

ORIGINAL

Application No. 79609

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 FEB 18 2010
Returned to applicant for correction MAR 03 2010
Corrected application filed Map filed

The applicant, Tonopah Solar Energy, LLC
2425 Olympic Blvd., #500 East of Santa Monica
California, 90404, hereby make... application for permission to change the

Point of diversion, Place of use, Manner of use of a portion of water heretofore appropriated under
Permit No. 31054

1. The source of water is Underground well #1

Name of stream, lake, underground, spring or other sources

2. The amount of water to be changed 1.242 cfs (444.0 afa) (see remarks)

Second feet, acre-foot One second foot equals 448.83 gallons per minute.

3. The water to be used for Industrial cooling

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 Irrigation and domestic

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 SW 1/4 Sec 34, T.5 N., R.41 E., MDB&M or at a point from which the NW corner of said Section 34 bears N. 8°

51. 82' W. a distance of 5021.8 feet. For a map of proposed POD and POU, use map on file with this application

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

NE 1/4 SW 1/4 of Sec 7, T.6 N., R.41 E., MDB&M, or at a point from which the W 1/4 corner of said Section 7 bears

N. 87° 45' W. a distance of 2542 feet. For map of existing POD and POU, use map on file under 31054

2/26/10 PSL FAX

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137A-NY

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

...Portions of Secs 33, 34 and 35, T.5 N., R.41 E., MDB&M, and portions of Secs 2, 3 and 4, T.4 N., R.41 E., 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.)

...SW¼ Sec 7, NW¼ Sec 18, T.6 N., R.41 E., MDB&M; SE¼ Sec 12, NE¼ Sec 13, T.6 N., R.41 E., MDB&M,.....

...640 acres total.....

no acres to be removed from irrigation

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9. Proposed use will be from.....January 1st.....December 31st.....of each year.
Month and Day Month and Day

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

...12" - 16" drilled well, pump, motor and distribution lines.....

12. Estimated cost of works:.....\$300,000.....

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):
(Failure to provide a detailed description may cause a delay in processing.)

.....See attached.....

16. Miscellaneous remarks:

.....(775)885-2101.....
Phone No.

...mike_turnipseed@sbcglobal.net.....
E-mail

By.....R. Michael Turnipseed, P.E.....
Print or type name clearly

Michael Turnipseed P.E.
Signature, applicant or agent

...204 North Minnesota Street.....
Street and No., or P.O. Box No.

...Carson City, Nevada 89703.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

2010 FEB 10 10 37 AM '10

\$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

WITHDRAWN BY AGENT

JUN 28 2010

[Signature] P.E. STATE ENGINEER

EXHIBIT "A"

Water will be used for hybrid cooling in a 100 Megawatt solar energy park. Wells will not operate simultaneously unless the production rate of the wells is very low. It is anticipated that the wells will be pumped independently of each other and pumped to an 800,000 gallon storage tank. Water will be used for industrial cooling during the months of May, June, July, August and possibly September depending on the weather. The plant will be air cooled during the balance of the year.

This application is being filed simultaneously with another application on the same permit so as to have two sources. The total combined diversion rate and combined duty shall remain the same as the underlying base permit.

Acreage is being stripped at the rate of 3.7 AF/AC as per consumptive use publication. The diversion rate and duty on this application reflect the pro-rata reduction.