

IN THE MATTER OF APPLICATIONS 46941)
AND 46942 FILED BY THE CITY OF)
CALIENTE TO APPROPRIATE WATER FROM)
AN UNDERGROUND SOURCE IN THE PANACA)
VALLEY GROUND WATER BASIN, LINCOLN)
COUNTY, NEVADA.)

RULING

FINDINGS OF FACT

I.

Applications 46941 and 46942 were filed by the City of Caliente on May 23, 1983, to appropriate 1.78 c.f.s. each, of underground water for quasi-municipal (heat extraction) purposes. The points of diversion are within the NE1/4 SW1/4 of Section 5, T.4S., R.67E., M.D.B.&M., and the place of use is the City of Caliente.¹

II.

Timely protests were filed by Aqua Caliente on September 23, 1983. The protests requested the State Engineer issue Applications 46941 and 46942 subject to existing rights held by Aqua Caliente under Permit 40872.¹

RULING

The protests filed against Applications 46941 and 46942 are herewith upheld.

A permit will be issued under Applications 46941 and 46942 upon receipt of permit fees required by statute.²

Applications 46941 and 46942 will be approved with the following conditions:

1. The permits are issued subject to existing rights.
2. If pumpage under the permits has any adverse effect on the protestants water rights at any future date, then withdrawals of the geothermal fluids may be limited.
3. It is understood that the amount of geothermal fluid herein granted is only a temporary allowance and that the final right obtained under the permits will be dependent upon the amount actually placed to beneficial use.

¹ Public record in the office of the State Engineer.

² NRS 533.435.

4. It is understood that approval of these permits must allow for a reasonable decrease of fluid pressure and heat.
5. The wells shall be equipped and maintained to prevent any waste of geothermal fluid.
6. The used geothermal fluids are to be returned to the source via an injection well.
7. Accurate measurements must be kept of the discharge of the production and the amount of fluid injected into the injection well to determine the total amount of fluid placed to beneficial use.
8. The production and injection wells are to be cemented from the producing levels to the surface to protect fresh water zones.
9. The permits are issued subject to the condition that only geothermal fluids are to be diverted and used beneficially for heating purposes and fresh, cold water aquifers are not to be diverted.
10. A detailed log on the injection well and/or other analysis of the system used for returning the used geothermal resource to the source must be submitted together with the Proof of Completion.
11. An annual report for the well must be filed, describing the amount of geothermal fluid placed to a beneficial use for the calendar year. This report must also detail the amount of fluid produced and injected.
12. The total withdrawal of geothermal fluid shall be limited to 644 acre-feet annually under each permit.

Respectfully submitted


Peter G. Morros
State Engineer

PGM/GB/bl

Dated this 19th day of
APRIL, 1984.