

## MEMORANDUM OF LEASE AND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That DONALD T. POPE, and, EILEEN G. POPE,  
\_\_\_\_\_, as Lessor,  
and MAGMA POWER COMPANY, a corporation, as Lessee, did on the  
date hereof enter into a Lease and Agreement covering the land  
situate in the County of EUREKA, State of  
NEVADA, described in Exhibit "A" attached  
hereto, for development of natural steam and steam power there-  
from, for use as such or for conversion into electric power  
or for processing to obtain by-products therefrom.

The term of said lease is for twenty-five (25) years from  
and after the date hereof, (subject to termination as therein  
provided), and so long thereafter as there is commercial  
production of steam, electric power, or any by-products from  
the condensates of steam, derived or produced from the property  
leased thereunder, and for so long, as well, as Lessee is  
prevented from producing same, or the obligations of Lessee  
thereunder are suspended, for the causes as set forth in said  
Lease and Agreement.

Reference is hereby made to executed copies of said Lease  
and Agreement in possession of Lessor and Lessee, respectively,  
for all of the provisions thereof, and by this reference same  
is incorporated herein and made a part hereof in all respects  
as though fully set forth herein.

Dated this 25th day of JULY, 19 65.

MAGMA POWER COMPANY, a  
corporation

By [Signature]  
President

By [Signature]  
Asst. Secretary

SEAL  
Affixed

Eileen G. Pope  
Donald T. Pope  
LESSOR

LESSEE

EXHIBIT "A"

That certain real property situate in the County of Eureka, State of Nevada, more particularly described as follows, to wit:

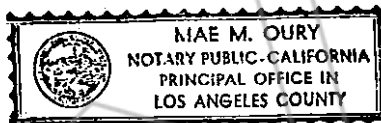
The West Half of the Northwest Quarter of the Northeast Quarter of Section 9, Township 31 North, Range 48 East, containing 20 acres, more or less,

SUBJECT TO: All reservations, exceptions, conditions and other matters and things of record including but not by way of limitation, any and all patents, easements, rights-of-way, contracts and mortgages.

STATE OF California )  
COUNTY OF Los Angeles ) SS.

On This 21<sup>st</sup> day of July, 1965, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Eileen G. Pope and Donald T. Pope, known to me to be the persons whose names are subscribed to the within Instrument, and acknowledged to me that they executed the same.

WITNESS My hand and official seal.

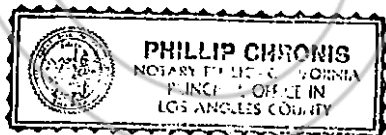


Mae M. Oury  
Notary Public in and for said County and State. My Commission Expires Dec. 8, 1967

STATE OF CALIFORNIA )  
COUNTY OF LOS ANGELES ) SS.

On This 29<sup>th</sup> day of July, 1965, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Roy PARODI, known to me to be the PRES. President, and R. ANTHONY, known to me to be the ASST. Secretary of MAGMA POWER COMPANY, the Corporation that executed the within Instrument, known to me to be the persons who executed the within Instrument, on behalf of the Corporation herein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS My hand and official seal.



My Commission Expires August 8, 1967

Phillip Chronis  
Notary Public in and for said County and State.

## CONSENT TO AND JOINDER IN LEASE AND AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

That CRESCENT VALLEY RANCH AND FARMS, a Nevada corporation, the owner of fee title subject to contract for purchase thereof in favor of the Lessor named in the herein and foregoing Lease and Agreement covering the lands therein described, does hereby consent to, join in, ratify and confirm the foregoing Lease and Agreement dated July 25, 1965, covering the lands therein described, between Donald T. POPE and Lileen G. POPE, as Lessor, and Magma Power Company, as Lessee, upon the condition that in the event the undersigned retakes possession of said lands or terminates said contract to purchase same because of default under said contract by the said purchasers thereunder, after notice thereof to said Lessee all rents and royalties thereafter accruing and payable under said Lease and Agreement shall be payable to the undersigned.

The provisions hereof shall be binding upon and inure to the benefit of the successors and assigns of the undersigned.

DATED: September 9, 1965.

CRESCENT VALLEY RANCH AND FARMS,  
a Nevada corporation

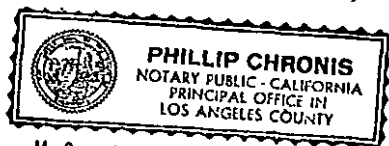
By

A. Z. Seltzer  
A. Z. Seltzer, President and  
Authorized Officer

STATE OF CALIFORNIA )  
 ) SS.  
COUNTY OF LOS ANGELES )

On This 9th day of September, 1965, before me, the undersigned, a Notary Public in and for said County and State, personally appeared A. Z. SELTZER, known to me to be the President and Authorized Officer of CRESCENT VALLEY RANCH AND FARMS, the Corporation that executed the within Instrument, known to me to be the person who executed the within Instrument on behalf of the Corporation herein named, and acknowledged to me that such Corporation executed the within Instrument pursuant to its by-laws or a resolution of its board of directors.

WITNESS my hand and official seal.



Phillip Chronis  
Notary Public in and for said County  
and State.

File No. 11297

RECORDED AT THE REQUEST OF  
Magma Power Company

September 20 A. D. 19 65

At 45 minutes past 11 A. M.

in Book 8 of OFFICIAL RECORDS

Page 444 <sup>448</sup> Records of

EUREKA COUNTY, NEVADA

Shelley A. Kistner Recorder

Fee \$ 3.85