

in aid of a function of a Federal department or agency other than the Department of the Interior may be made only upon notice to, and with the approval of, such department or agency.

(Pub. L. 91-581, §8, Dec. 24, 1970, 84 Stat. 1569; Pub. L. 109-58, title II, §§229, 236(8), Aug. 8, 2005, 119 Stat. 668, 672.)

#### AMENDMENTS

2005—Pub. L. 109-58, §236(8), inserted section catchline.

Subsec. (b). Pub. L. 109-58, §229, substituted "period" for "period, and in no event shall the royalty payable exceed 22½ per centum" in second sentence.

### § 1008. Byproducts

If the production, use, or conversion of geothermal steam is susceptible of producing a valuable byproduct or byproducts, including commercially demineralized water for beneficial uses in accordance with applicable State water laws, the Secretary shall require substantial beneficial production or use thereof unless, in individual circumstances he modifies or waives this requirement in the interest of conservation of natural resources or for other reasons satisfactory to him. However, the production or use of such byproducts shall be subject to the rights of the holders of preexisting leases, claims, or permits covering the same land or the same minerals, if any.

(Pub. L. 91-581, §9, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109-58, title II, §236(9), Aug. 8, 2005, 119 Stat. 672.)

#### AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline.

### § 1009. Relinquishment of geothermal rights

The holder of any geothermal lease at any time may make and file in the appropriate land office a written relinquishment of all rights under such lease or of any legal subdivision of the area covered by such lease. Such relinquishment shall be effective as of the date of its filing. Thereupon the lessee shall be released of all obligations thereafter accruing under said lease with respect to the lands relinquished, but no such relinquishment shall release such lessee, or his surety or bond, from any liability for breach of any obligation of the lease, other than an obligation to drill, accrued at the date of the relinquishment, or from the continued obligation, in accordance with the applicable lease terms and regulations, (1) to make payment of all accrued rentals and royalties, (2) to place all wells on the relinquished lands in condition for suspension or abandonment, and (3) to protect or restore substantially the surface and surface resources.

(Pub. L. 91-581, §10, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109-58, title II, §236(10), Aug. 8, 2005, 119 Stat. 672.)

#### AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline.

### § 1010. Suspension of operations and production

The Secretary, upon application by the lessee, may authorize the lessee to suspend operations

and production on a producing lease and he may, on his own motion, in the interest of conservation suspend operations on any lease but in either case he may extend the lease term for the period of any suspension, and he may waive, suspend, or reduce the rental or royalty required in such lease.

(Pub. L. 91-581, §11, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109-58, title II, §236(11), Aug. 8, 2005, 119 Stat. 672.)

#### AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline.

### § 1011. Termination of leases

Leases may be terminated by the Secretary for any violation of the regulations or lease terms after thirty days notice provided that such violation is not corrected within the notice period, or in the event the violation is such that it cannot be corrected within the notice period then provided that lessee has not commenced in good faith within said notice period to correct such violation and thereafter to proceed diligently to correct such violation. Lessee shall be entitled to a hearing on the matter of such claimed violation or proposed termination of lease if request for a hearing is made to the Secretary within the thirty-day period after notice. The period for correction of violation or commencement to correct such violation of regulations or of lease terms, as aforesaid, shall be extended to thirty days after the Secretary's decision after such hearing if the Secretary shall find that a violation exists.

(Pub. L. 91-581, §12, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109-58, title II, §236(12), Aug. 8, 2005, 119 Stat. 672.)

#### AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline.

### § 1012. Waiver, suspension, or reduction of rental or royalty

The Secretary may waive, suspend, or reduce the rental or royalty for any lease or portion thereof in the interests of conservation and to encourage the greatest ultimate recovery of geothermal resources, if he determines that this is necessary to promote development or that the lease cannot be successfully operated under the lease terms.

(Pub. L. 91-581, §13, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109-58, title II, §236(13), Aug. 8, 2005, 119 Stat. 672.)

#### AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline.

### § 1013. Surface land use

Subject to the other provisions of this chapter, a lessee shall be entitled to use so much of the surface of the land covered by his geothermal lease as may be found by the Secretary to be necessary for the production, utilization, and conservation of geothermal resources.

(Pub. L. 91-581, §14, Dec. 24, 1970, 84 Stat. 1571; Pub. L. 109-58, title II, §236(14), Aug. 8, 2005, 119 Stat. 672.)