NO. 60000

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 APR 15 1994

Returned to applicant for correction

Corrected application filed

Map filed OCT 20 1993 under 59303

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The applicant **Fish Lake Power Company,** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Permit 47033**

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1. The source of water is **Underground**

2. The amount of water to be changed **1.0 c.f.s.**

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 **NE¼NE¼ Section 13, T.1 S., R.35 E., MDB&M, or at a point from which the SW corner of said Section 13 bears South 41°04'06" West, 7472 feet**

6. The existing permitted point of diversion is located within **SE¼NW¼ Section 7, T.1 S., R.36 E., MDB&M, or at a point from which the SW corner of Section 13, T.1 S., R.35 E., MDB&M, bears South 40°14' West, 12,000 feet**

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

8. Existing place of use **SE¼NW¼ Section 7, T.1 S., R.36 E., 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 **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: **Additional diversion rate required to allow for actual well production based upon the results of the exploratory drilling program. Please use maps on file at the Division of Water Resources under Application 59303 to support the proposed point of diversion and place of use and under Permit 47029 to support the existing point of diversion and place of use. Fish Lake Power Co. Well #81A-13.**

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

Compared **hs/cmf** hs/cmf

Protested

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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 47033 is issued subject to the terms and conditions imposed in said Permit 47033. No other rights on the source are 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 depend upon the amount actually placed to beneficial use. It is also understood that this right must allow for a reasonable decrease in reservoir pressure and heat. The well shall be constructed and maintained to prevent any waste of the geothermal fluid above or below the surface. The producing well discharge shall be closely monitored and recorded. The amounts of fluid injected back to the reservoir shall also be monitored and recorded to determine the total annual diversion and consumption for beneficial use.

The annulus of any well drilled under this permit is to be cemented from the top of the producing or injection interval to surface to prevent waste and to prevent any communication with fresh ground water. Only geothermal waters are to be diverted under this permit and the cooled geothermal fluids are to be returned to the source via the injection well.

This permit does not relieve the operator of any other requirements from State, Federal and local agencies. This permit does not extend the permittee the right of ingress or egress on public, private or corporate lands.

A report detailing the proposed reservoir-monitoring plan shall be submitted to the State Engineer before any production under this permit.

A report on the operation and monitoring of the production and injection well system shall be filed together with the Proof of Completion of Work.

An annual report that documents the amounts of fluids produced, injected and/or consumed shall be filed under this permit not later than January 31 of the year following the reporting year. Any exploration and subsurface information obtained as a result of this project shall be kept confidential pursuant to Chapter 534A.031 of the Nevada Revised Statutes (NRS).

The total withdrawal of geothermal fluid under this permit shall be limited to 724.0 acre-feet per year. This appropriation permit allows for a total consumptive use of the geothermal fluid that shall not exceed 20% of the amount produced annually. The State Engineer reserves the right to make findings regarding the consumptive use of the geothermal fluid under this permit and impose additional conditions thereto.

This permit is issued subject to the terms and conditions imposed at the Administrative Hearing held before the State Engineer on April 10, 1984, in the Matter of Application 47034.

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 the geothermal fluid is subject to recapture and use within the boundaries of the State of Nevada when the need arises.

The total combined withdrawal of geothermal fluid under Permits 47032, 47034, 47604, 57938, 58438, 58685, 58946, 59303, 59304, 59999, 60000, and 60001 shall not exceed 25,947.0 acre-feet annually. The total combined consumptive use of geothermal fluid under the above-referenced permits shall not exceed 20% of the amount produced.

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(PERMIT TERMS CONTINUE)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.0** cubic feet per second.

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

July 31, 2003

Proof of completion of work shall be filed before:

August 31, 2003

Water must be placed to beneficial use on or before:

July 31, 2006

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

August 31, 2006

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

N/A

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 **21st** day of, **April** A.D. **2000**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____