

IN THE MATTER OF APPLICATIONS)  
39050 THROUGH 39054 FILED TO )  
APPROPRIATE UNDERGROUND WATER )  
IN THE ELKO SEGMENT, ELKO )  
COUNTY, NEVADA )

R U L I N G

219

GENERAL

Applications 39050 through 39054 were filed by Elko Heat Co. on September 13, 1979, to appropriate underground water for commercial use (heat extraction). The place of use is Sections 9, 10, 11, 14, 15, 16, 21, 22, N $\frac{1}{2}$  Section 23, T.34N., R.55E., M.D.M., City of Elko, Nevada.

Application 39050 is to divert 7 c.f.s. from a point within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15, T.34N., R.55E., M.D.M.

Applications 39051 through 39054 are to divert 10 c.f.s.

Application 39051 is to divert from a point within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  said Section 15.

Application 39052 is to divert from a point within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 10, T.34N., R.55E., M.D.M.

Application 39053 is to divert from a point within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  said Section 15.

Application 39054 is to divert from a point within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 22, T.34N., R.55E., M.D.M.

Applications 39050 through 39054 were protested on May 15, 1980 by Gary O. Whitlock, Lyle W. Mumford, and Deed Scott dba Nevada Green on the following grounds:

"The protestants own and operate a Greenhouse business utilizing a geothermal resource. The wells that have been drilled are of a shallow depth (5' to 50'). According to Elko Heating Co. Engineer, Ira Rackley, they will be drawing from a tube or strata that Nevada Green wells are in. The resulting geothermal withdrawal would reduce the amount of fluids on our wells."

Applications 39050 through 39054 were protested on June 19, 1980 by the City of Elko on the following grounds:

"The Protestant is owner and water right holder of 16 municipal wells which presently or will in the near future supply water for the benefit of the citizens of Elko. These wells are situate near the point of diversion of above application, and are prior in right. If the application is granted, Protestant's water supply will be seriously impaired by consumptive use of the water applied for."

Both protestants asked that Applications 39050 through 39054 be denied.

A field investigation was held on February 11, 1981. All parties were represented.

RULING

The protests to Applications 39050 through 39054 are overruled and permits will be issued upon payment of statutory fees.

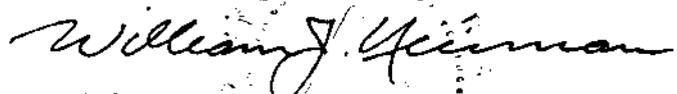
The permits will specify that the spent geothermal fluids must be returned to the source.

The permits will specify that applications may later be filed to change the manner of use to a consumptive use and that the proposed changes will be duly considered at that time.

The permits will be issued subject to existing rights.

The total diversion of geothermal fluids under all of the permits will be limited to 7240 acre-feet per year.

Respectfully submitted,



William J. Newman  
State Engineer

WJN/JC/bc

Dated this 2nd day of  
MARCH, 1981.