

CHAPTER 534A - GEOTHERMAL RESOURCES

NRS 534A.010	“Geothermal resource” defined.
NRS 534A.031	Exploration and subsurface information: Filing with Division of Minerals of Commission on Mineral Resources; confidentiality; release to State Engineer or other agency.
NRS 534A.040	Applicability of procedures for appropriation.
NRS 534A.050	Ownership of geothermal resources.
NRS 534A.060	Permit required to drill or operate geothermal well or drill exploratory well; application.
NRS 534A.070	Approval or rejection of application for permit to drill exploratory well; review of application for permit to drill or operate geothermal well; hearing; conditions.
NRS 534A.080	Fees; use of money.
NRS 534A.090	Regulations of Commission on Mineral Resources.

NRS 534A.010 “Geothermal resource” defined. As used in this chapter, unless the context otherwise requires, “geothermal resource” means the natural heat of the earth and the energy associated with that natural heat, pressure and all dissolved or entrained minerals that may be obtained from the medium used to transfer that heat, but excluding hydrocarbons and helium.

(Added to NRS by [1975, 611](#); A [1977, 1172](#); [1981, 659](#))

NRS 534A.031 Exploration and subsurface information: Filing with Division of Minerals of Commission on Mineral Resources; confidentiality; release to State Engineer or other agency.

1. Any exploration and subsurface information obtained as a result of a geothermal project must be filed with the Division of Minerals of the Commission on Mineral Resources within 30 days after it is accumulated. The information is confidential for 5 years after the date of filing and may not be disclosed during that time without the express written consent of the operator of the project, except that it must be made available by the Division to the State Engineer or any other agency of the State upon request. The State Engineer or other agency shall keep the information confidential.

2. If any information made confidential by subsection 1 is submitted to any other state or local governmental entity in connection with an application for a special use permit or any other license, permit or similar approval, the entity shall keep the information confidential during the period the information is confidential pursuant to subsection 1.

(Added to NRS by [1977, 383](#); A [1985, 1303](#); [1993, 1701](#); [1999, 3633](#); [2013, 1143](#))

NRS 534A.040 Applicability of procedures for appropriation. A 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:

1. Water that is removed from an aquifer or geothermal reservoir to develop and obtain geothermal resources if the water is returned to or reinjected into the same aquifer or reservoir; or

2. The reasonable loss of water:

(a) During a test of a geothermal well; or

(b) From the temporary failure of all or part of a system that removes water from an aquifer or geothermal reservoir, transfers the heat from that water and reinjects that water into the same aquifer or reservoir.

(Added to NRS by [1975, 611](#); A [1983, 2091](#); [1985, 1303](#); [1997, 284](#))

NRS 534A.050 Ownership of geothermal resources. The owner of real property owns the rights to the underlying geothermal resources unless they have been reserved by or conveyed to another person.

(Added to NRS by [1983, 2091](#))

NRS 534A.060 Permit required to drill or operate geothermal well or drill exploratory well; application.

1. A person may not drill or operate a geothermal well or drill an exploratory well without obtaining a permit from the Administrator of the Division of Minerals of the Commission on Mineral Resources and complying with the conditions of the permit.

2. An application must set forth such information as the Administrator requires by regulation.

(Added to NRS by [1983, 2091](#); A [1985, 1303](#); [1993, 1701](#); [1999, 3633](#))

NRS 534A.070 Approval or rejection of application for permit to drill exploratory well; review of application for permit to drill or operate geothermal well; hearing; conditions.

1. The Administrator of the Division of Minerals of the Commission on Mineral Resources shall approve or reject an application for a permit to drill an exploratory well within 10 days after the Administrator receives the application in proper form. The permit must not be effective for more than 2 years, but may be extended by the Administrator.

2. Upon receipt of an application for a permit to drill or operate a geothermal well, the Administrator of the Division of Minerals shall transmit copies of the application to the State Engineer, the Administrator of the Division of Environmental Protection of the State Department of Conservation and Natural Resources, and the Director of the Department of Wildlife. After consultation with the State Engineer, the Administrator of the Division of Environmental Protection, and the Director of the Department of Wildlife, the Administrator of the Division of Minerals may issue a permit to drill or operate a geothermal well if it is determined that issuance of a permit is consistent with:

(a) The policies specified in [NRS 445A.305](#) and [445B.100](#);

(b) The purposes of [chapters 533](#) and [534](#) of NRS; and

(c) The purposes specified in [chapter 501](#) of NRS.

3. The Administrator of the Division of Minerals shall approve or reject the application to drill or operate a geothermal well within 90 days after the Administrator receives it in proper form, unless it is determined that a conflict exists pursuant to subsection 2 or a public hearing is necessary pursuant to subsection 4. Notice of the conflict or need for a public hearing must be provided to the applicant within the 90-day period.

4. The State Engineer and the Administrator of the Division of Minerals may hold public hearings jointly or separately to gather such evidence or information as they deem necessary for a full understanding of all the rights involved and to guard properly the public interest.

5. A permit issued pursuant to this section must include any conditions:

(a) Deemed necessary by the Administrator of the Division of Minerals to carry out the purposes of this section; and

(b) Imposed by the State Engineer consistent with the provisions of [chapters 533](#) and [534](#) of NRS.

(Added to NRS by [1983, 2091](#); A [1985, 1304](#); [1987, 778](#); [1993, 1701](#); [1997, 509](#); [1999, 3633](#); [2003, 1581](#))

NRS 534A.080 Fees; use of money.

1. The Commission on Mineral Resources shall impose and collect a fee for examining and filing an application for a permit to drill or operate a geothermal well or to drill an exploratory well. The fee must be deposited with the State Treasurer, for credit to the Account for the Division of Minerals created in the State General Fund pursuant to [NRS 513.103](#).

2. The fee may be based in part on the number of acres of land being used by the person who holds the permit.

3. The Commission and the Division of Minerals may use the money deposited in the Account for the Division of Minerals pursuant to this section to administer the provisions of this chapter.

(Added to NRS by [1983, 2091](#); A [1985, 1304](#); [1993, 111, 1702](#); [1995, 579](#))

NRS 534A.090 Regulations of Commission on Mineral Resources. The Commission on Mineral Resources may adopt regulations necessary for carrying out the provisions of this chapter.

(Added to NRS by [1983, 2091](#))