



AMENDED

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: ELEPHANT, LLC
Source: UNDERGROUND
Basin: ANTELOPE VALLEY
Manner of Use: MUNICIPAL
Period of Use: January 1st to December 31st
Priority Date: 11/16/1955

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 place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 16789, Certificate 5732, is issued subject to the terms and conditions imposed in said Permit 16789, Certificate 5732 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 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

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

Pursuant to NRS 533.3703, the total combined duty of water under Permits 75584, 75585, 75586, 75587 and 75588 shall not exceed the net consumptive use amount of 1389.6 acre-feet annually. Additional diversion up to the total of 1726.6 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 1389.6 acre-feet to be exceeded.

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

(Continued on Page 2)

This permit is approved for the entire 205.6 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 164.48 acre-feet, can be diverted annually. Additional diversion up to the total 205.6 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 164.48 acre-feet to be exceeded.

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 2.56 cubic feet per second or 205.6 acre-feet annually.**

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

July 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:

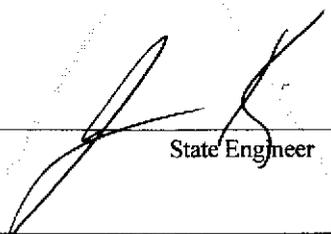
July 22, 2015

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of April, A.D. 2011



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____



See Amended Permit

Permit No. 75586

THE STATE OF NEVADA

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

Pursuant to NRS 533.3703, the total combined duty of water under Permits 75584, 75585, 75586, 75587 and 75588 shall not exceed the net consumptive use amount of 1389.6 acre-feet annually. Additional diversion up to the total of 1737.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 1389.6 acre-feet to be exceeded.

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

This permit is approved for the entire 205.6 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 164.48 acre-feet, can be diverted annually. Additional diversion up to the total 205.6 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 164.48 acre-feet to be exceeded.

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July 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:

July 22, 2015

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of July, A.D. 2008

for K.L. Hill P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

~~710891T 2.56~~
78204T 2.56

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 IS FOR OFFICE USE ONLY	
APR 13 2007	
Date of filing in State Engineer's Office	
Return to applicant for correction	
Corrected application filed	Map filed <u>MAR. 10, 1964</u> under <u>13787</u>

The applicant Elephant, LLC

990 Ironwood Drive of Minden

Nevada 89423, hereby makes application for permission to change the

Manner and Place of Use of a portion

of water heretofore appropriated under Permit 16789, Certificate 5732

-
1. The source of water is Underground
 2. The amount of water to be changed 2.56 c.f.s., or not to exceed 205.6 ac. ft. annually
 3. The water to be used for Municipal
 4. The water heretofore used for Irrigation
 5. The water is to be diverted at the following point SE 1/4 NE 1/4, Section 22, T.10N., R.22E., M.D.B. & M., or at a point from which the NE corner of said Section 22 bears N. 6° 14' E., 1,946.30 feet
 6. The existing point of diversion is located within Unchanged

106-20

- 7. Proposed place of use Please refer to Attachment "A" and supporting map filed under this application
- 8. Existing place of use Please refer to Attachment "B", culture map filed under Permit 13787 and map filed under this application
- 9. Use will be from January 1 to December 31 of each year.
- 10. Use permitted from March 1 to October 31 of each year.
- 11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications or your diversion of storage works.) Drilled and cased well, equipped with a motor, pump, meter, and distribution system.
- 12. Estimated cost of works \$5,000,000.00
- 13. Estimated time required to construct works Five (5) years
- 14. Estimated time required to complete the application of water to beneficial use Ten (10) Years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is being filed to provide municipal water for a proposed development in Antelope Valley. The total combined duty of this application and applications to change Permits 13014, 13787, 16988 and 16989 is not to exceed 1737.0 acre-feet annually.

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(775) 352-7800
 Phone number

BY 
 Chris Sarman
 Print or type name clearly

 Signature, applicant or agent

9480 Double Diamond Parkway, Suite 200
 Street and No., or PO Box No

Reno, NV 89521
 City, State, Zip Code No.

APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION.

7. PROPOSED PLACE OF USE

T.10N., R.22E., M.D.B. & M.

- Section 12: Portion of SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 13: E $\frac{1}{2}$ E $\frac{1}{2}$, portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 14: Portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$
- Section 15: Portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 16: Portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 22: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$
- Section 23: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 24: All
- Section 25: N $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of NW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of NE $\frac{1}{4}$ SW $\frac{1}{4}$
- Section 26: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$

T.10N., R.23E., M.D.B. & M.

- Section 7: Portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 8: SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 17: SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$
- Section 18: N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$
- Section 19: S $\frac{1}{2}$, W $\frac{1}{2}$ NW $\frac{1}{4}$
- Section 20: SW $\frac{1}{4}$
- Section 30: N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Section 31: Portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$

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ATTACHMENT "B"

8. Existing Place of Use – Permit 16789, Cert. 5732

Acres	¼	¼	Sec.	Twn.	Rng.
7	SE	NE	22	10	22
3	NE	SE	22	10	22
8	NW	NW	23	10	22
5	NE	NW	23	10	22
36	SW	NW	23	10	22
9	SE	NW	23	10	22
12	NW	SW	23	10	22
80.00	TOTALS				

Acreeage being removed from irrigation

Acres	¼	¼	Sec.	Twn.	Rng.
	SE	NE	22	10	22
	NE	SE	22	10	22
8	NW	NW	23	10	22
5	NE	NW	23	10	22
29.4	SW	NW	23	10	22
9	SE	NW	23	10	22
	NW	SW	23	10	22
51.40	TOTALS				

There will be 28.6 acres remaining in the original place of use.

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