

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 AUG 06 1992

Returned to applicant for correction AUG 20 1992

Corrected application filed OCT 16 1992 Map filed OCT 16 1992

The applicant Fish Lake Power Company

4365 Executive Dr., Suite 900 of San Diego

California 92121 hereby make application for permission to change the

Point of Diversion and Place of Use of a portion

of water heretofore appropriated under Permit 47034

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

2. The amount of water to be changed 2.0 second feet

3. The water to be used for Commercial Power Generation

4. The water heretofore permitted for Commercial Power Generation

5. The water is to be diverted at the following point NE 1/4 NW 1/4 Section 13, T.1S., R.35E., MDB&M, or at a point from which the SW corner of said Section 13 bears South 17 degrees 20' West, a distance of 5305 feet

6. The existing permitted point of diversion is located within SE 1/4 NE 1/4 Section 11, T.1S., R.35E., MDB&M, or at a point from which the SW corner of Section 13, T.1S., R.35E., MDB&M bears South 05 degrees 21' East, a distance of 8200 feet

7. Proposed place of use Sections 11, 12, 13, and 14, T.1S., R.35E., MDB&M

8. Existing place of use SE 1/4 NE 1/4 Section 11, T.1S., R.35E., MDB&M

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 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

12. Estimated cost of works unknown

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use..... 10 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 for the development of geothermal fluids for commercial power generation.

Please use the map on filed under Permit 47029 to support the existing point of diversion and place of use.

By s/Brian A. Randall
Brian A. Randall, Resource Concepts, Inc.
340 North Minnesota Street
Carson City, Nevada 89703

Compared..... bc/bc ab/vw

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 permit to change the point of diversion and place of use of a portion of the waters of an underground (geothermal) source as heretofore granted under Permit 47034 is issued subject to the terms and conditions imposed in said Permit 47034 and with the understanding that no other rights on the source will be affected by the change proposed herein.

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 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 (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..... 2.0 cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before..... July 31, 1995

Proof of completion of work shall be filed before..... August 31, 1995

Application of water to beneficial use shall be made on or before..... July 31, 1996

Proof of the application of water to beneficial use shall be filed on or before..... August 31, 1996

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

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 11th day of April

A.D. 19 94

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

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 1448 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 permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined withdrawal of geothermal fluid under Permits 47032, 47034, 47604, 57938, 58438, 58685 and 58946 shall not exceed 19,460 acre-feet annually. The total combined consumptive use of the above permits shall not exceed 20% of the total withdrawal.

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

This permit is further subject to the terms and conditions imposed at the hearing on Application 47034 held before the State Engineer on April 10, 1984.

A monitoring program shall be submitted to the State Engineer for review and approval. Any monitoring well must be in place and base line data established prior to any pumping under this permit.

