

83401

AMENDMENT OF LEASE AND AGREEMENT

THIS INSTRUMENT is entered into this 21st day of  
October, 1970 between GLADYS ADAMS and  
ALBERT ADAMS

hereinafter referred to as "Lessor", and  
MAGMA ENERGY, INC.

hereinafter referred to as "Lessee".

SEAL  
Affixed

RECITALS

Lessor is lessor under that certain lease and agree-  
ment dated November 23, 1960, recorded in Book 7,  
Page 275, Official Records of Eureka County, Nevada,  
wherein Magma Power Company is lessee, which said lease and  
agreement covers certain lands in Eureka County, Nevada  
therein particularly described.

Lessee is the successor in interest of Magma Power  
Company, lessee under the aforesaid lease and agreement.

Said lease and agreement has heretofore been amended  
by instrument dated May 5, 1965, recorded in Book  
7, Page 435, Official Records of Eureka County,  
Nevada.

Said lease and agreement is valid and subsisting, and  
the parties desire to amend same in the particulars as herein-  
after set forth.

AGREEMENT

NOW THEREFORE, for good and valuable consideration  
and in consideration of the covenants and agreements herein  
contained, the parties agree as follows, to wit:

1. Until such time as Lessee shall commence the sale of steam, steam power or by-products of steam condensed from the leased land, or said lease is terminated, Lessee shall pay to Lessor annual rental of FORTY (\$40.00) DOLLARS, payable in quarterly installments.

2. The period provided for in paragraph 2 (a) of said lease and agreement, as amended, is hereby extended for an additional period of five (5) years. The period provided for in paragraph 2 (b) of said lease and agreement, as amended, is hereby extended for an additional period of five (5) years.

3. The parties do hereby declare that it now is and at all times has been the understanding of the parties that the terms "steam", "steam power", and "thermal energy" shall include and also mean hot water and the energy extracted therefrom.

4. In connection with Lessee's operations on the leased land, Lessee shall have the right to dispose of waste water, waste brine and salts, gases and other waste or residual products by injecting or re-injecting into a well or wells, or by other means, on the leased land, all in accordance with regulations applicable thereto, provided that in so doing Lessee shall not in any way interfere with or contaminate surface waters on the leased land being used or capable of being used by Lessor for other purposes.

5. Said lease and agreement as heretofore amended and as further amended hereby is hereby declared valid and subsisting and in full force and effect, and Lessor does hereby lease to Lessee the above described land together with the sole and exclusive rights with respect thereto as provided by said

SEAL  
Affixed

lease and agreement as heretofore amended and as amended hereby. The provisions of this instrument shall govern and shall supersede any provisions of said lease and agreement as heretofore amended which may be in conflict herewith.

6. The provisions hereof shall be binding upon and shall inure to the benefit of the respective heirs, successors and assigns of the parties hereto.

Albert Adams



Madys Adams

Lessor

MACMA ENERGY, INC.

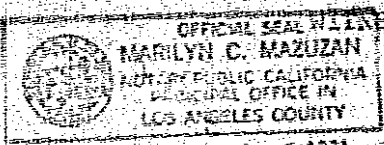
By [Signature] President

By [Signature] Secretary



STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } SS.

On this 2nd day of November, 19 70  
before me, the undersigned, a Notary Public, personally appeared  
E. C. McCASE, known to me to be the President, and JOSEPH W.  
HIDLIN, known to me to be the Secretary of MAGMA ENERGY, INC.,  
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.

Marilyn C. Mazuzan

STATE OF California }  
COUNTY OF Riverside } SS.

On this 27th day of October, 19 70  
before me, the undersigned, a Notary Public, personally appeared  
Albert Adams and Gladys Adams - 3402 Valley View, Darco, Calif.  
known to me to be the person whose name is subscribed to  
the within instrument and acknowledged that he executed the  
same.



WITNESS my hand and official seal.



Margo Ann Melton  
Margo Ann Melton

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS.

On this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_  
before me, the undersigned, a Notary Public, personally appeared \_\_\_\_\_  
\_\_\_\_\_ known to me to be the \_\_\_\_\_ President, and \_\_\_\_\_  
\_\_\_\_\_ known to me to be the \_\_\_\_\_ Secretary of  
the corporation that executed the within instrument on behalf  
of the corporation therein 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.