

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATIONS 46394,)
46395, 46829, 47505, 48432, 48433)
AND 48434 FILED TO APPROPRIATE THE)
PUBLIC WATERS OF AN UNDERGROUND)
SOURCE IN TRUCKEE MEADOWS, WASHOE)
COUNTY, NEVADA.)

RULING

GENERAL

I.

Application 46394 was filed on November 29, 1982, by Hydrothermal Energy Corporation to appropriate 5.0 c.f.s. of water from an underground source for geothermal heating purposes within Section 25, T.19N., R.19E., M.D.B.&M. The point of diversion is described as being within the NW1/4 SW1/4 Section 25, T.19N., R.19E., M.D.B.&M.¹

The estimated consumptive use under Application 46394 is 0.0 acre feet annually. The water is to be injected via a second well into the same zone from which it is extracted.¹

II.

Application 46395 was filed on November 29, 1982, by Hydrothermal Energy Corporation to appropriate 5.0 c.f.s. of water from an underground source for geothermal heating purposes within Section 25, T.19N., R.19E., M.D.B.&M. The point of diversion is described as being within the SW1/4 NE1/4 Section 25, T.19N., R.19E., M.D.B.&M.¹

The estimated consumptive use under Application 46395 is 0.0 acre feet annually. The water is to be injected via a second well into the same zone from which it is extracted.¹

¹ Application Numbers 46394, 46395, 46829, 47505, 48432, 48433 and 48434 are public record in the Office of the State Engineer.

III.

Application 46829 was filed on April 25, 1983, by Le Club of Virginia Lake, A Nevada Limited Partnership to appropriate 0.75 c.f.s. of water from an underground source for commercial (geothermal) purposes within a portion of the SE1/4 NW1/4 Section 24, T.19N., R.19E., M.D.B.&M. The point of diversion is described as being within the SE1/4 NW1/4 Section 24, T.19N., R.19E., M.D.B.&M.¹

The estimated consumptive use under Application 46829 is 0.0 acre feet annually. The water is to be injected via a second well into the same zone from which it is extracted.¹

IV.

Application 47505 was filed on December 13, 1983, by Moana/Grant Limited Partnership to appropriate 0.25 c.f.s. of water from an underground source for geothermal - commercial purposes within a portion of the NW1/4 NW1/4 Section 25, T.19N., R.19E., M.D.B.&M. The point of diversion is described as being within the NW1/4 NW1/4 Section 25, T.19N., R.19E., M.D.B.&M.¹

The estimated consumptive use under Application 47505 is 0.0 acre feet annually. The water is to be injected via a second well into the same zone from which it is extracted.¹

V.

Application 48432 was filed on September 24, 1984, by Hydrothermal Energy Corporation to appropriate 2.5 c.f.s. of water from an underground source for geothermal purposes within a portion of the NE1/4 SE1/4 Section 23, T.19N., R.19E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 23, T.19N., R.19E., M.D.B.&M.¹

The estimated consumptive use under Application 48432 is 0.0 acre feet annually. The water is to be injected via a second well into the same zone from which it is extracted.¹

VI.

Application 48433 was filed on September 24, 1984, by Hydrothermal Energy Corporation to appropriate 2.5 c.f.s. of water from an underground source for geothermal purposes within a portion of the SE1/4 SE1/4 Section 23, T.19N., R.19E., M.D.B.&M. The point of diversion is described as being within the SE1/4 SE1/4 Section 23, T.19N., R.19E., M.D.B.&M.¹

The estimated consumptive use under Application 48433 is 0.0 acre feet annually. The water is to be injected via a second well into the same zone from which it is extracted.¹

VII.

Application 48434 was filed on September 24, 1984, by Hydrothermal Energy Corporation to appropriate 2.5 c.f.s. of water from an underground source for geothermal purposes within a portion of the NE1/4 SE1/4 Section 23, T.19N., R.19E., M.D.B.&M. The point of diversion is described as being within the NE1/4 SE1/4 Section 23, T.19N., R.19E., M.D.B.&M.¹

The estimated consumptive use under Application 48434 is 0.0 acre feet annually. The water is to be injected via a second well into the same zone from which it is extracted.¹

VII.

The applications were advertised for the statutory period and subsequently no protests were filed.

FINDINGS OF FACT

I.

Any consumptive use of water brought to the surface outside of a geothermal well is subject to the appropriation procedures of Chapters 533 and 534 of NRS, except for:

- A. Any water removed from an aquifer or geothermal reservoir to develop and obtain geothermal resources if the water is returned to or reinjected in the same aquifer or reservoir; or
- B. The reasonable loss of water during a test of a geothermal well or because of the temporary failure of a system for reinjection.²

CONCLUSIONS

I.

NRS 534A.040 requires compliance with the appropriation procedures set forth in NRS Chapters 533 and 534 only if development of geothermal resources involves the consumption of underground water at the surface. The above described applications propose no consumption of underground water at the surface. Therefore the State Engineer has no jurisdiction in the parties or subject matter of these applications.

RULING

Applications 46394, 46395, 46829, 47505, 48432, 48433 and 48434 are herewith denied on the grounds that their is no consumption of water from the source consequently this matter of these applications is not within the jurisdiction of the State Engineer.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/TKG/pm

Dated this 8th day of

March, 1990

2 NRS 534A.040.