

THE STATE OF NEVADA

CERTIFICATE OF APPROPRIATION OF WATER

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WHEREAS, Dick Benoit, Agent has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from an underground source (Well 28-33) through a drilled well and distribution system for Industrial (Geothermal Power Generation) purposes. The point of diversion of water from the source is as follows:

SW¼ SW¼ Section 33, T.25N., R.37E., M.D.B.&M., or at a point from which the SW corner of said Section 33 bears S. 63° 26' 06" W., a distance of 782.62 feet situated in Churchill County, State of Nevada.

NOW KNOW YE, That the State Engineer, under the provisions of NRS 533.425, has determined the date, source, purpose, amount of appropriation, and the place where such water is appurtenant, as follows:

Name of appropriator: Oxbow Geothermal Corporation
Source: Underground (Well 28-33)
Manner of Use: Industrial (Geothermal Power Generation)
Amount of appropriation: 2.24 c.f.s., but not to exceed a total withdrawal of 1,518.0 acre-feet annually
Period of use: January 1st to December 31st of each year
Date of priority of appropriation: *March 22, 1985

Description of the works of diversion, manner and place of use:

Water is developed by means of a drilled well, 7,882 feet deep, 20 inch casing, thence through the plant's distribution system including piping, high pressure and/or low pressure separators, a turbine and condensor, and/or a cooling tower. Geothermal fluid is utilized for the generation of power. The used geothermal fluid is to be returned to the source via injection well(s). The place of use is located within the NE¼, Section 7, T.24N., R.37E.

The total combined withdrawal of geothermal fluid under Certificates 12903, 12904, 12905, 12906, 12907, 12908, 12909, 12910, 12911, 12912, 12913, 12914, 12915, 12916 and any issued under Permits 52951, 54654 and 56604 shall not exceed 17,950.0 acre-feet annually.

The total combined consumptive use of geothermal fluid under any certificates issued under Permits 41929, 46951, 47142, 47322, 47323, 48934, 48935, 49572, 49573, 49644, 49802, 49803, 51029, 51030, 51031, 51032, 51033, 51034, 51035, 51036, 52411, 52412, 52951, 54654, 55729 and 56604 shall not exceed 10,704.0 acre-feet annually.

*This certificate changes the place of use of Permit 48932, therefore, the date of priority remains the same as Permit 48932.

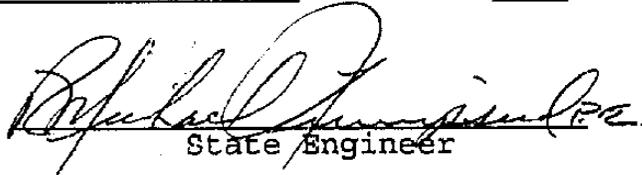
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The total combined diversion rate and duty under any certificates issued for Permits 54654 and 56604 shall not exceed 4.48 c.f.s. nor 3,036.0 acre-feet annually, respectively.

This certificate is issued subject to the terms of the permit.

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place and for the purpose as set forth herein.

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16th day of SEPTEMBER, A.D. 19 93.


State Engineer

bk/sb