

**THE STATE OF NEVADA**

**CERTIFICATE OF APPROPRIATION OF WATER**

~ ~ ~ ~ ~

WHEREAS, Lori Orser, 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. 45-33) 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:

NE1/4 SW1/4 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. 49° 17' 55"  
W., a distance of 3042.45 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. 45-33)  |
| Manner of Use:                     | Industrial (Geothermal Power Generation)                                    |
| Amount of appropriation:           | 2.30 c.f.s. not to exceed a total withdrawal of 1,187.0 acre-feet per annum |
| Period of use:                     | January 1st to December 31st of each year                                   |
| Date of priority of appropriation: | *July 25, 1980  |

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

Water is diverted by means of a drilled well, 10,212 feet deep, 26 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 NE1/4, Section 7, T.24N., R.37E.

\*This certificate changes the point of diversion and place of use of Permit 41923, therefore, the date of priority remains the same as Permit 41923.

The total combined withdrawal of geothermal fluid under any certificates issued under Permit Numbers 41929, 49573, 49802, 49803, 51029, 51030, 51031, 51032, 51033, 51034, 51035, 51036, 52411 and 52412 shall not exceed 16,024.00 acre-feet annually.

The total combined consumptive use of geothermal fluid under any certificates issued under Permit Numbers 41929, 48951, 47142, 47322, 47323, 48932, 48933, 48934, 48935, 49572, 49573, 49644, 49802, 49803, 50753, 51029, 51030, 51031, 51032, 51033, 51034, 51035, 51036, 52411, 52412, 52951, 43050 and 43052 shall not exceed 10,704.0 acre-feet annually.

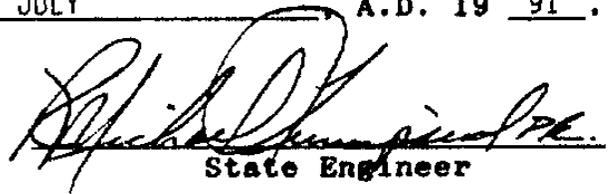
continued

The total combined diversion rate and duty under any certificates issued for Permits 51030 and 51031 shall not exceed 3.55 c.f.s., nor 2,092.0 acre-feet annually.

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 26TH day of JULY A.D. 19 91.

  
State Engineer

bk/vjw