

# Contact Filer Regarding Image Clarity

STATE OF NEVADA  
PUBLIC UTILITIES COMMISSION OF NEVADA  
9075 W. Diablo Drive  
Suite 250  
Las Vegas, Nevada 89148-7674

LV02451

## RECEIPT

RECEIVED FROM:

Date... 6/22/16

Bullen law, LLC  
9101 W. Sahara Ave ste 105-L6  
Las Vegas, NV 89117-5772

AMOUNT: \$ 50 00

fifty dollars AND zero /100 DOLLARS

How Paid:	Cash	Check	Money Order	Draft
		1088		

Type of Receipt	Filing Fee	TDD	Copy Service	RAIL	Mill Assessment	Other
	X					

Account	Paid in Full		On Account	
		X		
Amount of Account	\$	50	00	
Account Paid	\$	50	00	
Balance Due	\$			0

### MEMO

amended filing  
15-07037

Received by Bryant Cooley

hand delivered

RECEIVED  
PUBLIC UTILITIES COMMISSION  
OF NEVADA LAS VEGAS

16 JUN 22 PH 3:53

**BULLEN LAW, LLC**  
**8635 W. Sahara Ave. #454**  
**Las Vegas, NV 89117**

**Linda M. Bullen**  
**702-279-4040**  
**[linda@bullenlaw.com](mailto:linda@bullenlaw.com)**

June 22, 2016

Ms. Trisha Osborne  
Assistant Commission Secretary  
Public Utilities Commission of Nevada  
1150 East William Street  
Carson City, Nevada 89701-3109

Re: Filing of Amended Application Of Playa Solar, LLC For A Permit To Construct A Utility Facility Under The Utility Environmental Protection Act; Docket No. 15-07037

Dear Ms. Osborne:

Enclosed herewith, please find the Amended Application Of Playa Solar, LLC For A Permit To Construct A Utility Facility Under The Utility Environmental Protection Act; Docket 15-07037 and a check for the associated filing fee.

If you have any questions about this filing, please do not hesitate to contact me at (702) 279-4040.

Best Regards,



Linda M. Bullen  
Counsel for Playa Solar, LLC

**PUBLIC UTILITIES COMMISSION OF NEVADA  
DRAFT NOTICE  
(Applications, Tariff Filings, Complaints, and Petitions)**

Pursuant to Nevada Administrative Code (“NAC”) 703.162, the Commission requires that a draft notice be included with all applications, tariff filings, complaints and petitions. Please complete and include **ONE COPY** of this form with your filing. (Completion of this form may require the use of more than one page.)

A title that generally describes the relief requested (see NAC 703.160(4)(a)):

**Amended Application Of Playa Solar, LLC For A Permit To Construct A Utility Facility Pursuant To The Utility Environmental Protection Act**

The name of the applicant, complainant, petitioner or the name of the agent for the applicant, complainant or petitioner (see NAC 703.160(4)(b)):

**The applicant is Playa Solar, LLC ("Playa Solar").  
Linda M. Bullen of Bullen Law, LLC is legal counsel for the applicant.**

A brief description of the purpose of the filing or proceeding, including, without limitation, a clear and concise introductory statement that summarizes the relief requested or the type of proceeding scheduled **AND** the effect of the relief or proceeding upon consumers (see NAC 703.160(4)(c)):

**Pursuant to the Amended Application, Playa Solar respectfully requests that the Public Utilities Commission of Nevada amend its permit to construct a water pipeline and ancillary facilities to reflect a change in the legal description of the water pipeline and change the description of the water pipeline to a temporary, primarily above-ground water pipeline and change the holders of the Permit to Construct to Playa Solar 1, LLC and Playa Solar 2, LLC. These modifications have no effect on consumers.**

A statement indicating whether a consumer session is required to be held pursuant to Nevada Revised Statute (“NRS”) 704.069(1)<sup>1</sup>:

**A consumer session is not required.**

If the draft notice pertains to a tariff filing, please include the tariff number **AND** the section number(s) or schedule number(s) being revised.

**The draft notice does not pertain to a tariff filing.**

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<sup>1</sup> NRS 704.069 states in pertinent part:

1. The Commission shall conduct a consumer session to solicit comments from the public in any matter pending before the Commission pursuant to NRS 704.061 to 704.110 inclusive, in which:

(a) A public utility has filed a general rate application, an application to recover the increased cost of purchased fuel, purchased power, or natural gas purchased for resale or an application to clear its deferred accounts; and

(b) The changes proposed in the application will result in an increase in annual gross operating revenue, as certified by the applicant, in an amount that will exceed \$50,000 or 10 percent of the applicant’s annual gross operating revenue, whichever is less.

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

Notice and Application of Playa Solar, LLC under the provisions of the Utility Environmental Protection Act, for a permit to construct an approximately 1.7 mile water pipeline on privately owned land within the Apex Industrial Park and federal land managed by the U.S. Bureau of Land Management (“BLM”) and ancillary facilities including a water well within the Apex Industrial Park and approximately one mile of tortoise fence on BLM land approximately 20 miles north of las Vegas in Clark County, Nevada.

Docket No. 15-07037

**AMENDED APPLICATION FOR UTILITY ENVIRONMENTAL PROTECTION ACT PERMIT**  
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**LIST OF EXHIBITS**

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- Exhibit 1      Legal Descriptions
- Exhibit 2      Routing Map
- Exhibit 3      Scale Drawings
- Exhibit 4      BLM Determination of NEPA Adequacy
- Exhibit 5      Playa Solar 1, LLC Formation Documents and State Business License
- Exhibit 6      Playa Solar 2, LLC Formation Documents and State Business License
- Exhibit 7      Playa Solar 1, LLC and Playa Solar 2, LLC Statement of Compliance
- Exhibit 8      Proof of Public Notice
- Exhibit 9      Proof of Filing with County Clerk, Nevada State Clearinghouse and Other Agencies

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BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA

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Docket No. 15-07037

**AMENDED APPLICATION FOR UTILITY ENVIRONMENTAL PROTECTION ACT PERMIT**

Playa Solar, LLC ("Playa Solar") hereby amends the Application for a Utility Environmental Protection Act Permit to Construct filed with the Public Utilities Commission of Nevada (the "Commission") on July 27, 2015 and designated as Docket No. 15-07037. The purpose of this amendment is threefold: (1) to modify the legal description of the water pipeline to reflect a new route for the pipeline; (2) to modify the description of the pipeline from a permanent, below-ground pipeline to an above-ground, temporary pipeline; and (3) to transfer the Permit to Construct in this docket from Playa Solar to Playa Solar 1, LLC ("Playa Solar 1") and Playa Solar 2, LLC ("Playa Solar 2").

**I. BACKGROUND**

On July 27, 2015, Playa Solar filed a Notice and Application seeking a UEPA Permit to Construct ("PTC") a water pipeline and ancillary facilities including a water pipeline and tortoise fence. On August 18, 2015, Playa Solar filed a Motion to Phase the UEPA into two parts, with the tortoise fence in one phase and the well and water pipeline in a second phase. The Commission granted that Motion to Phase, and in its Order dated September 9, 2015, separated the Application, with the tortoise fence in Phase One and the well and pipeline in Phase Two. The PTC for Phase One was issued on September 21, 2015, and the fence was constructed in the

1 Fall of 2015. All compliance items for Phase Two were obtained by Playa Solar and filed in this  
2 docket, and the PTC for Phase Two was issued on June 22, 2016.

## 3 **II. LEGAL AUTHORITY**

4 Playa Solar amends the Notice and Application in this docket pursuant to Nevada  
5 Revised Statutes ("NRS") 704.820 to 704.900.

## 6 **III. DISCUSSION**

### 7 **A. Amendment to Application<sup>1</sup>**

#### 8 **1. Modification of Pipeline**

9 Following the Notice and Application in this docket, the design of the pipeline was  
10 modified so that the pipeline is now a temporary above-ground pipeline, which will be utilized  
11 during the period of construction only. The revised legal description is attached hereto as  
12 Exhibit 1.<sup>2</sup> An appropriately routing map of the proposed facility is attached hereto as Exhibit 2.

13 The size and nature of the proposed utility facility (NAC 703.423(2)) has been modified  
14 as follows: The pipeline will be temporary in nature and primarily above-ground. It will convey  
15 water from a well on private land within Apex Industrial Park to two or more construction ponds  
16 located on Bureau of Land Management ("BLM") administered land within the Playa Solar  
17 project sites. One pond is approximately 3.6 miles to the southeast and the other is  
18 approximately 3.5 miles to the east of the well. Water conveyed by the pipeline will be used for  
19 dust control and earthwork during construction activities.

20  
21 The temporary pipeline will primarily be 6-inch and 8-inch high density polyethylene  
22

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23 <sup>1</sup> Playa Solar incorporates by reference the following provisions of the July 27, 2015  
24 Notice and Application in this matter, as they remain unchanged as the result of the modification  
25 of the pipeline described in this Amended Application: A. General Allegations; B. Legal  
26 Authority; C. Allegations of Material Fact; D. Responses to Required Disclosures: 1. (a) (NAC  
27 703.423(1)); 2. (b) (NAC 703.423(2)()); 2. (e) (Statement regarding whether the proposed utility  
28 facility is an electric generating plant); 4. (NAC 703.423(4)); 7. (a) and (b) (NAC 703.423(7)); 8.  
(NAC 703.423(8)); 9. (NAC 703.423(9)); 10. NAC 703.423(10); 11. (NAC 703.423(11)); and  
12. NAC 703.423(12)), as well as Exhibits B, F-1, F-2, F-3 and F-4.

<sup>2</sup> The location of the well has not been modified since filing of the Notice and  
Application in this docket and thus is not modified by this Amended Application.

1 ("HDPE") DR11 and DR17 with fused joints. A portion of the temporary pipeline will travel  
2 through an existing culvert, and this portion will be 6-inch schedule 40 steel. Approximately  
3 8,400 feet of temporary pipeline will be installed within the Nevada Department of  
4 Transportation ("NDOT") Hwy 93 right-of-way. The alignment within the Hwy 93 right-of-way  
5 includes a steel bridge over the roadside channel on the west side of the highway, along the  
6 invert of an existing 48-inch diameter corrugated metal pipe storm water crossing under the  
7 highway, and then parallels an existing access road along the east edge of the Hwy 93 right-of-  
8 way. An encroachment permit has been obtained from the NDOT for the portion of the pipeline  
9 within NDOT right-of-way. The pipeline to be installed primarily above-ground with segments  
10 buried under washes, and berms at 250 foot intervals to control thermal expansion of the  
11 pipeline. A scale drawing of the cross section of the pipeline and its associated equipment is  
12 attached hereto as Exhibit 3.  
13  
14

15 The only modification to any permit or approval resulting from this change to the  
16 pipeline is the BLM Environmental Assessment. The BLM's review of the changes resulted in a  
17 Determination of NEPA Adequacy ("DNA") dated May 17, 2016, attached hereto as Exhibit 4  
18 (NAC 703.423(3)). All of the other permits and approvals needed for the construction of the  
19 pipeline (Phase Two in this docket) have previously been obtained by Playa Solar and have been  
20 filed in this docket. Accordingly, with the filing of Exhibit 4 hereto, all permits and approvals  
21 necessary for commencement of construction have been filed in this docket, and this matter is  
22 ready for issuance of the permit to construct ("PTC") immediately upon acceptance of this  
23 amendment by the Commission.

24 Following is a list of the necessary permits and approvals for Phase Two and the date  
25 each of them was filed in this docket:

<b>Permit/Authorization</b>	<b>Approving Agency</b>	<b>Date Filed</b>
Determination of NEPA Adequacy	U.S. Dept. of the Interior; Bureau of Land Management	June 22, 2016
Decision Memorandum	U.S. Department of Interior;	June 14, 2016

	Bureau of Land Management	
Decision Record	U.S. Department of Interior; Bureau of Land Management	March 25, 2016
Right of Way Grant	U.S. Department of the Interior; Bureau of Land Management	June 14, 2016
Endangered Species Act Section 7 Incidental Take Permit	U.S. Dept. of the Interior; Fish & Wildlife Service	July 27, 2015
Clean Water Act Section 404 Jurisdictional Determination	U.S. Army Corps of Engineers	July 27, 2015
Special Purpose Permit	Nevada Department of Wildlife	August 16, 2015
Temporary Permit for Working in Waters	Nevada Division of Environmental Protection	May 4, 2016
Groundwater Discharge Permit	Nevada Division of Environmental Protection	May 4, 2016
Encroachment Permit	Nevada Department of Transportation	May 20, 2016
Dust Control Permit	Clark County Department of Air Quality	April 23, 2016

**B. Transfer the PTC from Playa Solar, LLC to Playa Solar 1, LLC and Playa Solar 2, LLC**

The PTC for Phase Two in this docket was granted to Playa Solar, LLC. Playa Solar hereby requests, pursuant to NRS 704.865 paragraph 2, that the Commission transfer the PTC in this docket issued on June 22, 2016 to Playa Solar 1, LLC ("Playa Solar 1") and Playa Solar 2, LLC ("Playa Solar 2"). Playa Solar 1 and Playa Solar 2 were formed under Delaware law in mid-2015, and are registered to do business in the State of Nevada. *See* Exhibits 5 and 6. Playa Solar 1 and Playa Solar 2 will jointly construct the pipeline and well and all of associated facilities identified as Phase Two in this docket. Playa Solar 1 and Playa Solar 2 agree to comply with the terms, conditions and modifications to all orders filed in Docket No. 15-07037. *See* Exhibit 7.

A transfer of the application from Playa Solar to Playa Solar 1 and Playa Solar 2 was granted in a companion docket associated with the Playa Solar project sites, Docket No. 14-09001, on February 26, 2016, and the change in this docket is a necessary corollary to that transfer approved by the Commission.

1                   **C. A copy of the public notice of the amended application and proof of**  
2                   **publication of the public notice, as required by subsection 4 of NRS 704.870**  
3                   **(NAC 703.423(5))**

4                   A summary of this Amended Application has appeared in a newspaper published and  
5 distributed in the area where the Project is planned pursuant to NRS 704.870(4)(b) and NAC  
6 703.423(5). *See Exhibit 8.* A copy of the Amended Application has been filed with the clerk of  
7 each local government in the area in which the Project is to be located pursuant to NRS  
8 704.870(4)(a). *See Exhibit 9.*

9                   **D. Proof that a copy of the application or amended application has been**  
10                  **submitted to the Nevada State Clearinghouse within the Department of**  
11                  **Administration to enable agency review and comment. (NAC 703.423(6))**

12                  A copy of the Application has been submitted to the Nevada State Clearinghouse within  
13 the Nevada Department of Administration. *See Exhibit 9.*

14                                   **IV. CONCLUSION AND REQUEST FOR RELIEF**

15                  Based upon the foregoing, Playa Solar amends to the UEPA Application in this docket to  
16 reflect the modified legal description of the pipeline, changes to the description of the pipeline  
17 and transfer of the Permit to Construct from Playa Solar to Playa Solar 1 and Playa Solar 2, as set  
18 forth above. Because all of the permits and approvals necessary for the facilities in this docket  
19 have been obtained and filed with the Commission, Playa Solar respectfully requests that the  
20 PTC issued on June 22, 2016 be amended to reflect the revised legal description and project  
21 description as detailed above and that the PTC be reissued to Playa Solar 1 and Playa Solar 2.

22                  Dated: June 22, 2016.

23                                   Respectfully submitted,

24                                   

25                                   Linda M. Bullen  
26                                   Bullen Law, LLC  
27                                   8635 W. Sahara Ave. #454  
28                                   Las Vegas, NV 89117  
                                      Attorney for Playa Solar, LLC

# **Exhibit 1**

**LEGAL DESCRIPTION**  
**30 FOOT WIDE WATERLINE EASEMENT**

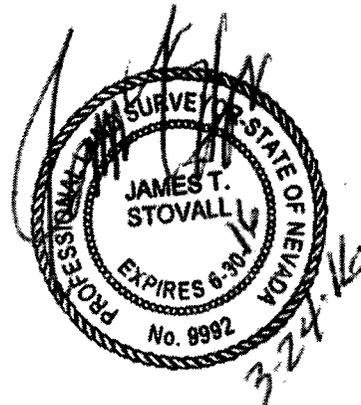
LYING WITHIN A PORTION OF SECTIONS 3 AND 4 OF TOWNSHIP 18 SOUTH, RANGE 63 EAST, AND SECTION 33 OF TOWNSHIP 17 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

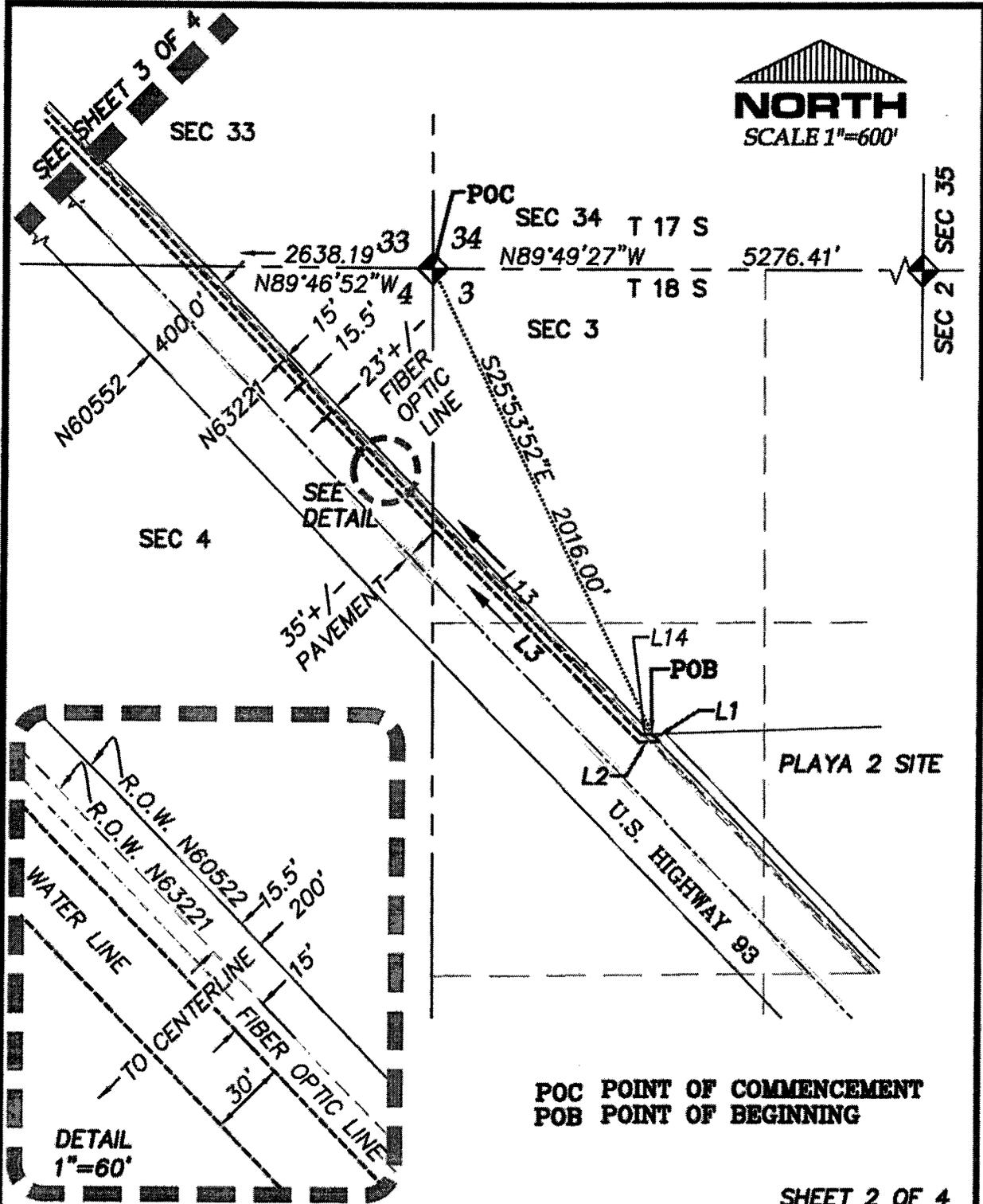
COMMENCING AT THE SECTION CORNER COMMON TO SAID SECTIONS 3, 4 AND 33; THENCE SOUTH 25°53'52" EAST, A DISTANCE OF 2016.00 FEET TO THE POINT OF BEGINNING, BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 93, BLM GRANT N60522 (TOTAL WIDTH 400 FEET); THENCE ALONG SAID RIGHT OF WAY LINE, SOUTH 44°31'08" EAST, A DISTANCE OF 40.76 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, SOUTH 88°05'26" WEST, A DISTANCE OF 82.20 FEET; THENCE NORTH 44°31'08" EAST, A DISTANCE OF 7,223.42 FEET ON A LINE 60.50 FEET SOUTHWESTERLY OF AND PARALLEL WITH THE SAID RIGHT OF WAY LINE; THENCE SOUTH 45°25'52" WEST, A DISTANCE OF 99.14 FEET; THENCE SOUTH 64°40'20" WEST, A DISTANCE OF 103.06 FEET; THENCE SOUTH 45°28'52" WEST, A DISTANCE OF 113.03 FEET; THENCE SOUTH 44°31'08" WEST, A DISTANCE OF 558.84 FEET ON A LINE 30.00 FEET NORTHEASTERLY OF AND PARALLEL WITH THE SOUTHWESTERLY LINE OF SAID RIGHT OF WAY; THENCE SOUTH 45°28'52" WEST, A DISTANCE OF 30.00 FEET TO THE SAID SOUTHWESTERLY RIGHT OF WAY LINE; THENCE ALONG SAID RIGHT OF WAY LINE NORTH 44°31'08" WEST, A DISTANCE OF 658.84 FEET; THENCE LEAVING SAID RIGHT OF WAY LINE, NORTH 45°25'52" EAST, A DISTANCE OF 159.93 FEET; THENCE NORTH 64°40'20" EAST, A DISTANCE OF 103.06 FEET; THENCE NORTH 45°28'52" EAST, A DISTANCE OF 112.23 FEET; THENCE ALONG A LINE 30.50 FEET SOUTHWESTERLY AND PARALLEL WITH THE NORTHEASTERLY LINE OF SAID RIGHT OF WAY, SOUTH 44°31'08" EAST, A DISTANCE OF 7,310.26 FEET; THENCE NORTH 88°05'26" EAST, A DISTANCE OF 41.44 FEET TO SAID POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 6.26 ACRES, MORE OR LESS.  
 BASIS OF BEARING:

NORTH 89°47'51" WEST, BEING THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 35, TOWNSHIP 17 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED JUNE 10, 1997, IN FILE 89, PAGE 56 OF SURVEYS, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA.

PURPOSE:	WATERLINE EASEMENT
PREPARED BY:	JAMES TODD STOVALL 6030 SO. JONES BOULEVARD LAS VEGAS, NEVADA 89118
JOB NAME:	PLAYA
JOB NUMBER:	FRT-13-024
FILE NAME:	16-3-11 REVISED 30 FT WTR ESMT
DATE PREPARED	MARCH 24, 2016





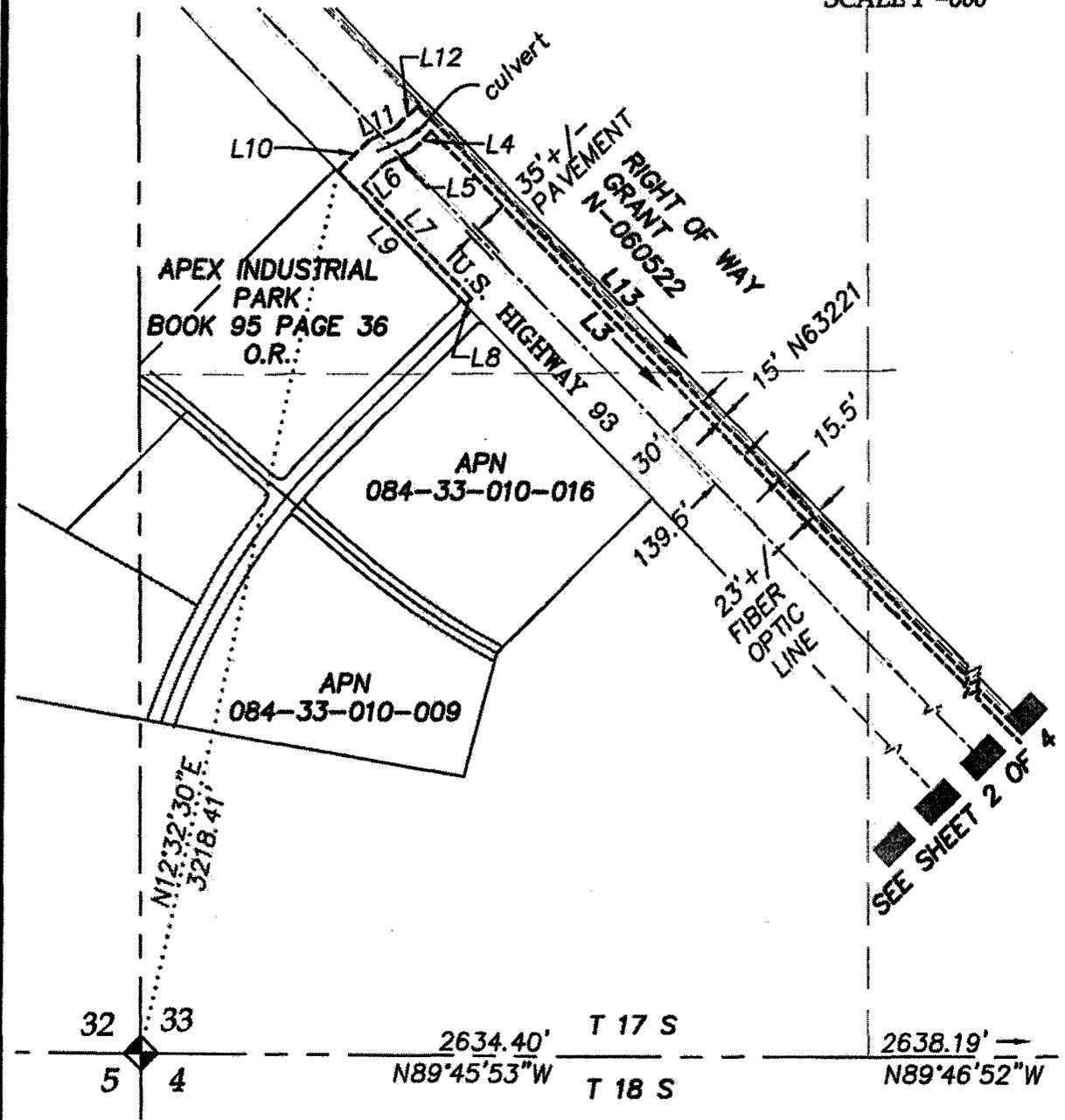
PLAYA SOLAR SITE  
 30' WATER LINE EASEMENT  
 TO ACCOMPANY  
 LEGAL DESCRIPTION



**TANEY ENGINEERING**  
 6030 S. JONES BOULEVARD  
 LAS VEGAS, NV 89118  
 (702) 362-8844 FAX:(702) 362-5233



SCALE 1"=600'



SEE SHEET 2 OF 4

SHEET 3 OF 4

**PLAYA SOLAR SITE**  
**30' WATER LINE EASEMENT**  
**TO ACCOMPANY**  
**LEGAL DESCRIPTION**



**TANEY ENGINEERING**  
 6030 S. JONES BOULEVARD  
 LAS VEGAS, NV 89118  
 (702) 362-8844 FAX: (702) 362-5233

**LINE TABLE**

<b>LINE NO.</b>	<b>BEARINGS</b>	<b>LENGHT</b>
L1	S44°31'08"E	40.76'
L2	S88°05'26"W	82.20'
L3	N44°31'08"W	7223.42'
L4	S45°28'52"W	99.14'
L5	S64°40'20"W	103.06'
L6	S45°28'52"W	113.03'
L7	S44°31'08"E	558.84'
L8	S45°28'52"W	30.00'
L9	N44°31'08"W	658.84'
L10	N45°28'52"E	159.93'
L11	N64°40'20"E	103.06'
L12	N45°28'52"E	112.23'
L13	S44°31'08"E	7310.26'
L14	N88°05'26"E	41.44'

**SHEET 4 OF 4**

**PLAYA SOLAR SITE  
30' WATER LINE EASEMENT  
TO ACCOMPANY  
LEGAL DESCRIPTION**



**TANEY ENGINEERING**  
6030 S. JONES BOULEVARD  
LAS VEGAS, NV 89118  
(702) 362-8844 FAX:(702) 362-5233

**LEGAL DESCRIPTION  
20 FOOT WATER EASEMENT**

BEING A PORTION OF LOT 1 OF APEX INDUSTRIAL PARK, RECORDED IN BOOK 95 OF PLATS, PAGE 36, OFFICIAL RECORDS OF CLARK COUNTY NEVADA, FURTHER BEING A PORTION OF THAT PARCEL OF LAND SHOWN AS LOT 3 – NORTHERN APEX, RECORDED IN FILE 130, PAGE 48 OF SURVEYS, LOT 10-NORTHERN APEX RECORDED IN FILE 140, PAGE 3 OF SURVEYS AND LOT 14A - NORTHERN APEX, RECORDED IN FILE 140, PAGE 4 OF SURVEYS, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA, LYING WITHIN A PORTION OF SECTION 33, TOWNSHIP 17 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE NORTH 08°37'03" EAST, A DISTANCE OF 1590.67 FEET TO THE NORTHEAST CORNER OF SAID LOT 14A-NORTHERN APEX, ALSO BEING ON THE CENTERLINE OF A "ROADWAY AND UTILITY EASEMENT", RECORDED IN BOOK 20010627, INSTRUMENT NO. 02942, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA; THENCE ALONG THE NORTHERLY LINE OF SAID LOT, NORTH 61°20'05" WEST, A DISTANCE OF 30.00 FEET TO A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2,530.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 61°20'05" WEST, BEING THE POINT OF BEGINNING;

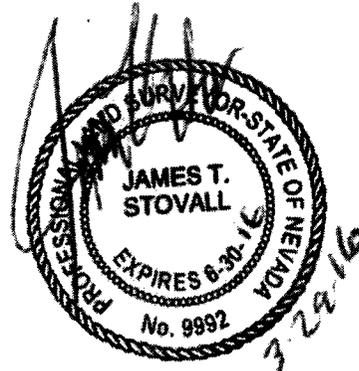
THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 2°14'51", AN ARC DISTANCE OF 99.24 FEET; THENCE NORTH 63°34'58" WEST, A DISTANCE OF 20 FEET TO A NON TANGENT CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2550.00 FEET, THE RADIAL BEARING TO SAID POINT BEARS NORTH 63°34'58" WEST; THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°03'50", AN ARC LENGTH OF 848.45 FEET; THENCE NORTH 45°28'52" EAST, A DISTANCE OF 705.14 FEET TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 93, BLM GRANT N-60522; THENCE ALONG SAID RIGHT OF WAY LINE, SOUTH 44°31'08" EAST, A DISTANCE OF 20.00 FEET; THENCE LEAVING SAID RIGHT OF WAY, SOUTH 45°28'52" WEST, A DISTANCE OF 705.14 FEET TO A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2530.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 16°48'59", AN ARC LENGTH OF 742.55 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 10,065 SQUARE FEET, MORE OR LESS.

**BASIS OF BEARING:**

NORTH 00°26'31" WEST, BEING THE WEST LINE OF THE SOUTHWEST QUARTER (SW 4) OF SECTION 33, TOWNSHIP 17 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED AUGUST 10, 2004, IN FILE 140, PAGE 4 OF SURVEYS, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA

PURPOSE:	20' WATERLINE EASEMENT
PREPARED BY:	JAMES TODD STOVALL 6030 SO. JONES BOULEVARD LAS VEGAS, NEVADA 89118
JOB NAME:	PLAYA
JOB NUMBER:	FRT-13-024
FILE NAME:	16-3-29 20FT WATER EASEMENT
DATE PREPARED	MARCH 29, 2016

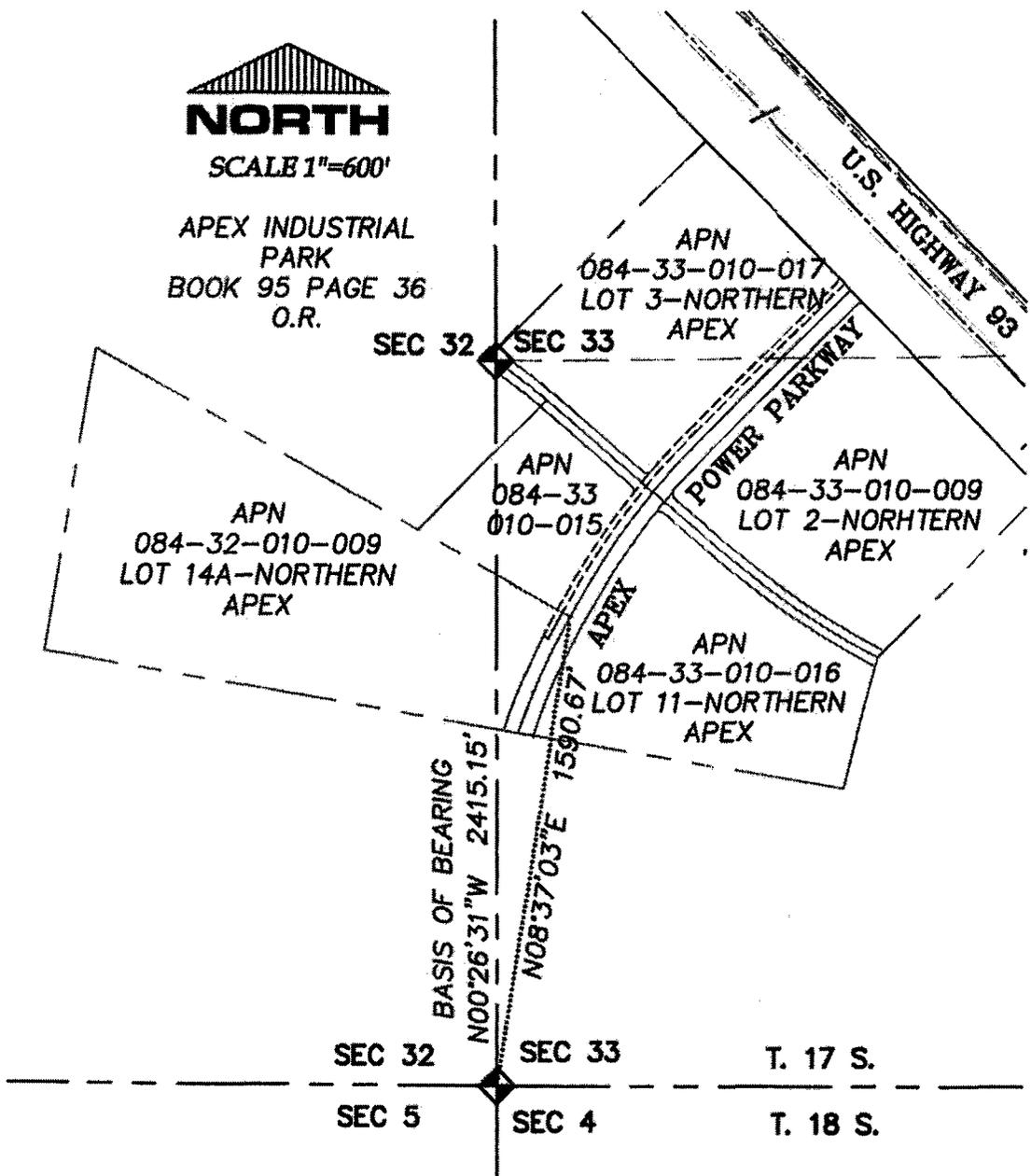




**NORTH**

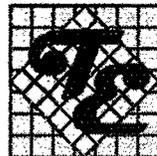
SCALE 1"=600'

APEX INDUSTRIAL  
PARK  
BOOK 95 PAGE 36  
O.R.



SHEET 2 OF 3

PLAYA SOLAR SITE  
20' WATER LINE EASEMENT  
TO ACCOMPANY  
LEGAL DESCRIPTION



**TANEY ENGINEERING**  
6030 S. JONES BOULEVARD  
LAS VEGAS, NV 89118  
(702) 362-8844 FAX:(702) 362-5233



SCALE 1"=300'

APN  
084-33-010-017  
LOT 3-NORTHERN APEX  
 $\Delta=19^{\circ}03'50''$   
 $R=2550.00'$   
 $L=848.45'$   
 $T=428.18'$

APN  
084-33-010-015  
LOT 10-NORTHERN  
APEX

APN  
084-32-010-009  
LOT 14A  
NORTHERN  
APEX

$N63^{\circ}34'58''W$   
20.00'

$N08^{\circ}37'03''E$   
1590.67'

$N63^{\circ}34'58''W(R)$

APN  
084-33-010-009  
LOT 2-NORTHERN APEX

$\Delta=16^{\circ}48'59''$   
 $R=2530.00'$   
 $L=742.55'$   
 $T=373.97'$

APN  
084-33-010-016  
LOT 11 NORTHERN APEX

$\Delta=2^{\circ}14'51''$   
 $R=2530.00'$   
 $L=99.24'$   
 $T=49.63'$

$S44^{\circ}31'08''E$   
20.00'

$N45^{\circ}28'52''E$  705.14'  
 $S45^{\circ}28'52''W$  705.14'

POWER PARKWAY

U.S. HIGHWAY 93  
BLM GRANT  
N-60522

APEX

$N61^{\circ}20'05''W$  (RAD)  
30.00'

POB

POC  
SEC 32 SEC 33 T. 17 S.  
SEC 5 SEC 4 T. 18 S.

POC- POINT OF COMMENCMET  
POB- POINT OF BEGINNING

SHEET 3 OF 3

PLAYA SOLAR SITE  
20' WATER LINE EASEMENT  
TO ACCOMPANY  
LEGAL DESCRIPTION



TANEY ENGINEERING  
6030 S. JONES BOULEVARD  
LAS VEGAS, NV 89118  
(702) 362-8844 FAX:(702) 362-5233

**EXHIBIT A  
LEGAL DESCRIPTION  
WELL SITE**

BEING A PORTION OF LOT 1 OF APEX INDUSTRIAL PARK, RECORDED IN BOOK 95 OF PLATS, PAGE 36, OFFICIAL RECORDS OF CLARK COUNTY NEVADA, FURTHER BEING A PORTION OF THAT PARCEL OF LAND SHOWN AS LOT 14A - NORTHERN APEX, RECORDED IN FILE 140, PAGE 4 OF SURVEYS, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA, LYING WITHIN A PORTION OF SECTION 32 AND 33, TOWNSHIP 17 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE NORTH 08°37'03" EAST, A DISTANCE OF 1590.67 FEET TO THE NORTHEAST CORNER OF SAID LOT 14A-NORTHERN APEX, ALSO BEING ON THE CENTERLINE OF A "100 FOOT ACCESS ROAD EASEMENT", RECORDED IN BOOK 20010627, INSTRUMENT NO. 02943, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA; THENCE ALONG THE NORTHERLY LINE OF SAID LOT 14-A NORTHERN APEX, NORTH 61°20'05" WEST, A DISTANCE OF 50.00 FEET TO THE WESTERLY RIGHT OF WAY OF SAID "ROADWAY AND UTILITY EASEMENT", BEING A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 2,550.00, A RADIAL LINE TO SAID POINT BEARS NORTH 61°20'05" WEST, BEING THE POINT OF BEGINNING;

THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 4°29'54", AN ARC DISTANCE OF 200.21 FEET; THENCE NORTH 61°20'06" WEST, A DISTANCE OF 207.86 FEET; THENCE NORTH 28°39'54" EAST, A DISTANCE OF 200.00 FEET TO THE NORTHERLY LINE OF SAID LOT 14A-NORTHERN APEX; THENCE ALONG SAID NORTHERLY LINE SOUTH 61°20'06" EAST, A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED EASEMENT CONTAINS 40,523 SQUARE FEET, MORE OR LESS.

SEE EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

BASIS OF BEARING:

NORTH 00°26'31" WEST, BEING THE WEST LINE OF THE SOUTHWEST QUARTER (SW 4) SECTION 33, TOWNSHIP 17 SOUTH, RANGE 63 EAST, M.D.M., CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED AUGUST 10, 2004, IN FILE 140, PAGE 4 OF SURVEYS, OFFICIAL RECORDS OF CLARK COUNTY, NEVADA

PURPOSE:	WELL SITE
PREPARED BY:	JAMES TODD STOVALL 6030 SO. JONES BOULEVARD LAS VEGAS, NEVADA 89118
JOB NAME:	PLAYA
JOB NUMBER:	FRT-13-024
FILE NAME:	16-5-12 WELL SITE
DATE PREPARED	JUNE 9, 2016

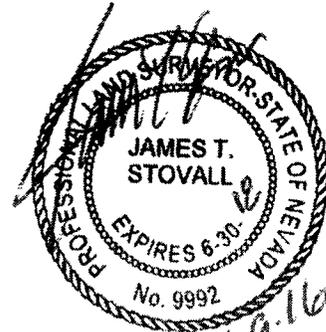
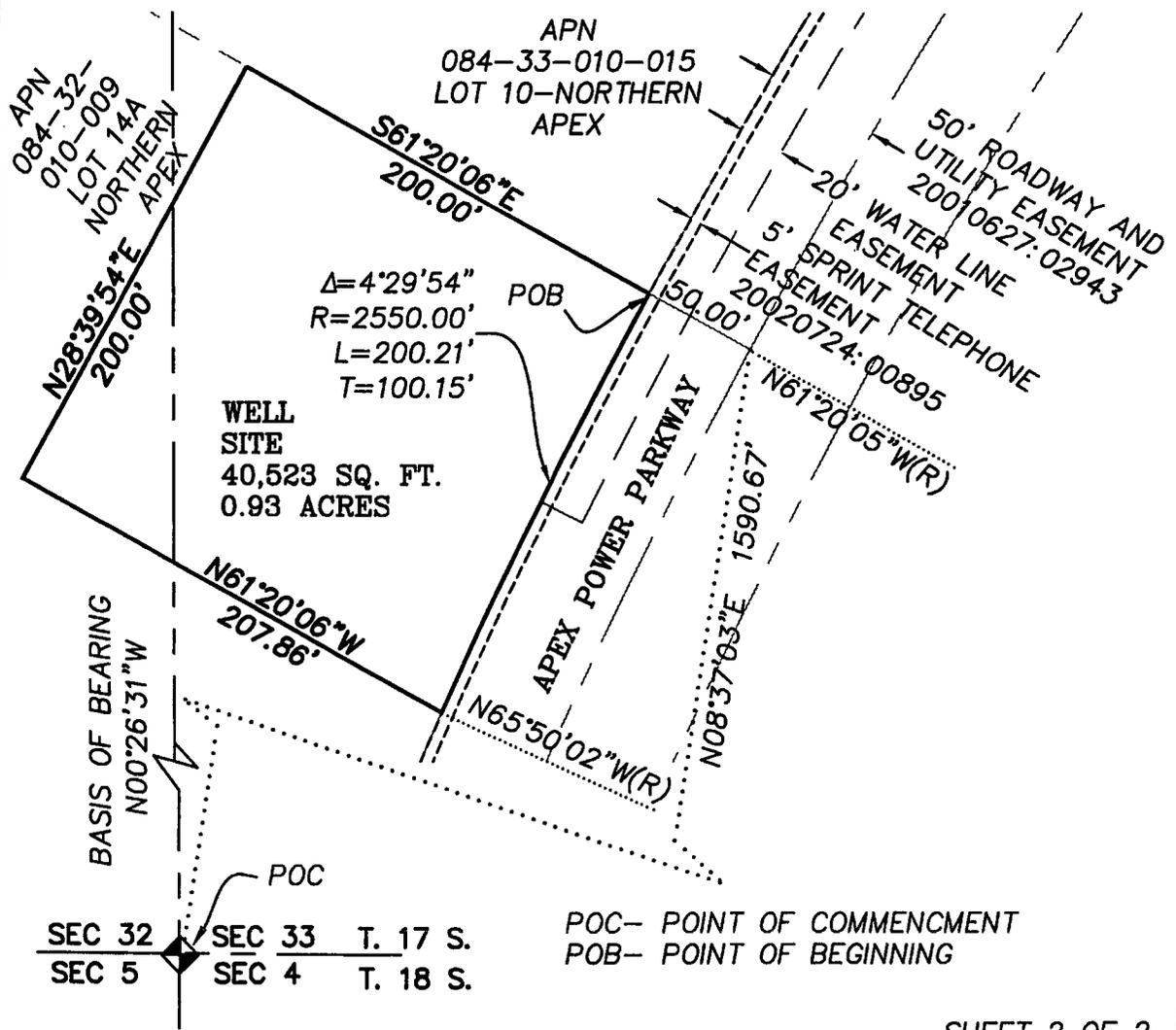
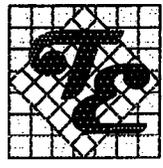


EXHIBIT B



SHEET 2 OF 2

WELL SITE  
SECTION 32 & 33 T.17S., R.63E., M.D.M.  
TO ACCOMPANY  
LEGAL DESCRIPTION

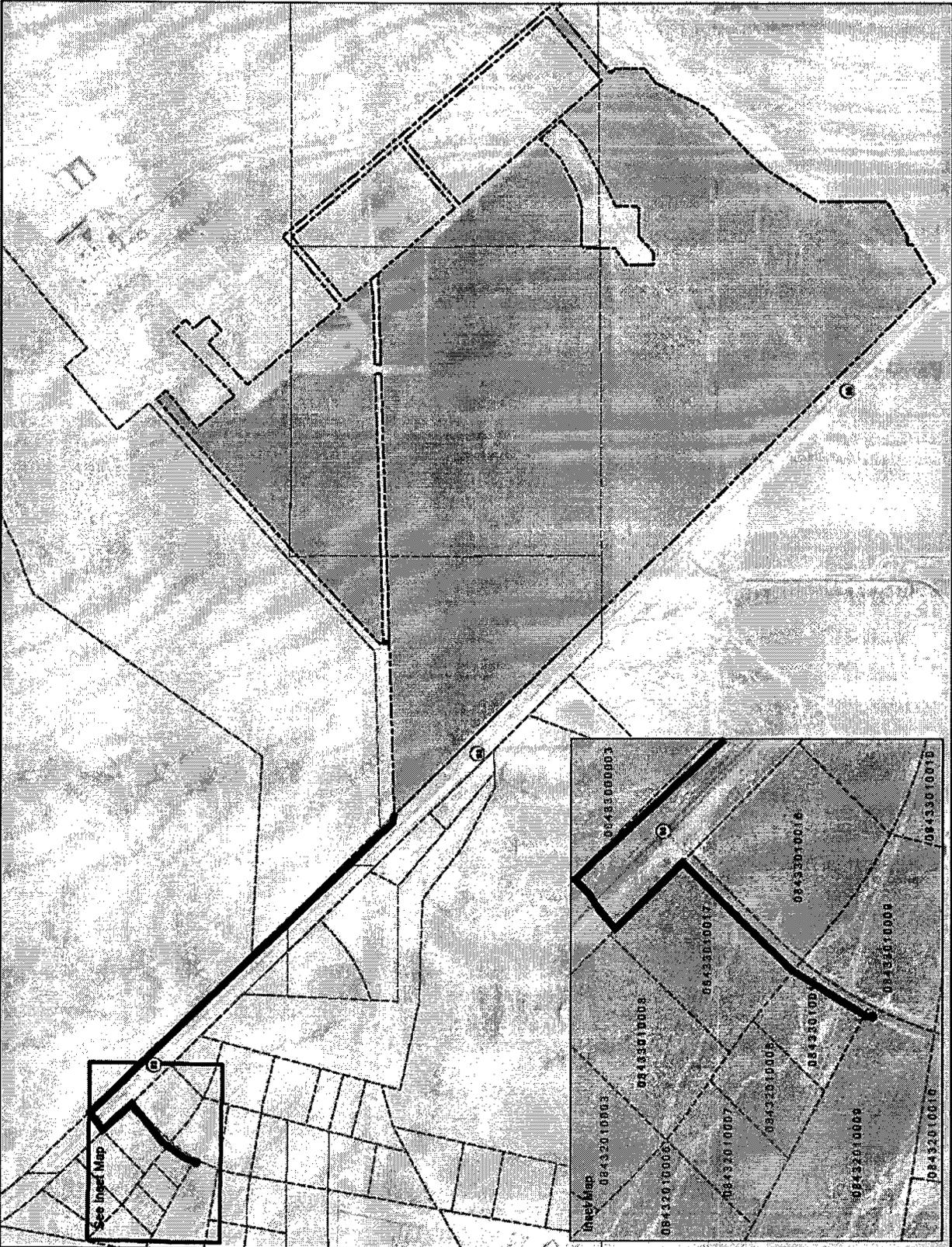


**TANEY ENGINEERING**  
6030 S. JONES BOULEVARD  
LAS VEGAS, NV 89118  
(702) 362-8844 FAX:(702) 362-5233

## **Exhibit 2**



- Symbology**
- Proposed Apex Well (Approximate Location)
  - ▭ Parcels
  - Proposed Pipe Alignment
  - Pipeline
  - Project Boundary
  - Exclusion Area 1
  - Exclusion Area 2

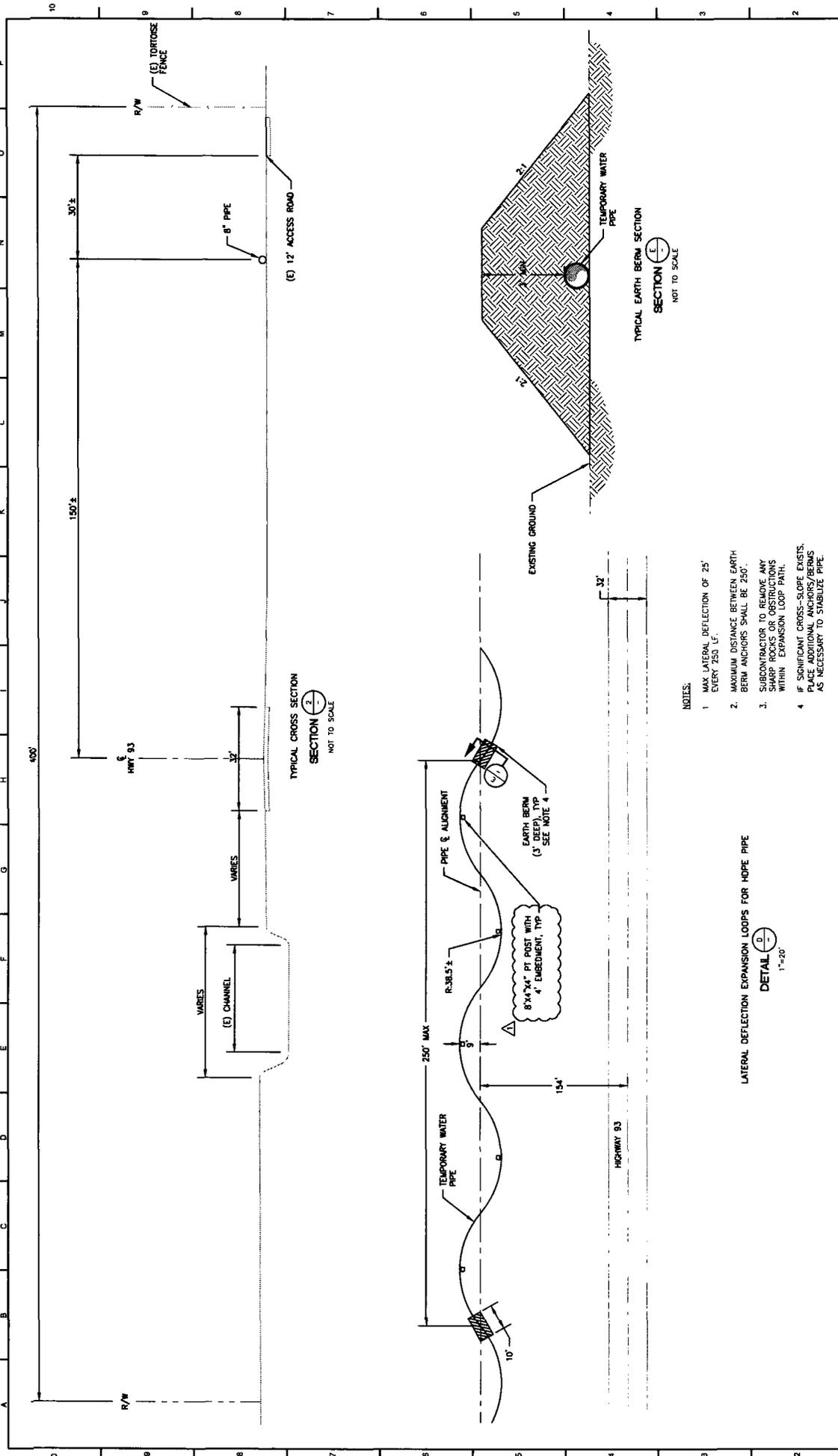


- NOTE:**
1. The proposed Apex Well was surveyed at: Latitude 11°27'17.25"N, Longitude 107°52'27.75"W.
  2. The proposed well will utilize an existing existing water pipeline.
  3. Parcel boundaries were purchased from Clark County Records for the following Township, Range, and section: T 17S R 03E S4 S5, S3, S4, S5, and S6; T 18S R 03E S4 S5, S3, S4, S5, and S6.



**Figure 1**  
**Proposed Water Delivery Infrastructure**  
 Playa Solar Project

## **Exhibit 3**



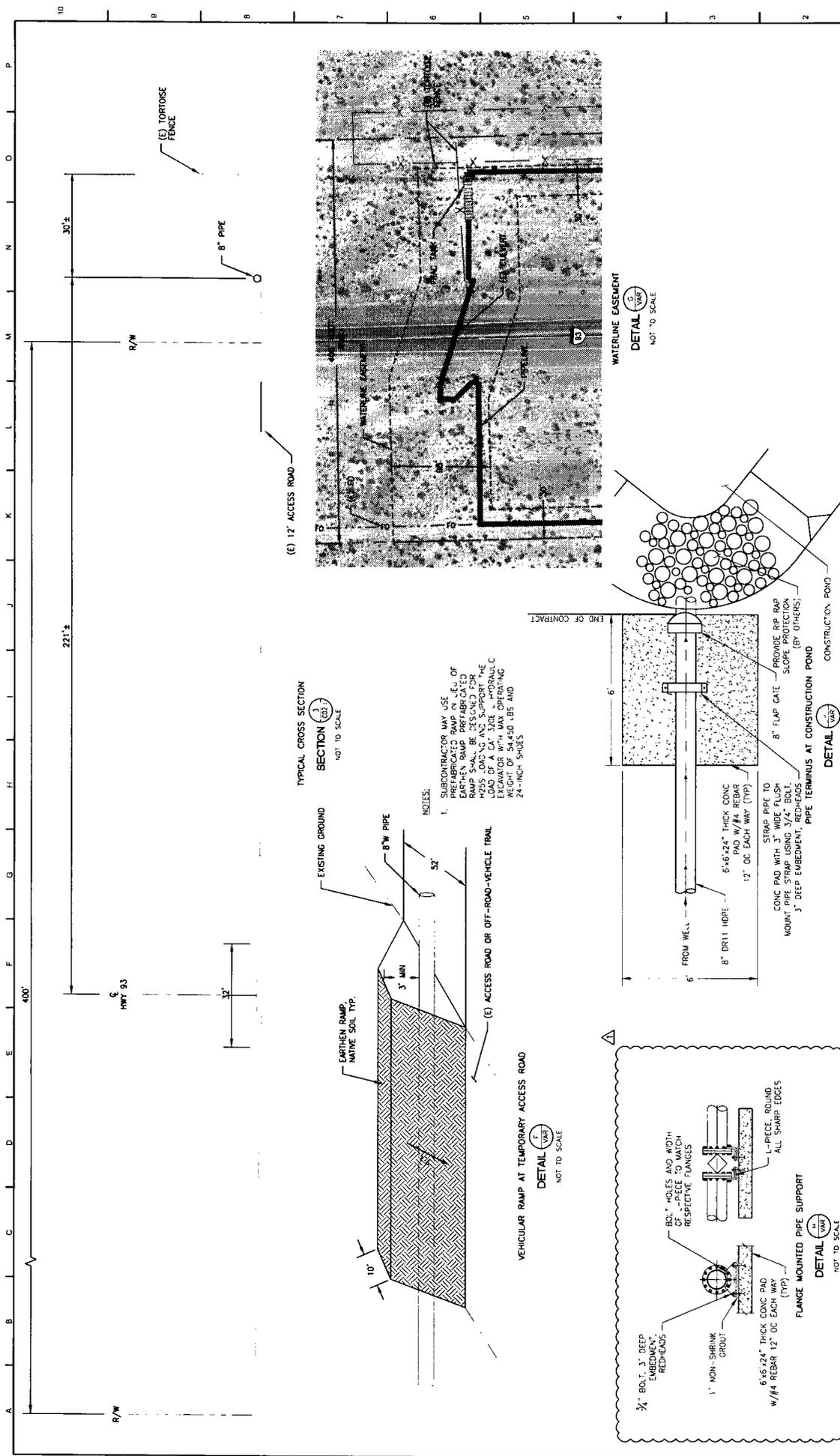
TYPICAL CROSS SECTION  
SECTION 2  
NOT TO SCALE

TYPICAL EARTH BERM SECTION  
SECTION 1  
NOT TO SCALE

- NOTES:
1. MAX. LATERAL DEFLECTION OF 25' EVERY 250 LF.
  2. MAXIMUM DISTANCE BETWEEN EARTH BERM ANCHORS SHALL BE 250'.
  3. SUBCONTRACTOR TO REMOVE ANY SHARP ROCKS OR OBSTRUCTIONS WITHIN EXPANSION LOOP PATH.
  4. IF SIGNIFICANT CROSS-SLOPE EXISTS, PLACE ADDITIONAL ANCHORS/BERMS AS NECESSARY TO STABILIZE PIPE.

LATERAL DEFLECTION EXPANSION LOOPS FOR HOPE PIPE  
DETAIL D  
1"=20'

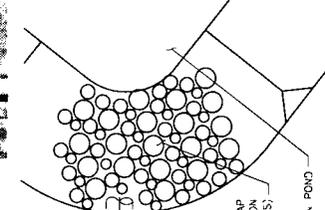
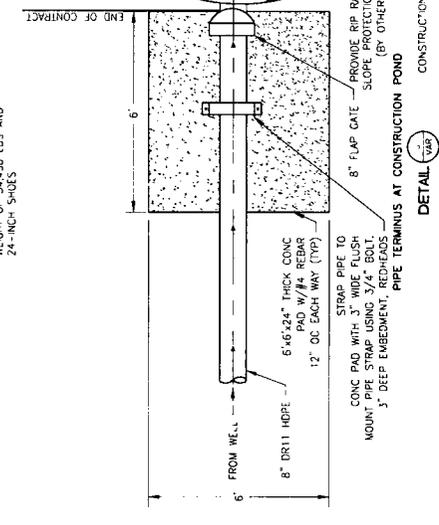
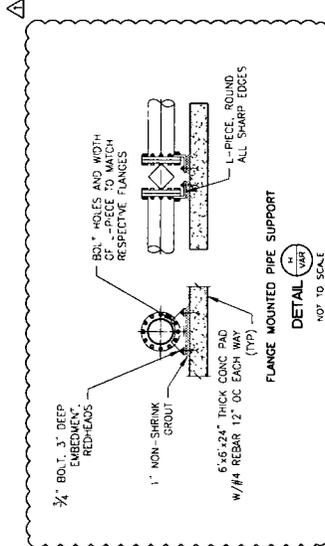
	DATE: 5/26/2015 REVISION: PH	THIS LINE IS 1" HIGH IF NOT SCALE ACCURACLY SCALE: AS SHOWN DESIGNED BY: MW/JT/CPK PROJ. MGR.: JL	NOTE REVISIONS AND PERMIE EXTENSION REVISIONS: 02/ 6/1/15 01/ 5/1/15	WEST YOST ASSOCIATES 2020 Research Park Drive Suite 100 North Las Vegas, NV 89138 (702) 786-5905 FAX (702) 786-6881	PLAYA PUMPING APEX TEMPORARY PIPELINE DETAILS	JOB NUMBER: 307-10-15-18 DRAWING NUMBER: 004.1 SHEET NUMBER: 5 OF 9 REVISION: 3
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TYPICAL CROSS SECTION  
SECTION 1  
NOT TO SCALE

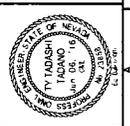
- NOTES:
- SUBCONTRACTOR MAY USE PRE-FABRICATED RAMP OR, IN LIEU OF EARTHEN RAMP, CONCRETE RAMP SHALL BE DESIGNED FOR H255 LOAD AND SUPPORT THE LOAD OF A 6" 3/20" HYDRAULIC CRAWLER 54,435 LBS AND 24-INCH SHOES

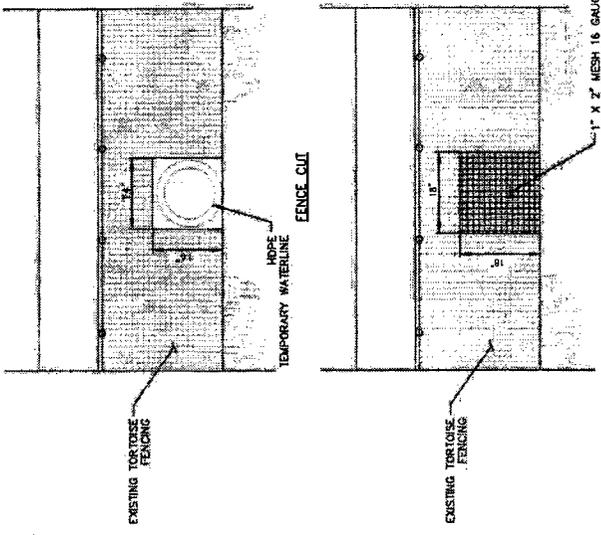
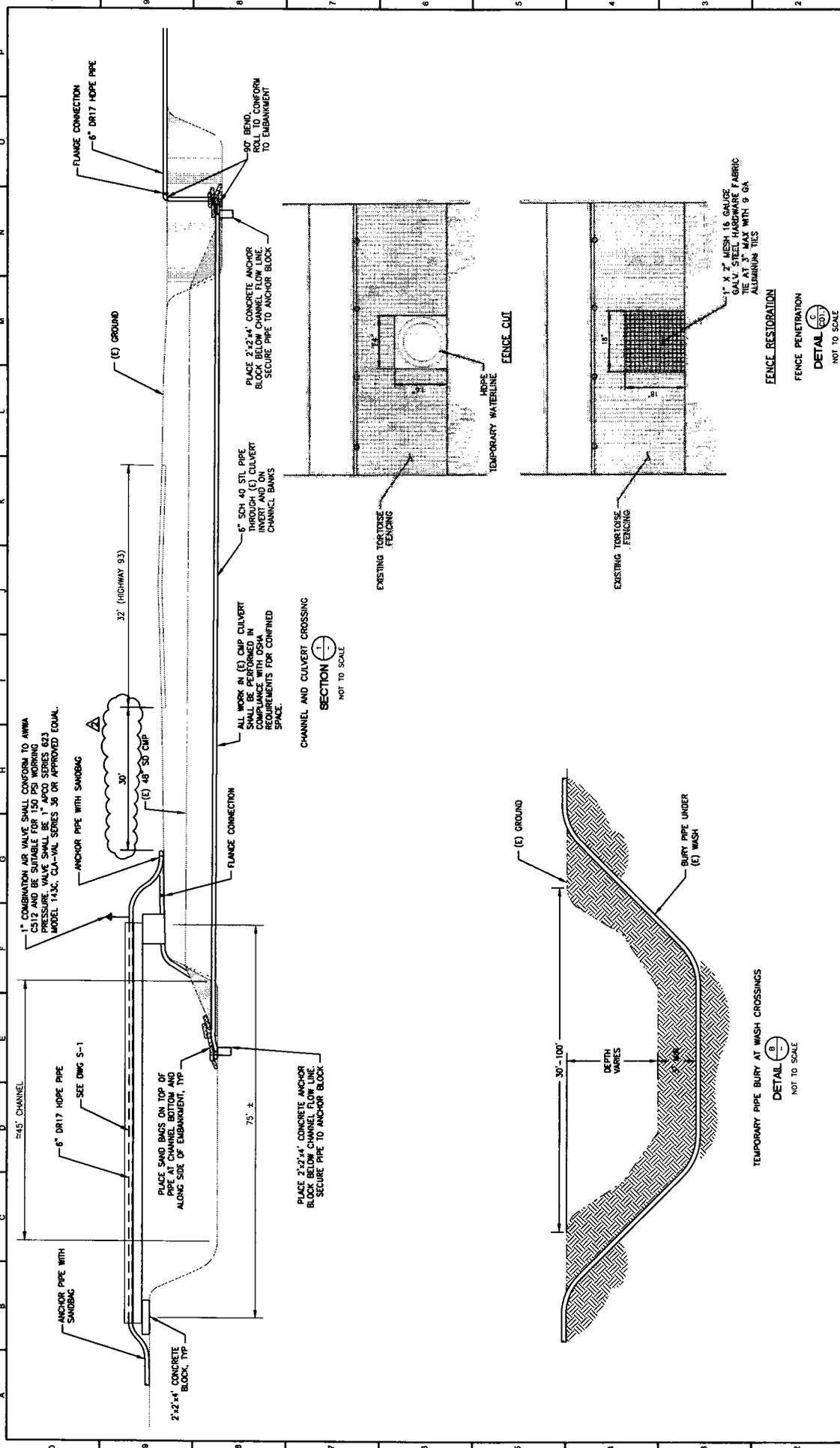
VEHICULAR RAMP AT TEMPORARY ACCESS ROAD  
DETAIL 1  
NOT TO SCALE



WATERLINE EASEMENT  
DETAIL 3  
NOT TO SCALE

		2022 Research Park Drive Suite 100 Santa Ana, California 92708 (949) 756-5925 FAX (949) 756-5981	
DATE: 5/19/2018	DATE: 5/19/2018	SCALE: AS SHOWN	SCALE: AS SHOWN
DESIGNED BY: NM/ATZ/OK	DESIGNED BY: NM/ATZ/OK	PROJ. NO: 18-001	PROJ. NO: 18-001
REVISED BY: AL	REVISED BY: AL	DATE: 5/19/2018	DATE: 5/19/2018
NOTE: REVISIONS AND PROBLEMS EXTENDING BEYOND THIS DATE.		NOTE: REVISIONS AND PROBLEMS EXTENDING BEYOND THIS DATE.	
THIS LINE IS 1" HIGH AT FULL SCALE ACCORDINGLY IF NOT SCALE ACCORDINGLY		THIS LINE IS 1" HIGH AT FULL SCALE ACCORDINGLY IF NOT SCALE ACCORDINGLY	
JOB NO. 18-001 DRAWING NUMBER: 18-001-01 SHEET NUMBER: 1 OF 3 REVISION: 3		JOB NUMBER: 18-001-01 DRAWING NUMBER: 18-001-01 SHEET NUMBER: 1 OF 3 REVISION: 3	

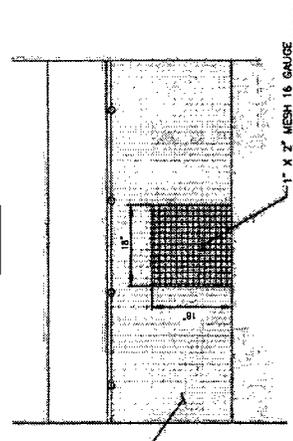




TEMPORARY PIPE BURY AT WASH CROSSINGS  
 DETAIL B  
 NOT TO SCALE



FENCE RESTORATION  
 FENCE PENETRATION  
 DETAIL C  
 NOT TO SCALE



FENCE RESTORATION  
 DETAIL D  
 NOT TO SCALE

	2020 Reservoir Park Drive Irvine, California 92618 (530) 756-5905 FAX (530) 756-8981	
	<b>WEST YOST ASSOCIATES</b>	
DATE: 6/06/08 REVIEW: JH	THIS LINE IS 1 INCH AT FULL SCALE IF NOT SCALE ACCORDINGLY SCALE: AS SHOWN DRAWN BY: MM/TL/CPK PROJ. NO.:	SHEET NUMBER: 4 OF 9 DRAWING NUMBER: COL32 JOB NUMBER: 307-14-14-18
<b>PLAYA PUMPING APEX TEMPORARY PIPELINE DETAILS</b>		



## **Exhibit 4**

**U.S. Department of the Interior  
Bureau of Land Management**

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**Determination of NEPA Adequacy**

**Playa Solar 1, LLC and Playa Solar 2 LLC  
DOI-BLM-NV-S010-2016-0072-DNA  
N-93306-04 and N-94479-01**

**PREPARING OFFICE**

U.S. Department of the Interior  
Bureau of Land Management  
4701 N. Torrey Pines Dr.  
Las Vegas, Nevada 89130  
702-515-5000



## Introduction

<b>BLM Office:</b>	Las Vegas Field Office	<b>Serial Number:</b>	N-93306-04 and N-94479-01
	4701 N. Torrey Pines Dr	<b>NEPA Number:</b>	DOI-BLM-NV-S010-2016-0072-DNA
	Las Vegas, Nevada 89130	<b>Tiered from EA Number:</b>	BLM-DOI-NV-S010-2015-0116-EA

### Introduction

<b>Title and Type of Project:</b>	Playa Solar Water Pipeline Modification
<b>Location of Proposed Action:</b>	Apex Power Parkway and Highway 93 Township 18 South, Range 63 East, Sections 3 & 4 Township 17 South, Range 63 East, Section 33
<b>Applicant Name:</b>	Playa Solar 1, LLC and Playa Solar 2, LLC

### Description of Project

Playa Solar 1, LLC and Playa Solar 2, LLC (Applicants), through their predecessor in interest, Playa Solar, LLC, have applied to the Bureau of Land Management (BLM) for a right-of-way (ROW) under the Federal Land Policy and Management Act (FLPMA) for a water pipeline to be constructed across federal lands administered by the BLM (Proposed Action). The temporary pipeline would convey water from an offsite well located on private land within the Apex Industrial Park to the Playa Solar Project sites. BLM evaluated the environmental effects of the pipeline in an Environmental Assessment (Playa Solar Project Well and Pipeline EA, July 2015; BLM-DOI-NV-S010-2015-0116-EA N-93306-02) (“Pipeline EA”), and issued a Finding of No Significant Impact (February 19, 2016) and Decision Record (February 19, 2016) approving the pipeline. Subsequent to BLM’s approval, the Applicants have incorporated minor modifications to the pipeline, namely, adjusting the route to the north to allow for passage across Highway 93 through an existing culvert and siting the pipeline above ground to provide only temporary usage, reduce ground disturbance and facilitate removal.

Consistent with the description analyzed in the Pipeline EA, the proposed temporary water pipeline would begin at a well to be constructed on private property within the Apex Industrial Park. The temporary pipeline would be installed above ground and would utilize an existing utility easement along Apex Power Parkway and be located within a degraded area adjoining the road, up to the point where it intersects with the Nevada Department of Transportation (NDOT) Highway 93 ROW (N63221) which is located on land administered by the BLM. The pipeline will be routed northwest for approximately 600 feet within the Highway 93 ROW and will cross below Highway 93 through an existing culvert.

After it crosses under Highway 93, the water pipeline will be routed southeast for approximately 7,497 feet (or 1.42-miles) within the NDOT Highway 93 ROW (N63221) to the Playa Solar Projects boundary (note, the pipeline will continue across the Playa Solar Project sites to a proposed temporary construction water pond located on parcel 4). The total length of the proposed pipeline on BLM administered land is approximately 8,097 feet (or 1.53-miles). The northeast boundary of the proposed pipeline ROW would coincide with the southwest boundary of an existing fiber optic line ROW (N60522). A portion of the proposed pipeline ROW, approximately 0.64 miles, would overlap a portion of Dry Lake Solar Energy Zone Parcel 1 that is also located within the NDOT ROW and subject to a ROW grant held by Invenergy Solar Development, LLC (“Invenergy”). Invenergy has provided its consent in writing to joint use of the relevant area by

the Applicant. Near the termination of the proposed pipeline ROW, it would turn northeast and the pipeline would cross over the existing fiber optic line.

The temporary pipeline will consist of 6" HDPE DR 17 that will be installed above ground (with the exception of two small sections <25' in width that may be buried underground to maintain access to existing unimproved roads if ramps are not used). The pipeline will cross under Highway 93 through and existing culvert.

A temporary access road approximately 100-feet in length and 15-feet wide will be constructed on the proposed ROW on the northeast side Highway 93 to allow construction equipment access the pipeline ROW after it turns southeast. Up to 200 feet of the existing Kern River pipeline access road would be used for construction access at the termination of the ROW water pipeline and for operation access to a water metering station (permission is being sought by the Applicant for use of this road). In addition, an existing unimproved OHV road on the northeast side of Highway 93 may also be used for construction vehicle access.

### **Applicable Mitigation Measures from Original NEPA Document**

All mineral materials need to be used on site within the right-of-way or stockpiled on site for disposal by the BLM. If mineral materials are stockpiled on site for future disposal by the BLM, a mineral material contract, free use permit or material site right-of-way must be issued by the BLM before those mineral materials may be used.

### **New Mitigation Measures Based on New Information**

The section 7 consultation for this project is covered under Biological Opinion 84320-2015-F-0139.R001, *Playa Solar Project*, contingent on compliance with the terms and conditions. This project will disturb a total of 3.89 acres of tortoise habitat. The proponent will be required to pay remuneration fees of \$2,462.10 based on the current year's rate of \$849/acre of disturbance (*Appendix F – Section 7 Fee Payment Form* has been uploaded to ePlanning). Terms and conditions and minimization measures in the above Biological Opinion contain measures to avoid and minimize potential impacts, including take, to desert tortoise (Sec 7 Log # NV-052-16-079).

### **Land Use Conformance**

Land Use Plan: Las Vegas Resource Management Plan	Date Approved: October 1998
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### **Land Use Conformance Summary**

The proposed action is in conformance with the LUP, even though it is not specifically provided for because it is clearly consistent with the following LUP decisions (objectives, terms, and conditions) and, if applicable, implementation plan decisions:

- *Lands Management Objective: LD-2.* All public lands within the planning area, unless otherwise classified, segregated or withdrawn, and with the exception of Areas of Critical Environmental Concern and Wilderness Study Areas, are available at the discretion of the agency, for land use leases and permits under Section 302 of Federal Land Policy and Management Act and for airport leases under the authority of the Act of May 24, 1928, as amended.
  - *Management Direction:* Land use lease or permit applications and airport lease applications will be addressed on a case-by-case basis, where consistent with other resource management

objectives and local land uses. Special terms and conditions regarding use of the public lands involved will be developed as applicable.

### **NEPA Document(s)**

- Playa Solar Project Well and Pipeline EA (July 2015; BLM-DOI-NV-S010-2015-0116-EA N-93306-02); FONSI (February 19, 2016); Decision Record (February 19, 2016).
- Playa Solar Project (Parcels 2, 3 & 4) EA/FONSI (Dec 2014).
- Biological Opinion for Four Solar Energy Projects in the Dry Lake Solar Energy Zone (April 2015).

### **NEPA Adequacy Criteria**

#### **Similar Action Analysis**

Is the new proposed action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document(s)? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document(s)? If there are differences, can you explain why they are not substantial?

Yes, the new proposed action is within the same analysis area and is essentially similar to an alternative analyzed in the existing NEPA document.

The Proposed Action is essentially similar to the proposed action analyzed in the Pipeline EA (July 2015) which contemplated the construction of a groundwater well in the same location and an underground pipeline along a very similar route. The revised pipeline route on BLM land is the same, with the exception of the additional 1,200 linear feet needed to connect the temporary pipeline with the culvert through which it will pass under Highway 93. Since the pipeline will now be installed above ground, the area of disturbance for installation is approximately 16 feet in width. This will result in a total disturbance for the pipeline (8,097' x 16') and well pad (200' x 200') of 3.89 acres which is less than originally anticipated in the Pipeline EA (4.84 acres). While the project area has changed slightly, the Applicants have determined that the geographic and resource conditions are the same or similar to those analyzed in the existing EAs. The Applicants sent biologists from Ironwood Consulting to verify that no unique resource conditions exist in the new locations which they confirmed (Chris Blandford, 3/2/16). The project area also remains within area where a Class III survey was performed and no resources eligible for the National Register of Historic Places are known to be present (NDOT 2013).

#### **Range of Alternatives**

Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the new proposed action, given current environmental concerns, interests, resource values and circumstances?

Yes, the range of alternatives analyzed in the existing NEPA document is appropriate with respect to the new proposed action given current circumstances.

The Pipeline EA (July 2015) and the Site EA for the larger Playa Solar Projects (December 2014) both considered an alternative under which all or a portion of the water needed for construction of the Playa Solar 1 and 2 Projects would be trucked to the site from sources in the Las Vegas Metropolitan Area. Further, the Site EA for the Playa Solar Project analyzed three different well locations and pipeline routes.

## **Existing Analysis**

Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standards assessments, recent endangered species listings, and updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the proposed action?

Yes, the BLM Las Vegas Field Office staff reviewed the proposed action and found that the existing analysis is valid.

No new information or circumstances have arisen since the Pipeline EA was published in July 2015 that would affect the adequacy of the analysis.

## **Direct, Indirect, and Cumulative Effects**

Are the direct, indirect, and cumulative effects that would result from implementation of the new proposed action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

Yes, the direct, indirect, and cumulative effects that would result from implementation of the new proposed action are similar to those analyzed in the existing NEPA document

The Pipeline EA fully analyzed the construction and operation of an offsite groundwater well and pipeline west of Highway 93 connecting to the Playa Solar 1 Project site. Since the pipeline will now be installed above ground, the area of disturbance for above ground installation of the pipeline is approximately 16 feet in width. This will result in a total disturbance for the pipeline (8,097' x 16') and well pad (200' x 200') of 3.89 acres which is less than originally anticipated in the Pipeline EA (4.84 acres). The change in area of disturbance does not represent a substantial change however that has bearing on the analysis of direct, indirect, or cumulative impacts in the Pipeline EA. Further, it should be noted that the portion of the pipeline that parallels the Harry Allen Solar Energy Center Project site boundary (0.64 miles) was accounted for in the impact analysis for that project since impacts were anticipated for the full right-of-way which extends to Highway 93.

As discussed above all Applicant Proposed Measures outlined in the Pipeline EA will be followed. In addition, all BLM identified Mitigation Measures presented in the Pipeline Decision Record (February 16, 2016) will be followed. In order to maintain access to two existing unimproved roads (Kern River access road and an unnamed OHV road), the Applicant will either install ramps over the temporary pipeline or trench and bury the pipeline in these locations. In addition, since the temporary water pipeline is part of the larger Playa Solar 1 and 2 Projects, it would be required to adhere to all Terms/Conditions/ Stipulations identified in the Playa Solar Project Decision Record (May 27, 2015). This includes the Solar Programmatic EIS design features, Solar Regional Mitigation Strategy for the Dry Lake SEZ, Project-specific Mitigation Measures, and Reasonable and Prudent Measures included in the Project-specific Biological Opinion.

## **Public Involvement**

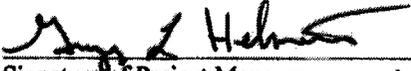
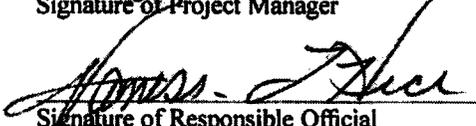
Are the public involvement and interagency review associated with existing NEPA document(s) adequate for the current proposed action?

Yes, public involvement and interagency review associated with the existing NEPA document is adequate for the current proposed action.

As part of the public involvement process for the Site EA (December 2014), it was disclosed to the public and agencies that the Playa Solar Project would include an offsite well and pipeline west of Highway 93 connecting to the project site. The Applicants have also been in contact with appropriate agencies and entities regarding the modified pipeline route and design including: the Nevada Department of Transportation regarding the Highway 93 under-crossing and their Highway 93 right-of-way; the U.S. Fish and Wildlife Service regarding any potential impacts to desert tortoise; Invenergy regarding the location of the pipeline on their parcel; and the Nevada Public Utilities Commission regarding the Utility Environmental Protection Act permit.

**Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the proposed action and constitute BLM's compliance with the requirements of NEPA.

 Signature of Project Manager	
 Signature of Responsible Official Vanessa L. Hice, Assistant Field Manager Division of Lands	<u>5/17/16</u> Date

The signed Conclusion on this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

## Interdisciplinary Team Review

**Table 1. Affected Resources Form**

Resource	<p><b>Is the proposed action within the scope of the analysis of the tiered NEPA document and valid in light of new information, data, laws, or policy <i>yes or no</i>?</b></p> <p>If <i>yes</i>, provide citation of where this analysis can be found in tiered NEPA document and include applicable original mitigation measures (section 1.1.1.1) and/or new mitigation measures (section 1.1.1.2).</p> <p>If <i>no</i>, alert project lead immediately as new NEPA is required.</p>	Specialist Digital Signature	Date
Air Quality			
Areas of Critical Environmental Concern (ACEC)	Yes. The proposed project area is not within an Area of Critical Environmental Concern; therefore impacts to this resource were not included in the analysis.	Jimmy Linares	5/12/2016
BLM Natural Areas/Conservation Lands	Yes/Yes — these resources are not present in the project area and analysis in the tiered NEPA document would not have been required. No further analysis is required.	Steve Leslie	5/6/2016
Climate Change/ Greenhouse Gas Emissions			
Cultural Resources	To comply with Section 106 of the National Historic Preservation Act (NHPA), the BLM Archaeologist conducted an existing data review of the area of potential effect (APE) for the proposed undertaking. The APE was previously evaluated for cultural resources in support of two previous NEPA documents: 1) Playa Solar Project Well and Pipeline EA (July 2015; BLM-DOI-NV-S010-2015-0116-EA N-93306-02) and 2) Playa Solar Project (Parcels 2, 3 & 4) EA/FONSI (Dec 2014). No historic properties were identified within the APE; no further evaluation is required. As proposed, the undertaking will have no effect to historic properties.	Mark Boatwright	5/6/2016
Environmental Justice	Yes, the above action and potential impacts were previously analyzed under DOI-BLM-NV-S010-2015-0116-EA.	Nicollee Gaddis	5/16/16
Farmlands (Prime or Unique)	There are no prime or unique farmland designations in the District, therefore they are not included in the analysis.	Krystal Johnson	5/4/2016
Fish and Wildlife Excluding Federally Listed Species	Yes. The above action and potential impacts were previously analyzed under DOI-BLM-NV-S010-2015-0116-EA (Section 3.3). This analysis was sufficient and no further analysis is needed at this time. Existing comments and measures (Section 3.3.3.5.1) from the previous analyses remain in effect and must be adhered to when carrying out any activities.	Jimmy Linares	5/12/2016
Floodplains			
Fuels/Fire Management			
Geology / Mineral Resources/Energy Production	Yes - (3.2.3.2)	Mary Klinger	5/6/16
Hydrologic Conditions			
Invasive Species/Noxious Weeds			
Lands/Access			

Lands with Wilderness Characteristics	Yes — this resource is not present in the project area and analysis in the tiered NEPA document would not have been required. No further analysis is required.	Steve Leslie	5/6/2016
Livestock Grazing	Yes, The proposed action was previously analyzed in EA# DOI-BLM-NV-S010-2015-0116-EA. Existing comments and stipulations from the previous analysis are adequate and remain in effect.	Ashley Holcomb	5/11/16
Migratory Birds	Yes. The above action and potential impacts were previously analyzed under DOI-BLM-NV-S010-2015-0116-EA (Section 3.3). This analysis was sufficient and no further analysis is needed at this time. Existing comments and measures (Section 3.3.3.5.2) from the previous analyses remain in effect and must be adhered to when carrying out any activities.	Jimmy Linares	5/11/2016
Native American Concerns	Previous tribal coordination/consultations indicate that there are not any issues related to religious or cultural concerns.	Mark Boatwright	5/6/2016
Paleontology	Based on a review of the relevant literature and the previous review of the project, there are not any known paleontological resources that will be affected.	Mark Boatwright	5/6/2016
Rangeland Health Standards	Yes, Four fundamentals of rangeland health are listed in Title 43 CFR § 4180.1. These include watersheds, ecological processes, water quality, and habitats. Potential impacts to these values are analyzed as part of the vegetation, hydrology, wildlife and federally listed species sections, which were previously analyzed in EA# DOI-BLM-NV-S010-2015-0116-EA.	Ashley Holcomb	5/11/16
Recreation			
Socioeconomics	Yes, the above action and potential impacts were previously analyzed under DOI-BLM-NV-S010-2015-0116-EA.	Nicollee Gaddis	5/16/16
Soils			
Threatened, Endangered or Candidate Plant Species	Yes, The proposed action was previously analyzed in EA# DOI-BLM-NV-S010-2015-0116-EA. Based on known locations and habitat requirements. Threatened, Endangered or Candidate plant species are not present.	Ashley Holcomb	5/11/16
Threatened, Endangered or Candidate Animal Species	Yes. The above action and potential impacts were previously analyzed under DOI-BLM-NV-S010-2015-0116-EA (Section 3.3). This analysis was sufficient and no further analysis is needed at this time. Existing comments and measures (Section 3.3.3.5.3) from the previous analyses remain in effect and must be adhered to when carrying out any activities.  <b>Special Stipulation:</b>  The section 7 consultation for this project is covered under Biological Opinion 84320-2015-F-0139.R001, <i>Playa Solar Project</i> , contingent on compliance with the terms and conditions. This project will disturb a total of 3.89 acres of tortoise habitat. The proponent will be required to pay remuneration fees of \$2,462.10 based on the current year's rate of \$849/acre of disturbance ( <i>Appendix F – Section 7 Fee Payment Form</i> has been uploaded to ePlanning). Terms and conditions and minimization measures in the above Biological Opinion contain measures to avoid and minimize potential impacts, including take, to desert tortoise (Sec 7 Log # NV-052-16-079).	Mark Slaughter	5/12/2016
Wastes (hazardous or solid)			
Water Resources/Quality (drinking/surface/ground)			
Wetlands/Riparian Zones			

<b>Wild and Scenic Rivers</b>			
<b>Wilderness/WSA</b>	Yes/Yes — these resources are not present in the project area and analysis in the tiered NEPA document would not have been required. No further analysis is required.	Steve Leslie	5/6/2016
<b>Woodland / Forestry</b>	Yes, The proposed action was previously analyzed EA# DOI-BLM-NV-S010-2015-0116-EA. The proposed modifications to water pipeline will not have additional impacts to woodland/forestry products. Existing comments and stipulations from the previous analysis are adequate and remain in effect.	Ashley Holcomb	5/11/16
<b>Vegetation Excluding Federally Listed Species</b>	Yes, The proposed action was previously analyzed in EA# DOI-BLM-NV-S010-2015-0116-EA. The proposed modifications to water pipeline will not have additional impacts to BLM sensitive species that may be within the project area. Existing comments from the previous analysis are adequate and remain in effect.	Ashley Holcomb	5/11/16
<b>Visual Resources</b>			
<b>Wild Horses and Burros</b>	The project is not located in an active herd management area, therefore wild horses and burros are not mentioned or included in the analysis.	Krystal Johnson	5/4/2016

## **Exhibit 5**

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "PLAYA SOLAR 1, LLC", FILED IN THIS OFFICE ON THE ELEVENTH DAY OF AUGUST, A.D. 2015, AT 6:08 O'CLOCK P.M.



5801891 8100

151159983

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 2636394

DATE: 08-11-15

CERTIFICATE OF FORMATION  
OF  
PLAYA SOLAR 1, LLC

1. The name of the limited liability company is PLAYA SOLAR 1, LLC.
2. The address of its registered office in the State of Delaware is: Corporation Trust Center, 1209 Orange Street, in the City of Wilmington, Delaware 19801. The name of its registered agent at such address is The Corporation Trust Company.

IN WITNESS WHEREOF, the undersigned have executed this Certificate of Formation of PLAYA SOLAR 1, LLC this 8th day of August, 2015.

By:   
\_\_\_\_\_  
Authorized Person (s)

Name: Beth Deane, Vice President & Assistant Secretary

**WRITTEN CONSENT OF THE SOLE MEMBER OF**

**PLAYA SOLAR 1, LLC**

**August 12, 2015**

The undersigned, being the sole member of Playa Solar 1, LLC a Delaware limited liability company, (the "Company"), does hereby take the following action and adopt the following resolutions by written consent, with an effective date as of the date first written above.

RESOLVED, that the Limited Liability Company Agreement of the Company, in the form attached hereto as Exhibit A, is hereby adopted and approved.

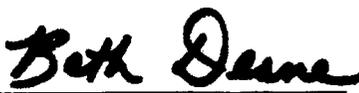
RESOLVED that each of the persons named below is elected to the office or offices set forth opposite his or her name, to serve until his or her successor is duly elected and qualified:

<b><u>Name</u></b>	<b><u>Title</u></b>
Georges Antoun	President
Richard Lammers	Vice President, Asset Management
Tymen de Jong	Vice President, Manufacturing and EPC
Brian Kunz	Vice President, Project Development
Alex Bradley	Vice President, Treasury and Project Finance
Bryan Schumaker	Vice President, Corporate Controller
Kenneth Andrews	Vice President, Tax
Beth Deane	Vice President and Assistant Secretary
Jason Dymbort	Vice President and Assistant Secretary
Roger Bredder	Vice President Business Development
Paul Kaleta	Vice President and Secretary

IN WITNESS WHEREOF, the undersigned has executed this written consent as of the date first written above.

**Sole Member:**

PLAYA SOLAR 1, LLC

By: 

Name: Beth Deane

Title: Vice President and Assistant Secretary

STATE OF NEVADA

**BARBARA K. CEGAVSKE**  
Secretary of State

**JEFFERY LANDERFELT**  
Deputy Secretary  
for Commercial Recordings



**Commercial Recordings Division**  
202 N. Carson Street  
Carson City, NV 89701-4201  
Telephone (775) 684-5708  
Fax (775) 684-7138

OFFICE OF THE  
SECRETARY OF STATE

Michelle Donato  
208 S.LaSalle Suite 814  
Chicago, IL 60604

**Job:C20150819-1420**  
August 19, 2015

**Special Handling Instructions:**

**Charges**

Description	Document Number	Filing Date/Time	Qty	Price	Amount
Initial List	20150370482-82	8/19/2015 1:06:21 PM	1	\$150.00	\$150.00
Business License 8/2015-8/2016	20150370482-82	8/19/2015 1:06:21 PM	1	\$200.00	\$200.00
Total					\$350.00

**Payments**

Type	Description	Amount
Credit	084165 15081988118331	\$350.00
Total		\$350.00

**Credit Balance: \$0.00**

**Job Contents:**

File Stamped Copy(s): 1  
Business License(s): 1

Michelle Donato  
208 S.LaSalle Suite 814  
Chicago, IL 60604

**INITIAL/ANNUAL LIST OF MANAGERS OR MANAGING MEMBERS AND STATE BUSINESS LICENSE APPLICATION OF:**

ENTITY NUMBER  
E0389282015-1

PLAYA SOLAR 1, LLC

NAME OF LIMITED-LIABILITY COMPANY



FOR THE FILING PERIOD OF **AUG, 2015** TO **AUG, 2016**

USE BLACK INK ONLY - DO NOT HIGHLIGHT

**\*\*YOU MAY FILE THIS FORM ONLINE AT [www.nvsliverflume.gov](http://www.nvsliverflume.gov)\*\***

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

Filed in the office of <i>Barbara K. Cegavske</i> Barbara K. Cegavske Secretary of State State of Nevada	Document Number <b>20150370482-82</b>
	Filing Date and Time <b>08/19/2015 1:06 PM</b>
	Entity Number <b>E0389282015-1</b>

ABOVE SPACE IS FOR OFFICE USE ONLY

**IMPORTANT:** Read instructions before completing and returning this form.

- Print or type names and addresses, either residence or business, for all manager or managing members. A Manager, or if none, a Managing Member of the LLC must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional managers or managing members, attach a list of them to this form.
- Return completed form with the fee of \$150.00. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
- Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

ANNUAL LIST FILING FEE: \$150.00 LATE PENALTY: \$75.00 (if filing late)

BUSINESS LICENSE FEE: \$200.00 LATE PENALTY: \$100.00 (if filing late)

**CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW**

Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code:

**NRS 76.020 Exemption Codes**

- 001 - Governmental Entity
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

**NOTE: If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.**

NAME PLAYA SOLAR, LLC	MANAGER OR MANAGING MEMBER		
ADDRESS 350 W. WASHINGTON ST, 6TH FLOOR , USA	CITY TEMPE	STATE AZ	ZIP CODE 85281
NAME	MANAGER OR MANAGING MEMBER		
ADDRESS	CITY	STATE	ZIP CODE
NAME	MANAGER OR MANAGING MEMBER		
ADDRESS	CITY	STATE	ZIP CODE
NAME	MANAGER OR MANAGING MEMBER		
ADDRESS	CITY	STATE	ZIP CODE

None of the managers or managing members identified in the list of managers and managing members has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of a manager or managing member in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

**X** MARGARET ELIZABETH DEANE

Title: **RESIDENT AND ASSISTANT SEC** Date: **8/19/2015 1:06:17 PM**

**Signature of Manager, Managing Member or Other Authorized Signature**

SECRETARY OF STATE



## NEVADA STATE BUSINESS LICENSE

**PLAYA SOLAR 1, LLC**  
Nevada Business Identification # NV20151484276

**Expiration Date: August 31, 2016**

In accordance with Title 7 of Nevada Revised Statutes, pursuant to proper application duly filed and payment of appropriate prescribed fees, the above named is hereby granted a Nevada State Business License for business activities conducted within the State of Nevada.

Valid until the expiration date listed unless suspended, revoked or cancelled in accordance with the provisions in Nevada Revised Statutes. License is not transferable and is not in lieu of any local business license, permit or registration.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on August 19, 2015

BARBARA K. CEGAVSKE  
Secretary of State

***You may verify this license at [www.nvsos.gov](http://www.nvsos.gov) under the Nevada Business Search.***

**License must be cancelled on or before its expiration date if business activity ceases.  
Failure to do so will result in late fees or penalties which by law cannot be waived.**

## **Exhibit 6**

# Delaware

PAGE 1

*The First State*

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "PLAYA SOLAR 2, LLC", FILED IN THIS OFFICE ON THE TENTH DAY OF JUNE, A.D. 2015, AT 2:03 O'CLOCK P.M.

5763882 8100

150904616

You may verify this certificate online  
at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)



  
Jeffrey W. Bullock, Secretary of State  
AUTHENTICATION: 2454328

DATE: 06-10-15

State of Delaware  
Secretary of State  
Division of Corporations  
Delivered 02:07 PM 06/10/2015  
FILED 02:03 PM 06/10/2015  
SRV 150904616 - 5763882 FILE

CERTIFICATE OF FORMATION  
OF  
PLAYA SOLAR 2, LLC

1. The name of the limited liability company is PLAYA SOLAR 2, LLC.

2. The address of its registered office in the State of Delaware is:  
Corporation Trust Center, 1209 Orange Street, in the City of Wilmington,  
Delaware 19801. The name of its registered agent at such address is The  
Corporation Trust Company.

IN WITNESS WHEREOF, the undersigned have executed this Certificate  
of Formation of PLAYA SOLAR 2, LLC this 10th day of June, 2015.

By:   
\_\_\_\_\_  
Authorized Person (s)

Name: Beth Deane, Vice President & Assistant Secretary

**WRITTEN CONSENT OF THE SOLE MEMBER OF**

**PLAYA SOLAR 2, LLC**

**August 4, 2015**

The undersigned, being the sole member of PLAYA SOLAR 2, LLC, a Delaware limited liability company, (the "Company"), does hereby take the following action and adopt the following resolutions by written consent, with an effective date as of the date first written above.

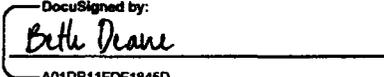
RESOLVED that all existing Officers of the Company are removed as Officers of the Company and each of the persons named below is elected to the office or offices set forth opposite his or her name, to serve until his or her successor is duly elected and qualified:

<u>Name</u>	<u>Title</u>
Georges Antoun	President
Brian Kunz	Vice President, Project Development
Roger Bredder	Vice President Business Development
Richard Lammers	Vice President, Asset Management
Tymen de Jong	Vice President, Manufacturing and EPC
Alex Bradley	Vice President, Treasury and Project Finance
Bryan Schumaker	Vice President, Corporate Controller
Ken Andrews	Vice President, Tax
Paul Kaleta	Vice President, General Counsel
Beth Deane	Vice President and Assistant Secretary
Jason Dymbort	Vice President and Assistant Secretary

IN WITNESS WHEREOF, the undersigned has executed this written consent as of the date first written above.

**Sole Member:**

Playa Solar, LLC

By:   
A01DB11FDF1845D...

Name: Beth Deane

Title: Vice President & Assistant Secretary

STATE OF NEVADA

**BARBARA K. CEGAVSKE**  
Secretary of State

**JEFFERY LANDERFELT**  
Deputy Secretary  
for Commercial Recordings



OFFICE OF THE  
SECRETARY OF STATE

**Commercial Recordings Division**  
202 N. Carson Street  
Carson City, NV 89701-4201  
Telephone (775) 684-5708  
Fax (775) 684-7138

Mandy hendricks  
120 S Central Ave Ste 400  
Clayton, MO 63105

**Job: C20150709-0351**  
July 9, 2015

**Special Handling Instructions:**

**Charges**

Description	Document Number	Filing Date/Time	Qty	Price	Amount
Initial List	20150316096-63	7/9/2015 8:48:44 AM	1	\$150.00	\$150.00
Business License 6/2015-6/2016	20150316096-63	7/9/2015 8:48:44 AM	1	\$200.00	\$200.00
<b>Total</b>					<b>\$350.00</b>

**Payments**

Type	Description	Amount
Credit	016918 15070981346075	\$350.00
<b>Total</b>		<b>\$350.00</b>

**Credit Balance: \$0.00**

**Job Contents:**

File Stamped Copy(s): 1  
Business License(s): 1

Mandy hendricks  
120 S Central Ave Ste 400  
Clayton, MO 63105

**INITIAL/ANNUAL LIST OF MANAGERS OR MANAGING MEMBERS AND STATE BUSINESS LICENSE APPLICATION OF:**

PLAYA SOLAR 2, LLC

NAME OF LIMITED-LIABILITY COMPANY

ENTITY NUMBER

E0291172015-1



\*100403\*

FOR THE FILING PERIOD OF JUN, 2015 TO JUN, 2016

USE BLACK INK ONLY - DO NOT HIGHLIGHT

\*\*YOU MAY FILE THIS FORM ONLINE AT [www.nvsilverflume.gov](http://www.nvsilverflume.gov)\*\*

Return one file stamped copy. (If filing not accompanied by order instructions, file stamped copy will be sent to registered agent.)

**IMPORTANT:** Read instructions before completing and returning this form

- Print or type names and addresses, either residence or business, for all manager or managing members. A Manager, or if none, a Managing Member of the LLC must sign the form. **FORM WILL BE RETURNED IF UNSIGNED.**
- If there are additional managers or managing members, attach a list of them to this form.
- Return completed form with the fee of \$150.00. A \$75.00 penalty must be added for failure to file this form by the deadline. An annual list received more than 90 days before its due date shall be deemed an amended list for the previous year.
- State business license fee is \$200.00. Effective 2/1/2010, \$100.00 must be added for failure to file form by deadline.
- Make your check payable to the Secretary of State.
- Ordering Copies:** If requested above, one file stamped copy will be returned at no additional charge. To receive a certified copy, enclose an additional \$30.00 per certification. A copy fee of \$2.00 per page is required for each additional copy generated when ordering 2 or more file stamped or certified copies. Appropriate instructions must accompany your order.
- Return the completed form to: Secretary of State, 202 North Carson Street, Carson City, Nevada 89701-4201, (775) 684-5708.
- Form must be in the possession of the Secretary of State on or before the last day of the month in which it is due. (Postmark date is not accepted as receipt date.) Forms received after due date will be returned for additional fees and penalties. Failure to include annual list and business license fees will result in rejection of filing.

Filed in the office of <i>Barbara K. Cegavske</i> Barbara K. Cegavske Secretary of State State of Nevada	Document Number <b>20150316096-63</b>
	Filing Date and Time <b>07/09/2015 8:48 AM</b>
	Entity Number <b>E0291172015-1</b>

ABOVE SPACE IS FOR OFFICE USE ONLY

ANNUAL LIST FILING FEE: \$150.00 LATE PENALTY: \$75.00 (if filing late)

BUSINESS LICENSE FEE: \$200.00 LATE PENALTY: \$100.00 (if filing late)

**CHECK ONLY IF APPLICABLE AND ENTER EXEMPTION CODE IN BOX BELOW**

Pursuant to NRS Chapter 76, this entity is exempt from the business license fee. Exemption code:

**NRS 76.020 Exemption Codes**

- 001 - Governmental Entity
- 005 - Motion Picture Company
- 006 - NRS 680B.020 Insurance Co.

**NOTE:** If claiming an exemption, a notarized Declaration of Eligibility form must be attached. Failure to attach the Declaration of Eligibility form will result in rejection, which could result in late fees.

NAME PLAYA SOLAR, LLC	MANAGER OR MANAGING MEMBER		
ADDRESS 350 W. WASHINGTON ST., 6TH FL , USA	CITY TEMPE	STATE AZ	ZIP CODE 85281
NAME	MANAGER OR MANAGING MEMBER		
ADDRESS	CITY	STATE	ZIP CODE
NAME	MANAGER OR MANAGING MEMBER		
ADDRESS	CITY	STATE	ZIP CODE
NAME	MANAGER OR MANAGING MEMBER		
ADDRESS	CITY	STATE	ZIP CODE

None of the managers or managing members identified in the list of managers and managing members has been identified with the fraudulent intent of concealing the identity of any person or persons exercising the power or authority of a manager or managing member in furtherance of any unlawful conduct.

I declare, to the best of my knowledge under penalty of perjury, that the information contained herein is correct and acknowledge that pursuant to NRS 239.330, it is a category C felony to knowingly offer any false or forged instrument for filing in the Office of the Secretary of State.

**X** BETH DEANE  
Signature of Manager, Managing Member or Other Authorized Signature

Title: VP AND ASSISTANT SECRETARY Date: 7/9/2015 8:48:28 AM

# SECRETARY OF STATE



## NEVADA STATE BUSINESS LICENSE

**PLAYA SOLAR 2, LLC**  
Nevada Business Identification # NV20151367196

**Expiration Date: June 30, 2016**

In accordance with Title 7 of Nevada Revised Statutes, pursuant to proper application duly filed and payment of appropriate prescribed fees, the above named is hereby granted a Nevada State Business License for business activities conducted within the State of Nevada.

Valid until the expiration date listed unless suspended, revoked or cancelled in accordance with the provisions in Nevada Revised Statutes. License is not transferable and is not in lieu of any local business license, permit or registration.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of State, at my office on July 9, 2015

*Barbara K. Cegavske*  
BARBARA K. CEGAVSKE  
Secretary of State

***You may verify this license at [www.nvsos.gov](http://www.nvsos.gov) under the Nevada Business Search.***

**License must be cancelled on or before its expiration date if business activity ceases.  
Failure to do so will result in late fees or penalties which by law cannot be waived.**

## **Exhibit 7**

**Playa Solar 1, LLC**  
**Playa Solar 2, LLC**  
135 Main Street, 6th Floor  
San Francisco, CA 94105

June 22, 2016

Ms. Trisha Osborne  
Assistant Commission Secretary  
Public Utilities Commission of Nevada  
1150 East William Street  
Carson City, Nevada 89701-3109

Re: Acknowledgment and Agreement by Playa Solar 1, LLC and Playa Solar 2, LLC  
to Comply with the Terms, Conditions and Modifications to the Utility  
Environmental Protection Act Permit to Construct and Orders in Docket No. 15-  
07037

Dear Ms. Osborne:

I am the Director of Project Development for Playa Solar 1, LLC and Playa Solar 2, LLC,  
and in that capacity, I acknowledge that those entities are aware of and agree to comply  
with all terms, conditions and modifications of the Utility Environmental Protection Act  
Permit to Construct and Orders as have been or may be issued by the Public Utilities  
Commission of Nevada to Playa Solar, LLC in Docket No. 15-07037.

Playa Solar 1, LLC

By: Michael Argentine  
Michael Argentine

Its: Director of Project Development

Playa Solar 2, LLC

By: Michael Argentine  
Michael Argentine

Its: Director of Project Development

## **Exhibit 8**

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA)
COUNTY OF CLARK) SS:

BULLEN LAW LLC
STE 454
8635 W SAHARA AVE
LAS VEGAS NV 89117

Account # 124204
Ad Number 0000801929

Eileen Gallagher, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for, was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 05/26/2016 to 05/26/2016, on the following days:

05 / 26 / 16

Signature of Eileen Gallagher
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 26th day of May, 2016

Signature of Notary Mary A. Lee
Notary

MARY A. LEE
Notary Public State of Nevada
No. 09-8941-1
My Appt. Exp. Nov. 13, 2016

BEFORE THE PUBLIC UTILITIES COMMISSION OF NEVADA
AMENDED APPLICATION FOR A PERMIT TO CONSTRUCT A UTILITY FACILITY PURSUANT TO THE UTILITY ENVIRONMENTAL PROTECTION ACT
Playa Solar, LLC ("Playa Solar") will submit to the Public Utilities Commission of Nevada (the "Commission"), pursuant to the Utility Environmental Protection Act ("UEPA"), an Amended Application (the "Amended Application") for a permit to construct a utility facility under Nevada Revised Statutes ("NRS") Sections 704.820 to 704.900 and Nevada Administrative Code ("NAC") Sections 703.415 to 703.427. Playa Solar proposes to construct an approximately 1.7 mile above-ground temporary water pipeline and ancillary facilities on privately owned land within the Apex Industrial Park and federal land managed by the U.S. Bureau of Land Management ("BLM"), and a water well within the Apex Industrial Park, approximately 20 miles north of Las Vegas in Clark County, Nevada (the "Proposed Facility"). In the Amended Application, Playa Solar will be requesting a transfer of the Amended Application from Playa Solar to Playa Solar 1, LLC and Playa Solar 2, LLC.
The contents of the Amended Application will include, but are not limited to:
1. A general description of the location of the proposed utility facility.
2. A general description of the proposed utility facility.
3. A summary of any studies which have been made of the environmental impact of the facility.
4. A description of any reasonable alternate location(s) for the proposed facility.
5. Proof that a copy of the Amended Application has been submitted to the Nevada State Clearinghouse within the State Department of Conservation and Natural Resources.
6. Proof that a public notice of the Amended Application was given to persons residing in the municipalities entitled to receive notice by the publication of a summary of the application in newspapers published and distributed in the area in which the utility facility is proposed to be located.
A copy of the Amended Application will be available on the Commission's website following the filing of the Amended Application by Playa Solar. Additional information about the UEPA process and a person's right to participate in the process can be found in NRS and NAC Chapters 703 and 704.
PUB: May 26, 2016
LV Review Journal

## **Exhibit 9**

## CERTIFICATE OF SERVICE

I hereby certify that on June 22, 2016, a true and correct copy of the Amended Application Of Playa Solar, LLC For A Permit To Construct A Utility Facility Under The Utility Environmental Protection Act was served via electronic mail on the following:

Public Utilities Commission of Nevada  
Attn: Staff Counsel Support  
1150 E. William Street  
Carson City, Nevada 89701-3109  
pucn.sc@puc.nv.gov

Public Utilities Commission of Nevada  
Attn: Ms. Tammy Cordova, Staff Counsel  
9075 W. Diablo Drive, Suite 250  
Las Vegas, Nevada 89148  
tcordova@puc.nv.gov

Office of the Attorney General  
Bureau of Consumer Protection  
Attn: Mr. Eric Witkoski, Chief Deputy  
Attorney General and Consumer  
Advocate  
100 North Carson Street  
Carson City, Nevada 89701-4717  
ewitkoski@ag.nv.gov

Nevada State Clearinghouse  
Nevada Division of State Lands  
Attention: Mr. Skip Canfield  
901 South Stewart Street, Suite 5003  
Carson City, NV 89701-5246  
nevadaclearinghouse@lands.nv.gov

Nevada Department of Conservation and  
Natural Resources  
Attn: Mr. Leo Drozdoff, Director  
901 South Stewart Street, Suite 1003  
Carson City, Nevada 89701  
ldrozdoff@dcnr.nv.gov

Nevada Division of Environmental  
Protection  
Attention: Mr. Dave Emme, Administrator  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701-5249  
demme@ndep.nv.gov

Public Utilities Commission of Nevada  
Attn: Louise Uttinger  
1150 E. William Street  
Carson City, Nevada 89701-3109  
uttinger@puc.nv.gov

Clark County Clerk  
Attn: Ms. Lynn Goya  
500 S. Grand Central Pkwy #6  
Las Vegas, Nevada 89155  
clerkem@ClarkCountyNV.gov

Dated: June 22, 2016

  
Linda M. Bullen