No. 60385

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 24 1994

Returned to applicant for correction

Corrected application filed

Map filed JAN 21 1985 Under 48740

The applicant INTERMOUNTAIN LAND CO.

2440 Holcomb Lane (Street and No. or P.O. Box No.), of Reno (City or Town),

Nevada 89511 (State and Zip Code No.), hereby make.... application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Robert W. Marshall doing business as (dba) Intermountain Land Co.

1. The source of the proposed appropriation is Underground (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 6 cfs (One second-foot equals 448.83 gals. per min.) second-feet

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for Industrial (Bio Energy Cascade) (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

4. If use is for:

   (a) Irrigation, state number of acres to be irrigated

   (b) Stockwater, state number and kinds of animals to be watered

   (c) Other use (describe fully under No. 12. "Remarks"

   (d) Power:

      (1) Horsepower developed

      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point SE¼ NE¼ Section 22, T23N, R20E, (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 so stated.) MDM, or at a point from which the North ¼ corner of said Section 22 bears, N 35° 15" W a distance of 2630.00 feet

6. Place of use NE¼, NE¼ NW¼, SE¼ NW¼, Section 22, T23N, R20E, MDM (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), of each year.

8. 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.) Drill a geothermal well, install pump, motor and piping to greenhouse, fish production and algae system. (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $500,000

10. Estimated time required to construct works Two Years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Ten Years

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

This is an application for a geothermal well with a withdrawal of approximately 7,260 acre feet per year - combined with another application the actual consumption will be approximately 1,089 acre feet with the remaining water returned to the reservoir. This geothermal resource will be used as a High Tech Nutritional and Tissue Development System. The supporting map for this application is on file in the State Engineer's Office under No. 48740.

By s/Richard W. Arden Agent
950 Industrial Way
Sparks, NV 89431

Compared bc/bc cl/

Protested

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

This application is hereby denied on the grounds that the applicant has no beneficial use for the waters applied for and to hold the application in abeyance threatens to prove detrimental to the public interest.

The amount of water to be appropriated 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 filed 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

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, PE. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 23rd day of March, A.D. 1999.

R. Michael Turnipseed P.E.
State Engineer