

# 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 75588 is issued subject to the terms and conditions imposed in said Permit 75588 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 1.4 cubic feet per second or 470.0 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:

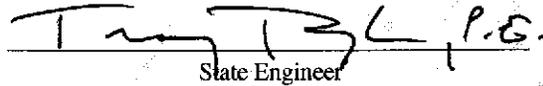
N/A

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

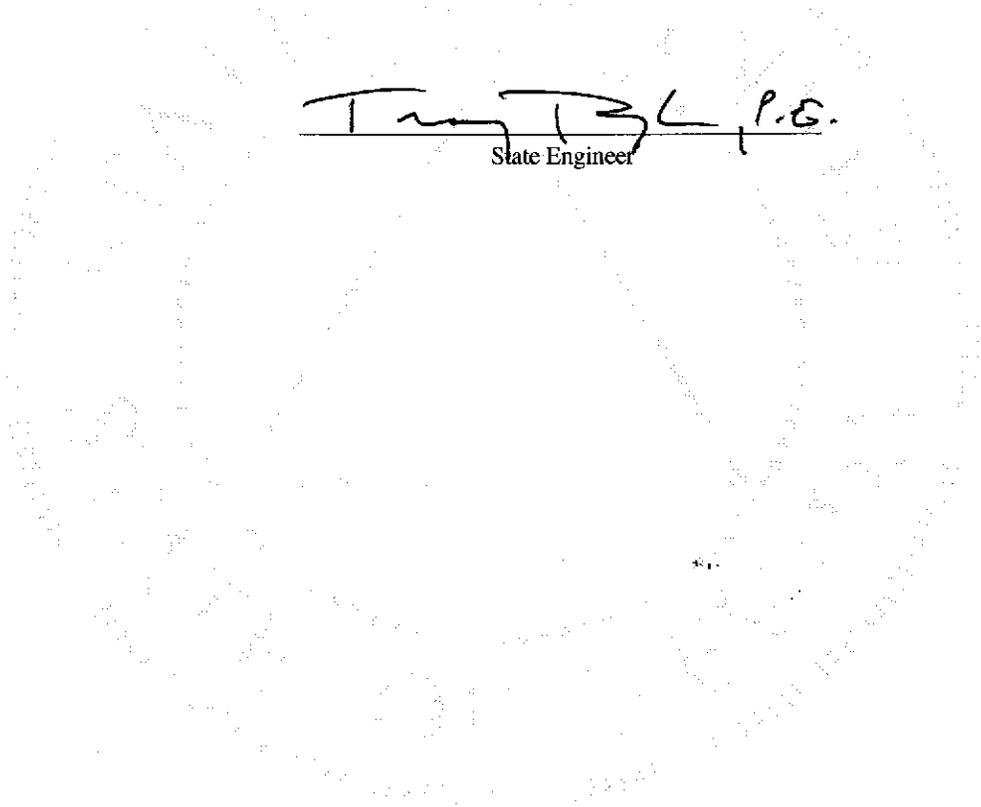
N/A

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

  
State Engineer

llb



**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	<u>MAR 27 2009</u>
Returned to applicant for correction	<u>AUG 17 2009</u>
Corrected application filed	<u>AUG 20 2009</u> Map filed <u>APR 13 2007</u> under <u>75584</u>

The applicant ELEPHANT, LLC, A NEVADA LIMITED LIABILITY COMPANY

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

89702, hereby make(s) application for permission to change the  
State and Zip Code

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 75588

- The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 1.40 cfs, not to exceed 470 acre-feet annually  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- 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.
- The water heretofore used for Municipal  
If for stock, state number and kind of animals.
- 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.)  
SE 1/4 NE 1/4, Section 15, T10N, R22E, MDB&M, or at a point from which the SE corner of said Section 15 bears S19°53'E, 2,850.00 feet Refer to the map filed under Permit 75584.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
No Change.

76889T  
ACB  
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 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.)  
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

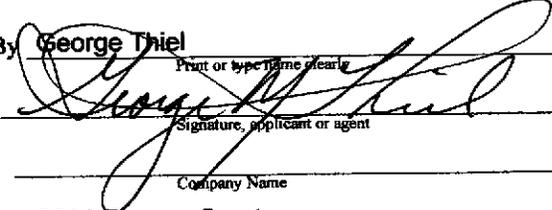
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen OCCURRENCE: (Failure to provide a detailed description may cause a delay in processing.)

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**

## Attachment "A" Place of Use

### T10N, R22E, MDB&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 $\frac{1}{2}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$ , 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 $\frac{1}{4}$

### T10N, R23E, MDB&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 $\frac{1}{4}$

**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   “       “