

THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of Permittee: TOMMY, LLC
Source: UNDERGROUND
Basin: CLOVER VALLEY
Manner of Use: COMMERCIAL AND DOMESTIC
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 08/22/2011

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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.25 cubic feet per second and not to exceed 26.70 acre-feet annually.**

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

July 27 2014

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

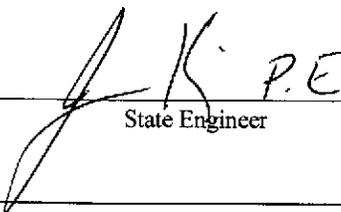
July 27 2017

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 27th day of July, 2012



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

AMENDED

Application No. 81102

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY	
Date of Filing in State Engineer's Office	<u>AUG 22 2011</u>
Returned to applicant for correction	<u>AUG 26 2011</u>
Corrected Application filed	<u>OCT 24 2011</u>
Map filed	<u>OCT 24 2011</u>

The applicant Tommy, LLC

Post Office Box 9866

Street Address or P.O. Box

of Rancho Santa Fe

City or Town

California 92067

State and ZIP Code

hereby make(s) application for permission to appropriate the

public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

December 23, 2010, State of Nevada

1. The source of water is underground
Name of the stream, lake, underground, spring or other source.
2. The amount of water applied for is 0.25 c.f.s.
One second foot equals 448.83 gallons per minute.
 - (a) If stored in a reservoir give the number of acre-feet _____
3. The water is to be used for Commercial and Domestic
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated _____
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

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5. The water is to be diverted from its source 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 so stated.)

NE1/4 SE1/4 Section 12, T.33N., R.61E., M.D.B. & M. or at a point that bears N. 43 degrees 28' 06" E., 1654.59 feet to the E1/4 corner of said Section 12.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

SE1/4 SW1/4 AND THE SE1/4 SECTION 12 AND N1/2 NE1/4, SE1/4 NE1/4 AND THE NE1/4 SE1/4 SECTION 13, T.33N., R.61E., M.D.B. & M. (360 ACRES - APN 008-080-001)

7. Use will begin about January 1 and end about December 31 of each year.

8. Description of proposed works. (Under the provisions 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 and flumes, drilled well with a pump and motor, etc.)

Well, pump and motor with distribution lines to place of use

9. Estimated cost of works: \$50,000.00

10. Estimated time required to construct works: 3 Years

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 5 Years

12. 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 estimate of consumptive use.

13. Miscellaneous remarks:

chukar@gmail.com
E-mail Address
775.883.6595
Phone No. Ext.

APPLICATION MAY BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

\$30 FILING FEE AND SUPPORTING MAPS MUST ACCOMPANY APPLICATION.

James P. Haddan, SWRS #575, Agent

[Signature]
Type or print name clearly
Signature, applicant or agent

Haddan Engineering, Inc.
Company Name

Post Office Box 2300
Street Address or PO Box

Dayton, Nevada 89403
City, State, ZIP Code

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Protested: December 16, 2011, by Martha P. Hoots
Pro. Overruled 5/23/12 See Ruling #6181

ESTIMATE OF CONSUMPTIVE USE - APPLICATION 81102

The Mustang Monument is being planned for 100 guests/day. Planned amenities include a Visitor's Center, Campground and RV Park including restroom facilities with showers. There will also be indoor lodging for guests. Five on-site residences for employees and their families are planned. Use will include irrigation of trees, lawns and shrubs associated with the Mustang Monument. Water will also be used for fire protection facilities, as required by the State Fire Marshall.

At this stage of planning, a fixture unit count is premature. The table below gives an estimate of consumptive use.

USE	ESTIMATED WATER USAGE
100 Guests/day @ 200 gpd for 6 months (180 days)	3,600,000 gallons/year = 11.1 acre-feet/year
*5 Residences for employees and families @ 1000 gpd for 365 days/year	1,850,000 gallons/year = 5.6 acre-feet/year
Landscaping for trees, lawns and shrubs associated with the Mustang Monument	10 acre-feet/year

ESTIMATE OF TOTAL ANNUAL CONSUMPTIVE USE = 26.7 ACRE-FEET

* Single Family Homes *[Signature]*

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