



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: 08/05/1949

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 75597 is issued subject to the terms and conditions imposed in said Permit 75597 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 AFA.

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

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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 0.36 cubic feet per second or 16.5 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

**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 27 2009

Returned to applicant for correction AUG 17 2009

Corrected application filed AUG 20 2009 Map filed FEB 06 2004 under 70851

The applicant FAIRFIELD TOPAZ, 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 75597

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.36cfs, not to exceed 16.50 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.

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 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 $\frac{1}{4}$