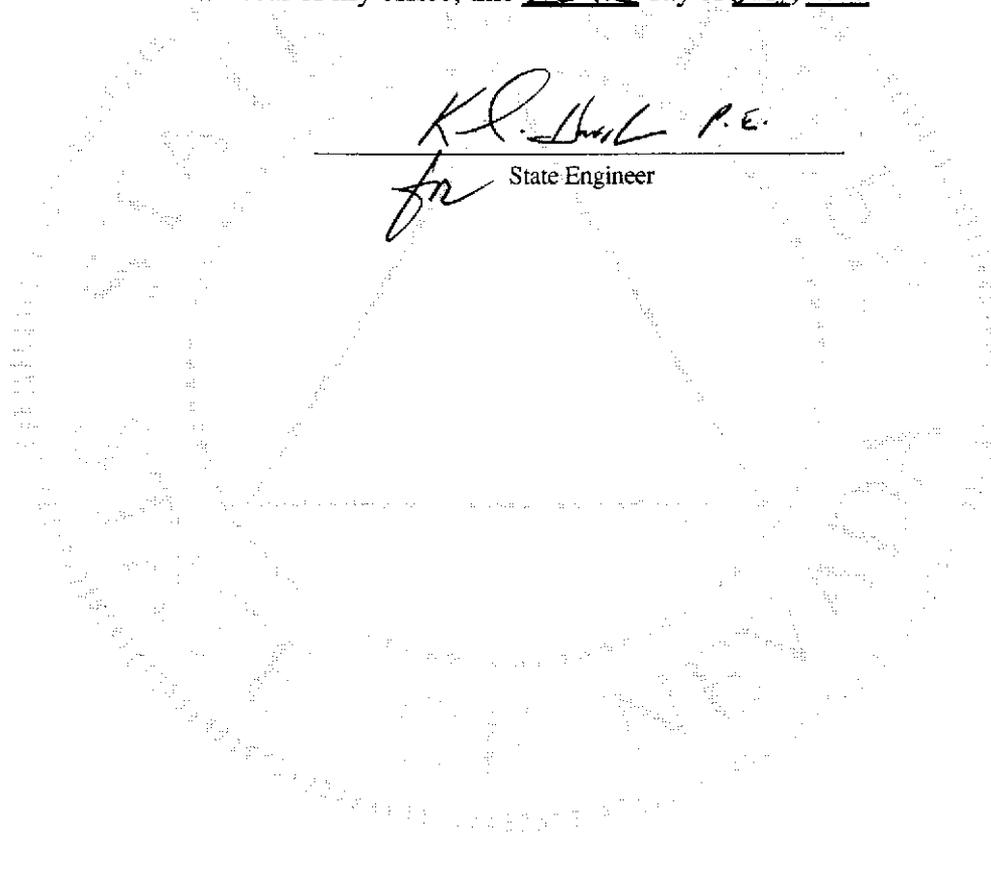
N/A

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 26<sup>th</sup> day of July, 2013

  
K.L. King P.E.  
for State Engineer

82556 T

~~81650~~

T

AMENDED TEMPORARY Application No.

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 FEB 20 2013
Returned to applicant for correction FEB 27 2013
Corrected application filed FEB 27 2013 Map filed FEB 27 2013

The applicant Eureka Moly, LLC (c/o General Moly LLC)

2215 North 5th Street, Attn: Kevin Kinsella

of Elko

Street Address or PO Box

City or Town

Nevada 89801

State and ZIP Code

hereby make(s) application for permission to change the

[x] Point of diversion

[x] Place of use

[x] 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.)

81650

1. The source of water is underground.

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 1.7275 cfs, 106.448 afa.

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for commercial (aggregate plant)

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 Lot 8, Section 1, T22N, R52E M.D.B.&M. at a point from which the NW corner of said Section 1, bears North 59° 47'38" E a distance of 1151.63 feet.

W

MBC

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

Within lot 15 of Section 21, T20N, R23E, M.D.B.&M., at a point from which the S1/4 corner of said Section 21 bears S06° 39'22"W, a distance of 715.33 feet.

MBC

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

Within portions of Lot 8, Lot 7, SW1/4NW1/4, SE1/4NW1/4, NW1/4SW1/4, and NE1/4SW1/4 all within Section 1, T22N, R52E, M.D.B&M. (See attached plat).

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 Lot 15 and Lot 16 of Section 21, and portions of Lot 1 and Lot 2 of Section 28, all in T.20N., R.53E., M.D.B. &M., being Parcel No. 3, as shown on the Final Map of Division of Land into Large Parcels by Ruby Hill Ranch, LLC. File No. 175607, 26.612 acres to be irrigated within the proposed place of use.

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.)

A well will be drilled in accordance with the State Engineer regulations, equipped with pump, motor and electrical system. Water will be diverted into a small open pond where such water will be recirculated for aggregate washing purposes.

12. Estimated cost of works \$75,000.

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 2 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.)

Water will be developed from a drilled and cased well, drilled in accordance with the State Engineer regulations. A pump and electric motor will develop the water. Water will be placed in a small pond, where it will be recirculated in its use of gravel washing. Gravel, and other aggregates will be available for public purchase.

16. Miscellaneous remarks:

See attached plat for temporary point of diversion; use map on file under 81650 for existing point of diversion, and place of use. See assignment material filed with Nevada State Engineer on February 4, 2013, which transfers title to permit 81650 to Eureka Moly, LLC, a Delaware limited liability company.

rdelipkau@parsonsbehle.com  
E-mail Address  
775-323-1601  
Phone No. Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Ross de Lipkau  
Type or print name clearly  
Ross de Lipkau  
Signature, applicant or agent  
Parsons Behle & Latimer  
Company Name  
50 W. Liberty St., Ste. 750  
Street Address or PO Box  
Reno, Nevada 89501  
City, State, ZIP Code

RECEIVED  
2013 FEB 27 PM 1:36  
STATE ENGINEER'S OFFICE