

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 17 1995

Returned to applicant for correction MAR 14 1995

Corrected application filed MAR 21 1995 Map filed

The applicant Brady Power Partners 1400 Centrepark Blvd., Ste. 600 of West Palm Beach Florida 33401

hereby make application for permission to change the point of diversion

of water heretofore appropriated under Permit # 57242 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 (geothermal) Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 3.41 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for industrial and domestic (geothermal power) Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for industrial and domestic (geothermal power) 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 Well 82A-11, NE 1/4 NE 1/4, Section 11, T22N, R26E, having a bearing N13°43'25"E, 980.83' to NE corner said Section 11. 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 Production Well 55-1, NE 1/4 NW 1/4 SE 1/4, Section 1, T22N, R26E, having a bearing S15°16'47"W, 2555.69' to S 1/2 corner said Section 1. If point of diversion is not changed, do not answer.

7. Proposed place of use Brady Power Partners Geothermal Power Plant, SW 1/4 SW 1/4 SE 1/4 Section 1, T22N, R26E, MDB&M Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Brady Power Partners Geothermal Power Plant, SW 1/4 SW 1/4 SE 1/4 Section 1, T22N, R26E, MDB&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 to December 31 of each year. Month and Day

10. Use was permitted from January 1 to December 31 of each year. Month and Day

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 wells and piping to geothermal power plant facilities and injection wells. 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 production wells/wellfield: \$8 million

13. Estimated time required to construct works one year

14. Estimated time required to complete the application of water to beneficial use.....one year.....

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

This well, formerly an injection well, replaces a cooler production well to benefit the power project.

By.....s/Missy Payne Missy Payne.....
Geothermal Development Associates
251 Ralston Street, Reno, NV 89503

Compared.....sm/jk.....jr/bk.....

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 the geothermal fluid heretofore granted under Permit 57242 is issued subject to the terms and conditions imposed in said Permit 57242 and with the understanding that no other rights on the source will be affected by the change proposed herein.

This 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 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 analysis of the system used for returning the used geothermal fluids to the source must be submitted together with the Proof of Completion.

(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.....3.41.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....May 26, 1996.....

Proof of completion of work shall be filed before.....June 26, 1996.....

Application of water to beneficial use shall be made on or before.....May 26, 1997.....

Proof of the application of water to beneficial use shall be filed on or before.....June 26, 1997.....

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

Completion of work filed.....JUN 03 1996.....

Proof of beneficial use filed.....JUL 23 1998.....

Cultural map filed.....

Certificate No. 15028 Issued OCT 08 1998

IN TESTIMONY WHEREOF, I, MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 22nd day of September,

A.D. 1995

Michael Turnipseed
State Engineer

Abrogated By: port 62126-T 0.222 exp 8/28/96
port 63935-T 0.64
port 60930-T 0.64

(PERMIT TERMS CONTINUED)

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 combined withdrawal of the geothermal fluid under Permits 57238, 57239, 57240, 57241, 57243, 57244, 57245, 57286, 57287, 57288, 57289, 57290, 57291, 57292, 57293, 57295, 59297, 60930, 60931, 60932, 60933 and 60934 shall be limited to 33.64 cfs and not to exceed 19,572 acre-feet per year withdrawal but the total consumptive use of the geothermal fluid is limited to 4,276 acre-feet per year. 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 is further issued subject to the agreements executed by and between Gilroy Foods, Inc. and Brady Hot Springs Geothermal Associates dated December 18, 1987, Gilroy Foods, Inc. and Nevada Geothermal Power Partners, Limited Partnership dated February 1, 1991 and the State Engineer's Ruling No. 3894 dated June 26, 1992.