TEMPORARY

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:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**07/18/1956**

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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 place and manner of use of the waters of an underground source as heretofore granted under Permit 75587 is issued subject to the terms and conditions imposed in said Permit 75587 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. 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 total combined duty of water under Temporary Permits 78202T, 78203T, 78204T, 78205T, and 78206T shall not exceed 1737.0 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 4.4 cubic feet per second or 434.0 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, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of **September**, A.D. **2009**

T T Taylor, P.E.
State Engineer

llb

AMENDED
TEMPORARY

Application No. 78205 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 MAR 2 7 2009

Returned to applicant for correction AUG 1 7 2009

Corrected application filed AUG 2 0 2009 Map filed APR 1 3 2007 under 7 5 5 8 4

The applicant ELEPHANT, LLC, A NEVADA LIIMITED LIABILITY COMPANY

PO BOX 1724 (Street Address or P.O. Box) of CARSON CITY (City or Town)

89702 (State and Zip Code), 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 right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 75587

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 4.40 cfs, not to exceed 434.0 acre-feet annually (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation & 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 (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.)
   SW 1/4 SE 1/4, Section 15, T10N, R22E, MDB&M, or at a point from which the SE corner of said Section 15 bears S62°56'E, 2,740.00 feet Refer to the map filed under Permit 75584.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   No Change.

78205T

76889T
KB
8/21/09

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
See Attachment B and supporting map filed under Permit 13787.

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.)
See Attachment A and supporting map filed under Permit 75584.

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 and cased well equipped with pump, motor, and meter to irrigation distribution system

12. Estimated cost of works $300,000.00

13. Estimated time required to construct works One (1) year (If well completed, describe well.)

14. Estimated time required to complete the application of water to beneficial use Five (5) years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)

16. Miscellaneous remarks:

775-722-5380
Phone No.

georget@tecreno.com
E-mail

By George Thiel
Print or type name clearly

Signature, applicant or agent

Company Name

2801 Tamara Court
Street Address or P.O. Box

Minden, NV 89423
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

EXHIBIT B

ELEPHANT RANCH:

All descriptions are within T10N, R22E, M.D.B&M:

NE1/4NW1/4, SECTION 22
N1/2NE1/4 " "
SE1/4NE1/4 " "
NE1/4SE1/4 " "

ALL OF THE NW1/4, SECTION 23
N1/2SW1/4 " "

S1/2 SECTION 14
S/12N1/2 " "

ALL OF THE SE1/4, SECTION 15
SE1/4 OF THE SW1/4 " "
SE1/4 OF THE NE1/4 " "

Attachment "A"
Place of Use

T10N, R22E, MDB&M

Section 12: Portion of SE¼ SE¼

Section 13: E½ E½, portion of the NW¼ NE ¼, portion of the SW¼ NE ¼, portion of the NW¼ SE¼, SW¼ SE¼, S½ SW¼, portion of the NW¼ SW¼, portion of the NE¼ SW¼

Section 14: Portion of the NW¼ NE¼, portion of the SE¼ NE¼, portion of the SW¼ NE¼, NW¼ SE¼, portion of the NE¼ SE¼, S½ SE¼, SW¼ , portion of the NW¼ NW¼, portion of the NE¼ NW¼, S½ NW¼

Section 15: Portion of the SW¼ NE¼, portion of the SE¼ NE¼, SE¼, S½ SW¼, portion of the NW¼ SW¼, portion of the NE¼ SW¼, portion of the SE¼ NW¼

Section 16: Portion of the NE¼ SE¼, portion of the SE¼ SE¼

Section 22: N½, N½ S½

Section 23: N½, N½ S½, S½ SE¼, SE¼ SW¼

Section 24: All

Section 25: N½ NE¼ SE¼, portion of the SE¼ SE¼, portion of SW¼ SW¼, portion of NW¼ SW¼, portion of NE¼ SW¼

Section 26: N½, N½ S½, portion of the SW¼ SW¼, portion of the SE¼ SW¼, portion of the SW¼ SE¼, portion of the SE¼ SE¼

T10N, R23E, MDB&M

Section 7: Portion of the NW¼ SW¼, SE¼ SW¼, SE¼ SE¼

Section 8: SE¼ SE¼

Section 17: SE¼ NE¼, NE¼ SE¼, NE¼ SW¼, NW¼ NW¼

Section 18: N½, W½ SW¼

Section 19: S½, W½ NW¼

Section 20: SW¼

Section 30: N½, N½ S½, portion of the SW¼ SW¼, portion of the SE¼ SW¼, portion of the SW¼ SE¼, portion of the SE¼ SE¼

Section 31: Portion of the NE¼ NE¼, portion of the SE¼ NE¼, portion of the NE¼ SE¼, portion of the SE¼ SE¼