NO. 64488

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 SEP 28 1998

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 18 1992 under 57286

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The applicant Brady Power Partners, hereby make application for permission to change the Point of Diversion of a portion of water heretofore appropriated under Permit 57288

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1. The source of water is underground - geothermal

2. The amount of water to be changed 1.59 cfs (1154 acre-feet per year)

3. The water to be used for industrial and domestic (geothermal power)

4. The water heretofore permitted for industrial and domestic (geothermal power)

5. The water is to be diverted at the following point Production well 47C-1, SE¼ SW¼, Section 1, T22N, R26E, having a bearing S 09° 07'48" E, 1105.36' to S¼ corner said Section 1.

6. The existing permitted point of diversion is located within SE¼ SE¼ SW¼, Section 1, T22N, R26E, 2090' E of W line, 300' N of S line, Section 1, having a bearing approximately S 62° 00' E, 650' from the S¼ corner Section 1, location unsurveyed. Proposed Production Well 48-1

7. Proposed place of use Brady Power Partners Geothermal Power Plant, SW¼ SW¼ SE¼ Section 1, T22N, R26E, MDB&M.

8. Existing place of use Brady Power Partners Geothermal Power Plant, SW¼ SW¼ SE¼ Section 1, T22N, R26E, 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 existing well, pipeline and plant.

12. Estimated cost of works unknown, Wellfield and wells in excess of $10 million

13. Estimated time required to construct works none, existing well and pipeline

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

15. Remarks: This permit will be tied to existing permits for the project which limit total withdrawal from all wells to 19,572 afa and total consumptive use 4,276 afa

By s/Missy Payne Missy Payne, Agent
c/o GDA, 251 Ralston Street
Reno, NV 89506

Compared my/cms hs/bk

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 of a portion of the waters of an underground geothermal source as heretofore granted under Permit 57288 is issued subject to the terms and conditions imposed in said Permit 57288. 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 the requirements of any other state, local or federal agency. This permit does not extend the permittee the right of ingress or egress on public or private 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.

An annual report that documents the amounts of fluids produced, injected and/or consumed shall be filed under this permit not later than on 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 1,151.0 acre-feet per year. This appropriation permit allows for a total consumptive use of the geothermal fluid that shall not exceed 21.8475% 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 by State Engineer Ruling No. 3894 dated June 26, 1992, and is subject to the Agreements executed by and between Gilroy Foods Inc. and Brady Hot Springs Geothermal Associates, dated December 18, 1987, and by and between Gilroy Foods Inc. and Nevada Geothermal Power Partners, Limited Partnership, dated February 1, 1991.

This permit is issued with the understanding that the Monitoring Plan, which is Exhibit A of the Stipulation, dated June 21, 1996, by and between Brady Power Partners and Gilroy Foods Inc., will continue to be implemented. Any modifications of the reservoir-monitoring program shall be approved by the State Engineer, the Nevada Division of Minerals and the Nevada Division of Environmental Protection.

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 57238, Certificate 15024; 57239, Certificate 15310; 57240, Certificate 15274; 57241, Certificate 15311; 57243, Certificate 15025; 57245; Certificate 15174; 57289, Certificate 15026; 57297,

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

Certificate 15027; 60930, Certificate 15028; 60931, Certificate 15029; 64485; 64486; 64487; 64488; 65024-T; 65025-T; 65026-T; 65027-T; and 65028-T shall not exceed 19,572.0 acre-feet annually. The total combined consumptive use of geothermal fluid under the above referenced permits shall not exceed 4,276.0 acre-feet annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.59** cubic feet per second.

Work must be prosecuted with reasonable diligence and be completed on or before:
June 29, 2001

Proof of completion of work shall be filed before:
July 29, 2001

Water must be placed to beneficial use on or before:
June 29, 2004

Proof of the application of water to beneficial use shall be filed on or before:
July 29, 2004

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 **15th** day of, **March** A.D. **2000**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed MAY 1 1 2000

Proof of beneficial use filed MAY 1 1 2000

Cultural map filed N/A

Certificate No. 15529 Issued AUG 2 5 2000