Permit No. 78208T

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:	**FAIRFIELD TOPAZ, LLC**
Source:	**UNDERGROUND**
Basin:	**ANTELOPE VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**04/28/1949**

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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 75596 is issued subject to the terms and conditions imposed in said Permit 75596 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. 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Temporary Permits 78207T, 78208T and 78209T shall not exceed 881.86 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.

(Continued on Page 2)

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 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 2.23 cubic feet per second or 274.36 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**

Tracy Taylor, P.E.

State Engineer

llb

AMENDED
TEMPORARY

Application No. 78208 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 FEB 0 6 2004 under 7 0 8 5 1

The applicant FAIRFIELD TOPAZ, 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 75596

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 2.23 cfs, not to exceed 274.36 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.)
   SE 1/4 NW 1/4, Section 25, T10N, R22E, MDB&M, or at a point that bears S69°03'59"E, 5,018.20 feet from the N 1/4 corner of Section 26, T10N, R22E, MDB&M. Refer to the map filed under Permit 70851.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   No Change.

78208T

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 70851.

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

FAIRFIELD RANCH

All within T10N., R.22E., M.D.B&M.:

PORTIONS OF THE S1/2SE1/4 SECTION 23

PORTIONS OF THE N1/2NE1/4, SECTION 26
PORTIONS OF THE S1/2NE1/4, " "
PORTIONS OF THE NE1/4SE1/4, " "

PORTIONS OF THE SW1/4SW1/4, SECTION 24

PORTIONS OF THE N1/2NW1/4, SECTION 25
PORTIONS OF THE S1/2NW1/4, " "
PORTIONS OF THE N1/2 OF THE SW1/4, SECTION 25

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