



CORRECTED PERMIT

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: TOPAZ LODGE, INC
Source: UNDERGROUND
Basin: ANTELOPE VALLEY
Manner of Use: COMMERCIAL
Period of Use: January 1st to December 31st
Priority Date: 01/17/1989

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 point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 52865 is issued subject to the terms and conditions imposed in said Permit 52865 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 a quarterly basis within 15 days after the end of each calendar quarter.

This 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 Permit 16425, Certificate 5398; Permit 53073 and Permit 78445 shall not exceed 40.962 acre-feet annually.

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

If any water under this permit is cancelled or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(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 0.11 cubic feet per second or 26.82 acre-feet annually.**

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

August 30, 2011

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

August 30, 2012

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

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 25th day of June, 2013



State Engineer



See Corrected Permit

THE STATE OF NEVADA

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Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This 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 for commercial purposes under Permit 48040, Certificate 14943; Permit 48041, Certificate 14944; Permit 48299, Certificate 14945; Permit 48300, Certificate 14946; Permits 67426 and 78445 shall not exceed 82.68 acre-feet annually.

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

If any water under this permit is cancelled or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

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

August 30 2011

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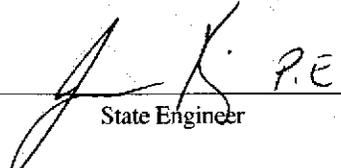
August 30 2012

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

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of August, A.D. 2010



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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 MAY 05 2009
Returned to applicant for correction
Corrected application filed Map filed MAY 05 2009

The applicant Topaz Lodge Inc.

1979 US Highway 395 S of Gardnerville
Street Address or P.O. Box City or Town

Nevada, 89410, hereby make(s) application for permission to change the
State and Zip Code

[x] Point of diversion [x] Place of use [x] 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 No. 52865

1. The source of water is underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.11 cfs, 8.74 mga (26.82 afa)
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for commercial and 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 commercial
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.)
The SW 1/4 SW 1/4 of Section 29, T.10N., R.22E., MDB&M at a point from which the South quarter corner of said Section 29 bears S. 88° 37' E., a distance of 1,375 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
The NW 1/4 SW 1/4 of Section 29, T.10N., R.22E., MDB&M at a point from which the Southwest corner of said Section 29 bears S. 25° 20' 23" W., a distance of 1,781 feet.

56'

5/7/09

106-70

78445

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

A portion of the S 1/2 of Section 29, T.10N., R.22E., MDB&M.

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.)

^{S/2}
The NW 1/4 SW 1/4 of Section 29 T.10N., R.22E., MDB&M.

* 5/1/09

9. Proposed use will be from January 1 to December 31 of each year.

10. Existing use permitted from January 1 to December 31 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.)

12. Estimated cost of works Approximately \$10,000 to improve existing well

13. Estimated time required to construct works 2 years
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 7 years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

Water from this permit will be used to provide water service to residential and commercial water users in Topaz Lake, Nevada. Water users include, but are not limited to the Topaz Lodge, the Topaz Lake Marina and the Douglas County Fire Department. The water is being moved to an existing well that will be improved. This change application is being made to assist in the facilitation of an arsenic remediation project for Topaz Lake Water Co.

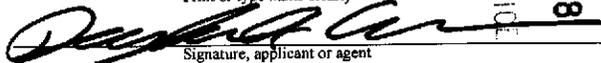
16. Miscellaneous remarks:

Place of use map previously filed under Permit 16425.

(775) 788-8666
Phone No.

dcannon@lionelsawyer.com
E-mail

By Douglas A. Cannon, Esq.
Print or type name clearly


Signature, applicant or agent

Lionel Sawyer & Collins
Company Name

50 W. Liberty St., Ste. 1100
Street Address or P.O. Box

Reno, NV 89501
City, State, Zip Code

RECEIVED
2009 MAY -5 PM 3:08
STATE ENGINEERS OFFICE

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION