TEMPORARY

Serial No. 55730T

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 FEB 4 1991

Returned to applicant for correction

Corrected application filed Map filed FEB 4 1991

The applicant Oxbow Geothermal Corporation

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 and Place of Use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 43052 (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 3.25 CFS (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Industrial (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Industrial (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 NE¼ Section 7, T.24N., R.37E., M.D.M. or at a point from which the Northeast corner of said Section 7 bears N.24°12'E. a distance of 1997 feet (73B-7). (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.)
6. The existing permitted point of diversion is located within the NE¼ NW¼ Section 18, T.24N., R.37E, M.D.M. or at a point from which the Northeast corner of said Section 6, T.24N., R.37E., M.D.M. bears N.14°40'13"E., a distance of 11752.9 feet (42-18). (If point of diversion is not changed, do not answer.)
7. Proposed place of use NE¼ Section 7, T.24N., R.37E., M.D.M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use within Section 32, T.25N., R.37E., M.D.M.; Sections 4, 5, 6, 7, 8, 17, 18, 19, 20, 21, T.24N., R.37E., M.D.M.; Sections 12, 13, 24, T.24N., R.36E., 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 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 million
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

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

This application is to be commingled with other applications for for Oxbow's Dixie Valley Power Plant.

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

Compared cmg/jjs

Protested

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:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

WITHDRAWN BY APPLICANT DEC 30 1991

P.E. STATE ENGINEER

IN TESTIMONY WHEREOF, I, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of, A.D. 19

State Engineer

(O)-1108 (Rev. 6-81)