

(A) EVERY PERSON IS REQUIRED TO OBTAIN A PERMIT FROM THE DEPARTMENT BEFORE CONDUCTING ANY GEOTHERMAL RESOURCE EXPLORATORY ACTIVITIES. THE APPLICANT FOR THIS PERMIT MUST HAVE THE LEGAL RIGHT TO USE THE SURFACE FOR EXPLORATION. THE PERMIT IS OBTAINED UPON WRITTEN APPLICATION TO THE DEPARTMENT.

(B) THE APPLICATION SHALL STATE THE INTENDED LOCATION OF EXPLORATION, GIVE ASSURANCE OF THE APPLICANT'S RIGHT TO USE THE SURFACE FOR EXPLORATION, PROVIDE AN EXPLORATORY WORK PROGRAM, AND PROVIDE ANY INFORMATION REQUESTED BY THE DEPARTMENT.

(C) THE DEPARTMENT MAY APPROVE AN APPLICATION IF IT DETERMINES THAT THE APPLICANT IS QUALIFIED TO CONDUCT EXPLORATORY WORK, THAT THE APPLICANT WILL COMPLY WITH ALL APPLICABLE LAWS, AND THAT THE APPLICANT'S WORK PROGRAM PROVIDES ADEQUATE PROTECTION FOR THE NATURAL RESOURCES OF THE STATE.

(D) THE PERMIT REQUIRED BY THIS SECTION SHALL BE IN LIEU OF ANY PERMIT REQUIRED BY TITLE 8, SUBTITLES 6 AND 8.

8-8A-05. PERMIT TO APPROPRIATE OR USE GEOTHERMAL RESOURCES.

(A) EVERY PERSON IS REQUIRED TO OBTAIN A PERMIT FROM THE DEPARTMENT TO APPROPRIATE OR USE, OR TO CONSTRUCT ANY WELL, PLANT, BUILDING, OR STRUCTURE WHICH MAY APPROPRIATE OR USE GEOTHERMAL RESOURCES OF THE STATE. THE PERMIT IS OBTAINED UPON WRITTEN APPLICATION TO THE DEPARTMENT. THE APPLICANT FOR THE PERMIT MUST HAVE THE LEGAL RIGHT TO USE THE SURFACE FOR EXPLORATION AND GIVE ASSURANCE OF THIS RIGHT.

(B) THE APPLICATION SHALL BE ACCOMPANIED BY THE FOLLOWING INFORMATION AND ~~SUCH~~ ANY OTHER INFORMATION AS REQUIRED BY THE DEPARTMENT.

(1) A PROJECT DESCRIPTION SPECIFYING:

(I) WHAT IS PLANNED TO BE CONSTRUCTED, ITS PURPOSE, USE, LOCATION, ~~COST~~ ESTIMATED COST, AND SIZE; AND

(II) THE METHODS OF CONSTRUCTION, CONSTRUCTION SCHEDULE, AND OPERATION PROCEDURE.

(2) A LIST OF LICENSES, PERMITS, OR OTHER APPROVALS REQUIRED BY ANY GOVERNMENT UNIT.

(3) DETAILED INFORMATION AS TO THE NEED FOR THE USE AND FACTS CONCERNING ALTERNATE SITE LOCATIONS AS MAY BE REQUESTED BY THE DEPARTMENT.

(4) INFORMATION PROVIDING PROOF OF THE DISCOVERY OF A GEOTHERMAL RESOURCE AND AN EVALUATION OF THE RESOURCE.