

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 (aka Well No. 37-33), through a drilled well and distribution system for industrial (geothermal) 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. 52°01'50" W., a distance of 845.68 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 (aka Well No. 37-33)**
 Manner of Use: **Industrial (Geothermal)**
 Amount of appropriation: ***3.80 c.f.s., but not to exceed a total withdrawal of 2,751.1 acre-feet annually**
 Period of use: **January 1st to December 31st of each year**
 Date of priority of appropriation: ****December 11, 1985**

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

Water is developed by means of a drilled well, 9,270 feet deep, 20 inch casing, thence through the plant's distribution system including piping, high pressure and low pressure separators, a turbine and condenser, and a cooling tower. Geothermal fluid is utilized for the generation of power. The used geothermal fluid is returned to the source via injection wells. The place of use is located within the NE¼ of Section 7, T.24N., R.37E., M.D.B.&M.

*The total combined consumptive use of geothermal fluid under Permits 41929, Certificate 12903; 49573, Certificate 12904; 49802, Certificate 12905; 49803, Certificate 12906; 51029, Certificate 12907; 51030, Certificate 12908; 51031, Certificate 12909; 51032, Certificate 12910; 51033, Certificate 12911; 51034, Certificate 12912; 51035, Certificate 12913; 51036, Certificate 12914; 52411, Certificate 12915; 52412, Certificate 12916; 52951, Certificate 13739; 54654, Certificate 13740; 56604, Certificate 13743; and Permits 61785, 62089, 62090, and 63284, shall not to exceed 10,704.0 acre-feet annually.

**This certificate changes the point of diversion and place of use of Permit 49572, therefore, the date of priority remains the same as Permit 49572.

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 9th day of August, A.D., 2000.

cmf/sb


State Engineer