

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

TONOPAH SOLAR ENERGY, LLC,¹

Debtor.

Chapter 11

Case No. 26-10060 (JKS)

Related D.I.: 291, 292, 296 & 307

**ORDER (I) AUTHORIZING THE DEBTOR
TO PAY BLM RENT OBLIGATIONS, AND (II) GRANTING RELATED RELIEF**

Upon consideration of the motion (the “Motion”)² of the above-captioned debtor and debtor in possession (the “Debtor”) for entry of an (this “Order”), (i) authorizing, but not directing, the Debtor, to pay the Rent Obligations on account of the Debtor’s ROWs with the BLM, and (ii) granting related relief, all as further described in the Motion; and upon consideration of the Motion and all related pleadings, including the First Day Declaration and the *Declaration of Yale Scott Bogen In Support of Debtor’s Motion to Pay BLM Rent Obligations* [D.I. 307]; and due and proper notice of the Motion having been given; and having determined that no other or further notice of the Motion is required; and having determined that this Court has jurisdiction to consider the Motion in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated as of February 29, 2012; and having determined that this is a core proceeding under 28 U.S.C. § 157(b)(2); and having determined that venue of this proceeding and the Motion is proper under 28 U.S.C. §§ 1408 and 1409; and this Court having found and determined that the relief sought in the Motion is in the best interest of the Debtor’s estate, its creditors and other parties in interest; and this Court having

¹ The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number, is Tonopah Solar Energy, LLC (1316). The Debtor’s headquarters is located at 11 Gabbs Pole Line Road, Box 1071, Tonopah, NV 89049.

² Capitalized terms used but not otherwise defined in this Order have the meaning given to them in the Motion.

reviewed the Motion and having heard the statements in support of the relief requested at a hearing before this Court, if applicable (the “Hearing”); and this Court having determined that the legal and factual bases set forth in the Motion and at the Hearing establish just cause for the relief granted in this Order; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED, as set forth in this Order.
2. The Debtor is authorized, but not directed, in its discretion to pay any prepetition or postpetition Rent Obligations; *provided* such payments shall not exceed in the aggregate \$100,000 on account of prepetition Rent Obligations.
3. Nothing contained in this Order is intended to or shall: (a) be construed as an admission as to the validity, priority, or amount of any claim against the Debtor; (b) impair, prejudice, waive or otherwise affect the rights of the Debtor or its estate to dispute the amount of, basis for, nature, validity, priority, or amount of any claim against the Debtor; (c) impair, prejudice, waive or otherwise affect the rights of the Debtor or its estate with respect to any and all claims or causes of action which may exist against any third party; (d) be construed as an approval, assumption, adoption, or rejection of any agreement, contract, lease, program, or policy between the Debtor and any third party under section 365 of the Bankruptcy Code; or (e) create any rights in favor of, or enhance the status or nature of any claim held by, any person. Authorization to pay the Rent Obligations described in the Motion shall not be deemed a direction to the Debtor to pay such claims; rather, the Debtor will make any such payments in its discretion. Any payment made under this Order is not intended to be and shall not be construed as an admission to the validity of any claim or a waiver of any of the Debtor’s rights to subsequently dispute such claim.

4. Notwithstanding any applicability of Bankruptcy Rule 6004(h), the terms and conditions of this Order are hereby effective and enforceable immediately upon its entry.

5. The Debtor is authorized to take and perform all actions it deems necessary to effectuate the relief granted in this Order.

6. This Court retains jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, or enforcement of this Order.

Dated: May 20th, 2026
Wilmington, Delaware


J. KATE STICKLES
UNITED STATES BANKRUPTCY JUDGE