

STATE OF NEW MEXICO
ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION COMMISSION FOR
THE PURPOSE OF CONSIDERING:

ORIGINAL

APPLICATION OF LIGHTNING DOCK GEOTHERMAL Case No. 15357
HI-01, LLC, FOR APPROVAL TO INJECT INTO A
GEOTHERMAL AQUIFER THROUGH THREE PROPOSED
GEOTHERMAL INJECTION WELLS AT THE SITE OF
THE PROPOSED LIGHTNING DOCK GEOTHERMAL POWER
PROJECT, HIDALGO COUNTY, NEW MEXICO.

and
APPLICATION OF LIGHTNING DOCK GEOTHERMAL
HI-01, LLC, TO PLACE WELL NO. 63A-7 ON Case No. 15365
INJECTION-GEOTHERMAL RESOURCES AREA,
HIDALGO COUNTY, NEW MEXICO

And Case 15327 (see separate transcript).

REPORTER'S TRANSCRIPT OF PROCEEDINGS
PREHEARING TRANSCRIPT
November 5, 2015
Santa Fe, New Mexico

BEFORE: DAVID R. CATANACH, CHAIRPERSON
ROBERT S. BALCH, COMMISSIONER
PATRICK PADILLA, COMMISSIONER
BILL BRANCARD, ESQ.

This matter came on for hearing before the
New Mexico Oil Conservation Commission on Thursday,
November 5, 2015, at the New Mexico Energy, Minerals,
and Natural Resources Department, Wendell Chino
Building, 1220 South St. Francis Drive, Porter Hall,
Room 102, Santa Fe, New Mexico.

REPORTED BY: ELLEN H. ALLANIC
NEW MEXICO CCR 100
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1 (Time noted 9:04 a.m.) prehrgr

2 COMMISSIONER CATANACH: Good morning. This
3 is a meeting of the New Mexico Oil Conservation
4 Commission. My name is David Catanach, Chairman of the
5 Commission. The time is about 9:04 a.m. Today's date
6 is November 5, 2015. This meeting is being conducted in
7 Porter Hall within the Wendell Chino State Building.

8 At this time, I will take roll. Will the
9 Commissioners please introduce themselves.

10 COMMISSIONER PADILLA: Patrick Padilla,
11 designated the New Mexico State Land Commissioner.

12 COMMISSIONER BALCH: Dr. Robert Balch,
13 designated the Secretary of Energy and Minerals.

14 COMMISSIONER CATANACH: Also present today
15 is Mr. Bill Brancard, the Commission attorney and the
16 general counsel for the Energy, Minerals and Natural
17 Resources Department.

18 Commissioners, in your packet, you should
19 have an agenda for today's meeting. Have you had a
20 chance to review that? Do I hear a motion to adopt the
21 agenda?

22 COMMISSIONER PADILLA: So moved.

23 COMMISSIONER BALCH: And seconded.

24 COMMISSIONER CATANACH: All in favor?

25 COMMISSIONER PADILLA: Aye.

1 COMMISSIONER BALCH: Aye.

2 COMMISSIONER CATANACH: Aye.

3 Motion to adopt today's agenda has passed.

4 Also in your packet, Commissioners, are
5 draft minutes from the October 7th through the 9th,
6 2015, Commission meeting.

7 Commissioners, if you've had a chance to
8 review this, do you have any changes to the minutes,
9 and, if not, is there a motion and a second to adopt the
10 minutes?

11 COMMISSIONER BALCH: I have no changes and I
12 would move to adopt them.

13 COMMISSIONER PADILLA: And I would second
14 that.

15 COMMISSIONER CATANACH: Okay. All in favor.

16 COMMISSIONER PADILLA: Aye.

17 COMMISSIONER BALCH: Aye.

18 COMMISSIONER CATANACH: Aye.

19 Motion to adopt the minutes from the October
20 7th through the 9th, 2015, Commission meeting has
21 passed.

22 The next order of business today is a review
23 of a draft order in Commission cases No. 15357 and
24 15365. This draft order was prepared by Mr. Bill
25 Brancard and was distributed to the Commission prior to

1 this hearing.

2 At this time, I would just like to thank
3 Mr. Brancard for the work he did preparing this draft
4 order. This order is a culmination of four plus days of
5 extensive legal and technical evidence presented by
6 Lightning Dock, AmeriCulture, Inc., the OCD, and Hildago
7 Soil and Water Conservation District.

8 I know that Mr. Brancard did an extensive
9 amount drafting this order, and we appreciate that.

10 Is it the pleasure of the Commission to review,
11 amend and finalize this draft order at this time?

12 COMMISSIONER PADILLA: Yes.

13 COMMISSIONER BALCH: I think yes. It might
14 be appropriate to go into closed session for review.

15 COMMISSIONER CATANACH: Do I have a second
16 for the --

17 COMMISSIONER PADILLA: I second the motion.

18 COMMISSIONER CATANACH: All in favor.

19 COMMISSIONER PADILLA: Aye.

20 COMMISSIONER BALCH: Aye.

21 COMMISSIONER CATANACH: Aye.

22 Okay. That motion has passed. So at this
23 point, we will go into closed executive session.

24 (Closed Executive Session 9:06 a.m. to
25 9:40 a.m.)

1 COMMISSIONER CATANACH: At this time, we
2 will go back on the record. I call the hearing back to
3 order.

4 For the record, I will state that while we
5 were in executive session, the Commission only discussed
6 the proposed order in cases 15357 and 15365. The
7 Commission --

8 MR. BRANCARD: Mr. Chairman, I think we need
9 an official motion to back into open session.

10 COMMISSIONER BALCH: I will make a motion to
11 go back into open session.

12 COMMISSIONER PADILLA: I will second that.

13 COMMISSIONER CATANACH: All in favor. Aye.

14 COMMISSIONER BALCH: Aye.

15 COMMISSIONER PADILLA: Aye.

16 COMMISSIONER CATANACH: Thank you,
17 Mr. Brancard.

18 The Commission made no changes to the order
19 itself in executive session. We made small, slight
20 changes to the conditions of approval that will be
21 attached as, I believe, Exhibit A to the order. And
22 those will be revised and will be available later on
23 today.

24 But the order itself is ready to be
25 approved. Can I get a vote on the approval of this

1 order or can I get a motion?

2 COMMISSIONER BALCH: I would make a motion
3 to approve the order.

4 COMMISSIONER PADILLA: I would second it.

5 COMMISSIONER CATANACH: All in favor. Aye.

6 COMMISSIONER PADILLA: Aye.

7 COMMISSIONER BALCH: Aye.

8 COMMISSIONER CATANACH: The motion has
9 passed. This order will be signed at that time.

10 And I guess the order will be available just
11 later on today, Mr. Brancard?

12 MR. BRANCARD: I will e-mail Exhibit A to
13 Ms. Davidson during the break and then she can
14 incorporate that into the order.

15 COMMISSIONER CATANACH: Thank you. So I
16 guess we are done with this case.

17 So the next order of business today is case
18 No. 15327.

19 (See separate booklet for case 15327
20 proceedings.)

21

22 (Time noted 9:42 a.m.)

23

24

25

1 STATE OF NEW MEXICO)
 2) ss.
 3 COUNTY OF BERNALILLO)
 4
 5
 6

7 REPORTER'S CERTIFICATE

8
 9 I, ELLEN H. ALLANIC, New Mexico Reporter CCR
 10 No. 100, DO HEREBY CERTIFY that on Thursday, November 5,
 11 2015, the proceedings in the above-captioned matter were
 12 taken before me, that I did report in stenographic
 13 shorthand the proceedings set forth herein, and the
 14 foregoing pages are a true and correct transcription to
 15 the best of my ability and control.
 16

17
 18 I FURTHER CERTIFY that I am neither employed by
 19 nor related to nor contracted with (unless excepted by
 20 the rules) any of the parties or attorneys in this case,
 21 and that I have no interest whatsoever in the final
 22 disposition of this case in any court.
 23
 24
 25

Ellen Allanic

ELLEN H. ALLANIC, CSR
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