



THE STATE OF NEVADA
PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Name of applicant: BEOWAVE POWER, LLC
Source: GEOTHERMAL
Basin: WHIRLWIND VALLEY
Manner of Use: INDUSTRIAL
Period of Use: January 1st to December 31st
Priority Date: 10/05/1979

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 geothermal permit to change the point of diversion and place of use of the waters of an underground geothermal source as heretofore granted under Permit 39281 is issued subject to the terms and conditions imposed in said Permit 39281. No other rights on the source are affected by the change proposed herein. 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 water above or below the surface. The producing well discharge shall be closely monitored and recorded. The annulus of any well drilled under this geothermal 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 geothermal permit and the cooled geothermal waters are to be returned to the source via the injection well.

This geothermal permit does not relieve the operator of the requirements of any other state, local or federal agency.

This geothermal permit does not extend the permittee the right of ingress or egress on public or private lands.

This geothermal permit allows for a total consumptive use of the geothermal water not to exceed 1158 acre-feet annually for cooling tower evaporative and other losses. The State Engineer reserves the right to make findings regarding the consumptive use of the geothermal water under this geothermal permit and impose additional conditions thereto.

The total combined withdrawal of geothermal water under Permit 27959, Certificate 13729; Permit 48737, Certificate 13734; Permit 55686, Certificate 13741; Permit 55687, Certificate 13742; and Permits 59587 and 75174 shall not exceed 15,368 acre-feet per year and the total consumptive use of geothermal water under these permits shall not exceed 3,074 acre-feet per year.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 8.0 cubic feet per second or 5792.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

October 30, 2008

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

October 30, 2009

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

October 30, 2009

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of October, A.D. 2007

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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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 DEC 11 2006

Returned to applicant for correction DEC 20 2006

Corrected application filed _____

Map filed JAN 06 2004 under 71970T

The applicant **Beowawe Power, LLC** hereby makes application for permission to change the **point of diversion and place of use of all** of water heretofore appropriated under **Permit 39281**

- 1. The source of water is **underground - geothermal**
- 2. The amount of water to be changed **8 (eight) cfs, 5792 afa**
- 3. The water to be used for **industrial**
- 4. The water heretofore permitted for **industrial**
- 5. The water is to be diverted at the following point **within the SW¼ SE¼ Sec. 13, T31N, R47E, MDB&M, from which the S¼ sec corner of section 13 bears S27° 03'W, a distance of 966 feet refer to map filed under 71970T**
- 6. The existing permitted point of diversion is located within **approx. 2600' S43°E from the NW corner of Sec. 17, T31N, R48E, MDBM. Being in the SE¼ of the NW¼ of Sec. 17.**
- 7. Proposed place of use **SE¼ Sec. 13, T31N, R47E, MDB&M refer to map filed under 71970T**
- 8. Existing place of use **Sec. 7, 8, 9, 16, 17, 18 of T31N, R48E, MDM**
- 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 **production well and pipeline to existing power plant. Brine will be injected in wells downstream of plant.**
- 12. Estimated cost of works **in excess of \$5 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: **Geothermal fluid is used to support elecerical generation at power plant. Estimated 20% consumptive use of produced fluid, mainly from evaporation in the cooling tower. Refer to map filed under permit #39281 for existing point of diversion and place of use.**

By **Beowawe Power, LLC**
s/ **Missy Miller, Agent**
Missy Miller
9590 Prototype Court, Suite 200
Reno, NV 89521

Compared **mt/ag** _____

Protested _____