Permit No. 89222T

TEMPORARY

THE STATE OF NEVADA

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

Name of Permittee: ALBEMARLE U.S., INC.

Source: UNDERGROUND

Basin: CLAYTON VALLEY

Manner of Use: MINING AND MILLING

Period of Use: ONE YEAR FROM DATE OF ISSUANCE.

Priority Date: 08/10/1981

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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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 44256, Certificate 12774, is issued subject to the terms and conditions imposed in said Permit 44256, Certificate 12774, and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening 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. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times. 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 submitted to the State Engineer within 30 days from the expiration of this temporary permit.

The total combined duty of water under Permit 44251, Certificate 12770; Permit 44252, Certificate 12771; Permit 44253, Certificate 12772; Permit 44255, Certificate 12773; Permit 44256, Certificate 12774; Permit 44257, Certificate 12775; Permit 44258, Certificate 12776; Permit 44260, Certificate 12777; Permit 44261, Certificate 12778; Permit 44267, Certificate 12779; Permit 44268, Certificate 12780; Permit 44269, Certificate 12781; Permit 44270, Certificate 12782; Permit 49988, Certificate 14295; Permits 52918, 52919, 52920, 52921 and 89166T through 89231T shall not exceed 20,000 acre-feet annually.

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.

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

(Continued on Page 2)

The issuance of this temporary 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **not to exceed 0.1368 cubic feet per second and 99.04 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, TIM WILSON, P.E.,

Acting State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of **November, 2019**

Tim Wilson, P.E.

Acting State Engineer

STATE ENGINEER STATE OF NEVADA

TEMPORARY Application No. 89222 T

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 SEP 27 2019

Returned to applicant for correction

Corrected application filed Map filed SEP 27 2019

RECEIVED 2019 SEP 27 PM 3:12 STATE ENGINEER'S OFFICE

The applicant Albemarle U.S., Inc.

P.O. Box 98 (Street Address or PO Box) of Silver Peak (City or Town)

Nevada, 89047 (State and ZIP Code) scott.thibodeaux@albemarle.com (E-mail Address)

hereby make(s) application for permission to change the

☑ 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 44256, Certificate 12774

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1. The source of water is Underground - Well 8B
   (Name of stream, lake, underground, spring or other sources.)

2. The amount of water to be changed 0.13680 c.f.s., not to exceed 99.04 a.f.a.
   (Give diversion rate in cubic feet per second (CFS) AND duty in acre-feet annually (AFA).)

3. The water to be used for Mining
   (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
   (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 SE¼ NW¼ Section 17, T.2S., R.40E., M.D.M., or at a point from which the Southwest corner of Section 30, T.2S., R.40E., M.D.M. bears S. 26°01' W., a distance of 15,397 feet. (Well 8B)
   Please refer to supporting map accompanying this application.

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

   the SW¼ NE¼ Section 4, T.2S., R.40E., M.D.M., or at a point from which the Southwest corner of Section 22, T.2S., R.39E., M.D.M bears S.57° 01' 17" W., a distance of 35,251.0 feet.
   Refer to supporting map filed December 8, 1981 under Application 44251 (sheet 3 of 5).

10-143
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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Attachment A

Refer to supporting map filed November 3, 2017 under Application 87456T.

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.)

Attachment B

Refer to supporting map filed December 8, 1981 under Application 44251.

9. Proposed use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Existing use permitted from January 1 (Month and Day) to December 31 (Month and Day) 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.)

Drilled well, pump, motor, and lithium extraction distribution system.

12. Estimated cost of works Approximately $2,000,000 (well)

13. Estimated time required to construct works Existing 540' drilled and cased 8" well.
(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.)

The brine pumped pursuant to this application contains the mineral Lithium. The brine solution is pumped to evaporation ponds, where the Lithium is recovered from the dehydrated solution. The area which includes the point of diversion and place of use is appurtenant pursuant to the Mining Laws of 1872, as found in 30 U.S. Code § 22, et seq. This water right will be utilized in conjunction with others held by the applicant with a total combined duty not to exceed 20,000 acre-feet per annum.

16. Miscellaneous remarks:

This application seeks to realign this base right under the terms of Phase 1 of the State Engineer's Administrative Order on Consent (AOC).

rciwater@rci-nv.com
E-mail Address

(775) 883-1600
Phone No. Ext.

Reed A. Cozens, PE, WRS
Type or print name clearly

Signature, applicant or agent

Resource Concepts, Inc.
Company Name

340 N. Minnesota St.
Street Address or PO Box

Carson City, NV 89703
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$180 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

89222T

Attachment "A"
For Temporary Application to change portions under Permit 44256, Certificate 12774
Item #7 – Proposed Place of Use

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T.1S., R.40E., M.D.M.

E/S PER EMAIL 10/9/19

Section 27: Portion of ~~NE¼ SW¼,~~ Portion of NW¼ SW¼, S½ SW¼, Portion of NW¼ SE¼ and SW¼ SE¼

Section 28: Portion of SE¼ SE¼

Section 31: SE¼ SE¼

Section 32: SE¼ NW¼, S½ NE¼, and S½

Section 33: Portion of NE¼ NW¼, Portion of NW¼ NE¼, NE¼ NE¼, S½ N½, and S½

Section 34: All

Section 35: NW¼ NW¼, Portion of NE¼ NW¼, S½ NW¼, Portion of NW¼ NE¼, SW¼ NE¼, SW¼, NW¼ SE¼, and Portion of SW¼ SE¼

T.2S., R.40E., M.D.M.

Section 1: NW¼ NW¼ (Lots 11, 12, and 13), Portion of NE¼ NW¼ (Lots 9 and 10), and Portion of SW¼ NW¼

Section 2: N½, SW¼, NW¼ SE¼, Portion of NE¼ SE¼, and Portion of SW¼ SE¼

Section 3: All

Section 4: All

Section 5: Portion of NW¼ NW¼ (Lot 13), NE¼ NW¼ (Lots 9, 10, and 14), S½ NW¼, NE¼, and S½

Section 6: Portion of NE¼ NE¼ (Lot 19), S½ NE¼, E½ SW¼, and SE¼

Section 7: All

Section 8: All

Section 9: All

Section 10: NW¼, N½ NE¼, NW¼ SW¼, and Portion of NE¼ SW¼

Section 11: Portion of NW¼ NW¼, and Portion of NE¼ NW¼

Section 16: NW¼ NW¼, NE¼ NW¼, NW¼ NE¼, and Portion of SW¼ NW¼

Section 17: N½, SW¼, and W½ SE¼

Section 18: All

Section 19: All

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(Cont.) T.2S., R.40E., M.D.M.

Section 20: W½, and W½ E½

Section 29: N½ NW¼, SW¼ NW¼, and W½ SW¼

Section 30: All

Section 31: NE¼ NE¼

Section 32: NW¼ NW¼

T.2S., R.39E., M.D.M.

Section 12: SE¼ NE¼, Portion of SE¼ SW¼, Portion of NW¼ SE¼, NE¼ SE¼, and S½ SE¼

Section 13: All

Section 21: Portion of the NE¼SE¼

Section 22: Portion of the SE¼NW¼, Portion of the NW¼SW¼, NE¼SW¼, Portion of the SW¼SW¼, Portion of the SE¼SW¼, and N½ SE¼

Section 23: Portion of NW¼ NE¼, NE¼ NE¼, S½ N½, NW¼ SW¼, Portion of NE¼ SW¼, Portion of NW¼ SE¼, and Portion of NE¼ SE¼

Section 24: N½, N½ SW¼, Portion of SW¼ SW¼, SE¼ SW¼, and SE¼

Section 25: E½ NW¼, Portion of SW¼ NW¼, NE¼, and S½

Attachment "B"
For Temporary Application to change portions under Permit 44256, Certificate 12774
Item #8 – Existing Place of Use

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T.1S., R.39E., M.D.M.

Section 35: S½

Section 36: All

T.1S., R.40E., M.D.M.

Section 19: SE¼

Section 20: S½

Section 21: All

Section 22: All

Section 23: All

Section 26: All

Section 27: All

Section 28: All

Section 29: All

Section 30[1]: E½, Lots 47, 48, 49, 50 (formerly known as Lots 23 and 24)

All of Section 31, 32, 33, 34, and 35

T.2S., R.39E., M.D.M.

All of Sections 1, 2, and 3

Section 10: E½

All of Sections 11, 12, 13, and 14

Section 15: E½

Section 21: SE¼

Section 22: All

Section 23: All

Section 24: All

Section 25: All

[1] On December 16, 1983, the BLM approved an independent resurvey of T.1S., R.40E., M.D.M., which supersedes the plat approved April 14, 1884. The 1983 resurvey subdivided and renumbered original Lots 23 and 24. The resurvey did not change the total area or the horizontal position within Section 30, T.1S., R.40E., M.D.M.

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(cont.) T.2S., R.39E., M.D.M.

Section 26: All

Section 27: All

Section 28: E½

Section 34: All

Section 35: All

Section 36: All

T.2S., R.40E., M.D.M.

Section 1: All

Section 2: All

Section 3: All

Section 4: All

Section 5: All

Section 6: All

Section 7: All

Section 8: All

Section 9: All

Section 10: N½ and SW¼

Section 11: NW¼

Section 15: NW¼

Section 16: N½ and SW¼

Section 17: All

Section 18: All

Section 19: All

Section 20: All

Section 29: All

Section 30: All

Section 31: All