TEMPORARY

Serial No. 55685 T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JAN 29 1991

Returned to applicant for correction

Corrected application filed Map filed FEB 4 1991 under 55684-T

The applicant Beowawe Geothermal Power Company

200 S. Virgina Street, Suite 400 (Street and No. or P.O. Box No.) of Reno (City or Town)

Nevada 89502 (State and Zip Code No.) hereby make.s application for permission to change the

Point of Diversion of a Portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 27959 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 6.0 CFS (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Industrial and Domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Industrial and Domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point within the SE¼ SE¼ Section 13, T.31N., R.47E., (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.) M.D.M. or at a point from which the Southeast corner of said Section 13 bears S.44° 00'E. a distance of 1110 Feet (77-13).
6. The existing permitted point of diversion is located within the SE¼ SE¼ Section 13, T.31N., R.47E., (If point of diversion is not changed, do not answer.) M.D.M. or at a point from which the Southeast corner of said Section 13 bears S.45° 15' 30"E., a distance of 935 feet (Ginn 1-13).
7. Proposed place of use Same as existing (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use within all of T.31N., R.47E. and T.31N., R.48E., M.D.M. (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.
11. 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.) Geothermal production well to depth of 8000' +/- and piping to existing geothermal power plant. (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $1.5 million
13. Estimated time required to construct works 1 year

TEMPORARY

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Geothermal fluids from this Application, concurrent Application _____, Permit 27959 and Permit 48737 will be commingled to develop geothermal resource for the Beowawe Geothermal Power Plant. Applicant requests that the permit be issued allowing this commingling not to exceed a total of 15.0 CFS from any or all sources. Consumptive use will be approximately 20% of fluids withdrawn, the remainder will be reinjected.

By s/ Thomas A. Foote
5190 Neil Road, # 300
Reno, NV 89502

Compared am/se am/se

Protested

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 temporary permit to change the point of diversion of a portion of the waters of an underground geothermal source as heretofore granted under Permit 27959 is issued subject to the terms and conditions imposed in said Permit 27959 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit is issued subject to existing rights. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under this permit will be dependent upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease of fluid pressure and heat. The well shall be equipped and maintained to prevent any waste of the geothermal fluid. Accurate measurements must be kept of discharge of the production well and the amount of fluid injected into the injection well to determine the total amount of fluid diverted and consumed for a beneficial use.

The production and injection well are to be cemented from the producing levels to the surface to protect fresh water zones. This permit is issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted. The used

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

TEMPORARY

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of March, A.D. 19 91

R. Michael Turnipseed P.E.
State Engineer

(PERMIT TERMS CONTINUED)

geothermal fluids are to be returned to the source via the injection well. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies. A detailed log on the injection well and/or other analyses of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

An annual report for this well must be filed under this permit describing the amount of geothermal fluid diverted and consumed to a beneficial use for the calendar year. This report must detail the amount of fluid produced and injected.

The total withdrawal of the geothermal fluid shall be limited to 4344 acre-feet per year but the total consumptive use of the geothermal fluid is limited to only incidental fluid losses in the system and in no case shall it amount to more than 20% of the volume withdrawn annually. The State Engineer does not waive the right to make a determination of incidental fluid losses at any time and impose additional conditions thereto. This permit is further issued subject to the provisions of NRS 533.372(1) and with the understanding that the power or energy generated by the beneficial use of this water or steam is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on March 14, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The total withdrawal of geothermal fluid under Permits 27959, 48737, 55684-T, 55685-T shall be limited to 10,860 acre-feet per year but the total consumptive use of the geothermal fluid is limited to only incidental fluid losses in the system and in no case shall it amount to more than 20% of the volume withdrawn annually.