UIC - 2

UIC CLASS V GEOTHERMAL UPDATE

2023

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TEXAS 75202 – 2733

Office of the Regional Administrator

March 18, 2019

The Honorable Michelle Lujan Grisham
Governor of New Mexico
490 Old Santa Fe Trail Room 400
Santa Fe, New Mexico 87501

Dear Governor Grisham:

Section 145.32 of Title 40 of the Code of Federal Regulations (40 CFR) provides procedures for revisions to approved State Underground Injection Control (UIC) programs. The New Mexico UIC program to administer Class I, II, III, IV and V injection wells, as codified at 40 CFR Section 147.1601, has been revised as part of New Mexico's recent modifications of its environmental programs. Therefore, the New Mexico Energy, Minerals, and Natural Resources Department submitted the following changes to its program:

- Transfer of Class V geothermal well regulation from the Energy, Minerals and Natural Resources Department's Oil Conservation Division to the Energy Conservation and Management Division. The rules were codified in the New Mexico Administrative Code at 19.11.1 through 19.11.4 NMAC, effective February 27, 2018.

The above revision to the UIC program has been reviewed and determined to be non-substantial based on the requirements of 40 CFR Part 145, the Safe Drinking Water Act and related guidance. Therefore, I am pleased to approve this revision to the State's UIC program.

If you have any questions, please contact me at (214) 665-2100, or your staff may contact Ms. Carmen Assunto, State and Local Government Liaison, at (214) 665-2200.

Sincerely,

Anne L. Idsal
Regional Administrator

cc: Cabinet Secretary Sarah Propst
New Mexico Energy, Minerals and
Natural Resources Department

NEW MEXICO CLASS II REVISON FACT SHEET

WHAT DID THEY PROPOSE TO CHANGE?

- Remove inconsistent and repetitive language regarding the scope of the rule
- Replace the "old" language describing the types of wells covered by the rule and the types of substances that could be injected with the classification of Class II wells found in the federal rules
- Eliminate unnecessary definition, combine procedures and improve the clarity of the rule

SPECIFICS:

1) 19.15.26.1 NMAC ISSUING AGENCY - Amended to clarify that the New Mexico Oil Conservation Commission rather than the Oil Conservation Division is the agency issuing the rule
2) 19.15.26.2 NMAC SCOPE – Deleted language that lists the types of wells covered by this section and simply defined the scope as injection wells under the Oil and Gas Act. Added language to clarify that this rule does not apply to other classes of injection wells regulated under the Water Quality Act, the Geothermal Resources Development Act and the Surface Mining Act. These wells are regulated under New Mexico's approved program for Class I, III and V wells 40 CFR 147.1601
3) 19.15.26.3 NMAC STATUTORY AUTHORITY - Amended to specify the subsection in the Oil and Gas Act relating to the regulation of injection wells and to delete unnecessary language listing wells covered by the rule.
4) 19.15.26.6 NMAC OBJECTIVE – Amended to clarify that this rule is intended to both implement the Oil and Gas Act and to maintain primacy under the federal Safe Drinking Water Act. Deleted unnecessary language listing the types of injection covered by the rule.
5) 19.15.26.7 NMAC DEFINITIONS – Amended to add a definition of "fluids" taken from the federal rules, 40 CFR 144.3 Deleted other definitions ("affected person", "pressure maintenance project", "water flood project") because they are either no longer needed or are defined elsewhere in the 19.15.2.7 NMAC rule
6) 19.15.26.8 NMAC INJECTION OF FLUIDS INTO RESERVOIRS – Deleted two differing descriptions of the projects covered by this rule and replaced the language with the description of Class II wells found in the federal regulations 40 CFR 144.6 (b). Combined Subsections F and G to provide a single application process for pressure maintenance, secondary recovery and enhanced oil recovery projects.
7) 19.15.26.12 NMAC COMMENCEMENT,DISCONTINUANCE AND ABANDONMENT OF INJECTION OPERATIONS
   19.15.26.13 NMAC RECORDS AND REPORTS – Amended these two sections to replace the term salt water disposal" with "produced water disposal"

WHY THESE ARE NON-SUBSTANTIAL?

This Program Revision does not involve any significant changes to the existing New Mexico UIC regulations. The scope of the Class II well remains the same and the same agency administers the program.

Code of New Mexico Rules Currentness
Title 19. Natural Resources and Wildlife
Chapter 15. Oil and Gas
Part 26. Injection (Refs & Annos)

N.M. Admin. Code 19.15.26

19.15.26. INJECTION

19.15.26.1 ISSUING AGENCY: Oil Conservation Commission.

[19.15.26.1 NMAC - Rp, 19.15.9.1 NMAC, 12/1/2008; A, 12/27/2018]

19.15.26.2 SCOPE: 19.15.26 NMAC applies to persons constructing, operating or closing an injection well under the Oil and Gas Act. 19.15.26 NMAC does not apply to other classes of injection wells regulated under the Water Quality Act, the Geothermal Resources Development Act or the Surface Mining Act.

[19.15.26.2 NMAC - Rp, 19.15.9.2 NMAC, 12/1/2008; A, 12/27/2018]

19.15.26.3 STATUTORY AUTHORITY: 19.15.26 NMAC is adopted pursuant to the Oil and Gas Act, Section 70-2-6, Section 70-2-11 and Paragraphs (13), (14), (15), (21) and (22) of Subsection B of Section 70-2-12 NMSA 1978.

[19.15.26.3 NMAC - Rp, 19.15.9.3 NMAC, 12/1/2008; A, 12/27/2018]

Credits
19.15.26.4 DURATION: Permanent.

[19.15.26.4 NMAC - Rp, 19.15.9.4 NMAC, 12/1/08]

19.15.26.5 EFFECTIVE DATE: December 1, 2008, unless a later date is cited at the end of a section.

[19.15.26.5 NMAC - Rp, 19.15.9.5 NMAC, 12/1/08]

19.15.26.6 OBJECTIVE: To regulate injection wells under the Oil and Gas Act and to maintain primary enforcement authority for the Safe Drinking Water Act (42 U.S.C. 300f et seq.) Underground Injection Control (UIC) program for UIC Class II wells.

[19.15.26.6 NMAC - Rp, 19.15.9.6 NMAC, 12/1/2008; A, 12/27/2018]

19.15.26.7 DEFINITIONS: "Fluid" means any material or substance which flows or moves whether in a semisolid, liquid, sludge, gas or any other form or state.

19.15.26.7 NMAC - Rp, 19.15.9.701 NMAC, 12/1/2008; A, 12/27/2018]

19.15.26.8 INJECTION OF FLUIDS INTO RESERVOIRS:

A. Permit for injection required

(1) A permit is required under 19.15.26 NMAC for any injection wells that inject:

(a) produced water or other fluids that are brought to the surface in connection with natural gas storage operations or conventional oil or natural gas production and may be commingled with waste waters from gas plants that are an integral part of production operations, unless those waters are classified as a hazardous waste at the time of injection;

(b) fluids for enhanced recovery of oil or natural gas; and

(c) fluids for storage of hydrocarbons that are liquid at standard temperature and pressure.

(2) The division shall grant a permit for injection under 19.15.26.8 NMAC only to an operator who is in compliance with Subsection A of 19.15.5.9 NMAC. The division may revoke a permit for injection issued under 19.15.26.8 NMAC after notice and hearing if the operator is not in compliance with Subsection A of 19.15.5.9 NMAC.

B. Method of making application.

(1) The operator shall apply for authority to construct and operate an injection well by submitting form C-108 complete with all attachments to the division.

(2) The applicant shall furnish, by certified or registered mail, a copy of the application to each owner of the land surface on which each injection or disposal well is to be located and to each leasehold operator and other affected persons, as defined in Subsection A of 19.15.2.7 NMAC, within any tract wholly or partially contained within one-half mile of the well.

C. Administrative approval.

(1) If the application is for administrative approval rather than for a hearing, it shall be accompanied by a copy of a legal notice the applicant published in a newspaper of general circulation in the county in which the proposed injection well is located. The legal notice shall include:

(a) the applicant's name, address, phone number and contact party;

(b) the injection well's intended purpose, with the exact location of single wells or the section, township and range location of multiple wells;

(c) the formation name and depth with expected maximum injection rates and pressures; and

(d) a notation that interested parties shall file objections or requests for hearing with the division within 15 days.

(2) The division shall not approve an application for administrative approval until 15 days following the division's receipt of form C-108 complete with all attachments including evidence of mailing as required under Paragraph (2) of Subsection B of 19.15.26.8 NMAC and proof of publication as required by Paragraph (1) of Subsection C of 19.15.26.8 NMAC.

(3) If the division does not receive an objection within the 15-day period, and a hearing is not otherwise required, the division may approve the application administratively.

D. Hearings. If a written objection to an application for administrative approval of an injection well is filed within 15 days after receipt of a complete application, if 19.15.26.8 NMAC requires a hearing or if the director deems a hearing advisable, the division shall set the application for hearing and give notice of the hearing.

E. Produced water disposal wells.

(1) The director may grant an application for a produced water disposal well administratively, without hearing, only when the waters to be disposed of are mineralized to such a degree as to be unfit for domestic, stock, irrigation or other general use and when the waters are to be disposed of into a formation older than Triassic (Lea county only) and the division receives no objections pursuant to Subsection C of 19.15.26.8 NMAC.

(2) The division shall not permit disposal into zones containing waters having total dissolved solids concentrations of 10,000 mg/l or less except after public notice and hearing, provided that the division may, by order issued after public notice and hearing, establish exempted aquifers for such zones where the division may administratively approve the injection.

(3) Notwithstanding the provisions of Paragraph (2) of Subsection E of 19.15.26.8 NMAC, the director may authorize disposal into such zones administratively if the waters to be disposed of are of higher quality than the native water in the disposal zone.

F. Pressure maintenance, secondary recovery and enhanced oil recovery injection projects.

(1) The division shall set applications for establishment of pressure maintenance, secondary recovery and enhanced oil recovery injection projects for hearing. The division shall fix the project area and the allowable formula for an injection project on an individual basis after notice and hearing.

(2) The project area of an injection project shall comprise the spacing or proration units a given operator owns or operates upon which injection wells are located plus spacing or proration units the same operator owns or operates that directly or diagonally offset the injection tracts and have producing wells completed on them in the same formation; provided however, that the division may include in the project area additional spacing or proration units not directly or diagonally offsetting an injection tract if, after notice and hearing, the operator establishes that the additional units have wells completed on the unit that have experienced a substantial response to water injection.

(3)The allowable the division assigns to wells in an injection project area shall equal the wells' ability to produce and is not subject to the depth bracket allowable for the pool or to the market demand percentage factor.

(4) Nothing in Subsection F of 19.15.26.8 NMAC shall prohibit the division's assignment of special allowables to wells in buffer zones after notice and hearing. The division may assign special allowables in the limited instances where it is established at a hearing that it is imperative for the protection of correlative rights to do so.

(5) The division may authorize the expansion of injection projects and the placement of additional wells on injection after hearing or administratively, subject to the notice requirements of Subsection B of 19.15.26.8 NMAC.

(6) The director may grant an exception to the hearing requirements of Subsection A of 19.15.26.8 NMAC for conversion to injection of additional wells provided that the wells are necessary to develop or maintain thorough and efficient injection operations for an authorized project and provided that the division does not receive an objection pursuant to Subsection C of 19.15.26.8 NMAC.

(7) An established injection project shall have only one designated operator. The division shall set for hearing an application for exception.

G. Storage wells.

(1) The director may grant administratively, without hearing, an application for the underground storage of liquefied petroleum gas or liquid hydrocarbons in secure caverns within massive salt beds, provided the applicant has complied with the notice provisions of Subsection B of 19.15.26.8 NMAC and the division receives no objections pursuant to Subsection C of 19.15.26.8 NMAC.

(2) In addition to the filing requirements of Subsection B of 19.15.26.8 NMAC, the applicant for approval of a storage well under Subsection G of 19.15.26.8 NMAC shall file the following:

(a) with the director, financial assurance in accordance with the provisions of 19.5.8 NMAC; and

(b) with the appropriate division district office:

(i) form C-101;

(ii) form C-102; and

(iii) form C-105.

[19.15.26.8 NMAC - Rp, 19.15.9.701 NMAC, 12/1/2008; A, 12/27/2018]

19.15.26.9 CASING AND CEMENTING OF INJECTION WELLS: The operator of a well used for injection of gas, air, water or other medium into a formation shall case the well with safe and adequate casing or tubing so as to prevent leakage, and set and cement the casing or tubing to prevent the movement of formation or injected fluid from the injection zone into another zone or to the surface around the outside of a casing string.

[19.15.26.9 NMAC - Rp, 19.15.9.702 NMAC, 12/1/08]

19.15.26.10 OPERATION AND MAINTENANCE:

A. The operator of an injection well shall equip, operate, monitor and maintain the well to facilitate periodic testing and to assure continued mechanical integrity that will result in no significant leak in the tubular goods and packing materials used and no significant fluid movement through vertical channels adjacent to the well bore.

B. The operator of an injection project shall operate and maintain at all times the injection project, including injection wells, producing wells and related surface facilities, in such a manner as will confine the injected fluids to the interval or intervals approved and prevent surface damage or pollution resulting from leaks, breaks or spills.

C. The operator shall report the failure of an injection well, producing well or surface facility, which failure may endanger underground sources of drinking water, to the division under the "immediate notification" procedure of 19.15.29.10 NMAC

D. The operator shall report injection well or producing well failures requiring casing repair or cementing to the division prior to commencement of workover operations.

E. The division may restrict the injected volume and pressure for, or shut-in, injection wells or projects that have exhibited failure to confine injected fluids to the authorized injection zone or zones, until the operator has identified and corrected the failure.

[9.15.26.10 NMAC - Rp 19.15.9.703 NMAC, 12/1/08]

19.15.26.11 TESTING, MONITORING, STEP-RATE TESTS, NOTICE TO THE DIVISION, REQUESTS FOR PRESSURE INCREASES:

A. Testing.

(1) Prior to commencement of injection and any time the operator pulls the tubing or reseats the packer, the operator shall test the well to assure the integrity of the casing and the tubing and packer, if used, including pressure testing of the casing-tubing annulus to a minimum of 300 psi for 30 minutes or such other pressure or time as the appropriate district supervisor may approve. The operator shall use a pressure recorder and submit copies of the chart to the appropriate division district office within 30 days following the test date.

(2) At least once every five years thereafter, the operator shall test an injection well to assure its continued mechanical integrity. Tests demonstrating continued mechanical integrity shall include the following:

(a) measurement of annular pressures in a well injecting at positive pressure under a packer or a balanced fluid seal;

(b) pressure testing of the casing-tubing annulus for a well injecting under vacuum conditions; or

(c) other tests that are demonstrably effective and that the division may approve for use.

(3) Notwithstanding the test procedures outlined in Paragraphs (1) and (2) of Subsection A of 19.15.26.11 NMAC, the division may require the operator to conduct more comprehensive testing of the injection well when deemed advisable, including the use of tracer surveys, noise logs, temperature logs or other test procedures or devices.

(4) In addition, the division may order that the operator conduct special tests prior to the expiration of five years if the division believes conditions so warrant. The division shall consider a special test that demonstrates a well's continued mechanical integrity the equivalent of an initial test for test scheduling purposes, and the regular five-year testing schedule shall be applicable thereafter.

(5) The operator shall advise the division of the date and time any initial, five-year or special tests are to be commenced so the division may witness the tests.

B. Monitoring. The operator shall equip an injection well so that the injection pressure and annular pressure may be determined at the wellhead and the injected volume may be determined at least monthly.

C. Step-rate tests, notice to the division, requests for injection pressure limit increases.

(1) Whenever an operator conducts a step-rate test for the purpose of increasing an authorized injection or disposal well pressure limit, the operator shall give notice of the date and time of the test in advance to the appropriate division district office.

(2) The operator shall submit copies of injection or disposal well pressure-limit increase applications and supporting documentation to the division's Santa Fe office and to the appropriate division district office.

[19.15.26.11 NMAC - Rp, 19.15.9.704 NMAC, 12/1/08]

19.15.26.12 COMMENCEMENT, DISCONTINUANCE AND ABANDONMENT OF INJECTION OPERATIONS:

A. The following provisions apply to injection projects, storage projects, produced water disposal wells and special purpose injection wells.

B. Notice of commencement and discontinuance.

(1) Immediately upon the commencement of injection operations in a well, the operator shall notify the division of the date the operations began.

(2) Within 30 days after permanent cessation of gas or liquefied petroleum gas storage operations or within 30 days after discontinuance of injection operations into any other well, the operator shall notify the division of the date of the discontinuance and the reasons for the discontinuance.

(3) Before temporarily abandoning or plugging an injection well, the operator shall obtain approval from the appropriate division district office in the same manner as when temporarily abandoning or plugging oil and gas wells or dry holes.

C. Abandonment of injection operations.

(1) Whenever there is a continuous one-year period of non-injection into all wells in an injection or storage project or into a produced water disposal well or special purpose injection well, the division shall consider the project or well abandoned, and the authority for injection shall automatically terminate ipso facto.

(2) For good cause shown, the director may grant an administrative extension or extensions of injection authority as an exception to Paragraph (1) of Subsection C of 19.15.26.12 NMAC, provided that any such extension may be granted only prior to the end of one year or continuous non-injection, or during the term of a previously granted extension.

[19.15.26.12 NMAC - Rp, 19.15.9.705 NMAC, 12/1/2008; **A**, 12/27/2018]

19.15.26.13 RECORDS AND REPORTS:

A. The operator of an injection well or project for secondary or other enhanced recovery, pressure maintenance, gas storage, produced water disposal or injection of other fluids shall keep accurate records and shall report monthly to the division gas or fluid volumes injected, stored or produced as required on the appropriate form listed below:

(1) secondary or other enhanced recovery on form C-115;

(2) pressure maintenance on form C-115 and as otherwise prescribed by the division;

(3) produced water disposal not regulated by 19.15.36 NMAC on form C-115;

(4) produced water disposal at surface waste management facilities regulated by 19.15.36 NMAC on form C-120-A;

(5) gas storage on form C-131-A; and

(6) injection of other fluids on a division-prescribed form.

B. The operator of a liquefied petroleum gas storage project shall report to the division annually on form C-131-B.

[19.15.26.13 NMAC - Rp, 19.15.9.706 NMAC, 12/1/2008; A, 12/27/2018]

19.15.26.14 RECLASSIFICATION OF WELLS: The director may reclassify an injection well from a category defined in Subsection B of 19.15.26.8 NMAC to another category without notice and hearing upon the request and proper showing by the injection well's operator.

[19.15.26.14 NMAC - Rp, 19.15.9.707 NMAC, 12/1/08]

19.15.26.15 TRANSFER OF AUTHORITY TO INJECT:

A. Authority to inject granted under a division order is not transferable except upon division approval. An operator may obtain approval of transfer of authority to inject by filing completed form C-145.

B. The division may require the operator to demonstrate mechanical integrity of each injection well that will be transferred prior to approving transfer of authority to inject.

[19.15.26.15 NMAC - Rp, 19.15.9.708 NMAC, 12/1/08]

HISTORY OF 19.15.26 NMAC:

History of Repealed Material: 19.15.9 NMAC, Secondary or Other Enhanced Recovery, Pressure Maintenance, Salt Water Disposal, and Underground Storage (filed 11/13/2000) repealed 12/1/08.

NMAC History:

Those applicable portions of 19.15.9 NMAC, Secondary or Other Enhanced Recovery, Pressure Maintenance, Salt Water Disposal, and Underground Storage (Sections 1-6, 701 - 708) (filed 11/13/2000) were replaced by 19.15.26 NMAC, Injection, effective 12/1/08.

Current with all new rules, amendments, and repeals received by February 2, 2019

N.M. Admin. Code 19.15.26, NM ADC 19.15.26

End of Document

OCD Geothermal Updates
From EPA End-of-Year Reports

Compiled by Carl Chavez (UIC Program QA Officer) on 6-13-2023

2011:

Class I, III, and V wells – The OCD Environmental Bureau has jurisdiction over Class I non-hazardous wells injecting oilfield non-exempt wastes, Class III brine solution mining wells where fresh water is injected into a salt formation to produce high density brine for drilling, Class V geothermal injection wells where geothermal reservoir temperature is less than or higher than 250°F, and any other Class V wells used in the oil, gas and geothermal industries. Table 1 reports the OCD Class I, III, and V well inventory.

There are currently 2 Class V active wells under OCD's jurisdiction. In July 2009, OCD permitted Raser Technologies to construct high temperature geothermal injection wells to produce binary cycle system commercial power near Animas, New Mexico. As a result, two new wells have been drilled; however, Raser Technologies filed for bankruptcy in April 2011. There is a plan to restructure in order to complete this project. During FY11, OCD continued its efforts to identify and close any Class V wells at oil, gas and geothermal facilities that threaten drinking water; however, none was identified.

2015:

OCD recently allowed the WQCC Permit (GTHT-001) to expire on August 4, 2014. After OCD formal review of the WQCC Regulations on July 8, 2014, i.e., 20.6.2.3105(M) NMAC, and Geothermal Regulations, i.e, 71-5-S(b)(m), OCD determined that WQCC Permits will no longer be issued for Geothermal Class V Injection/Disposal Wells or for Geothermal Projects in NM.

These wells are regulated under the Federal UIC Class V (40 CFR 144, et seq.) and OCD Geothermal Regulations, i.e., Chapter 71, Article 5 NMSA 1978 (Geothermal Resources Conservation Act) and Title 19, Chapter 14 NMAC (Geothermal Power).

Class V Injection Wells:

In 2016, the New Mexico Legislature adopted, and the Governor signed, the Geothermal Resources Development Act (GRDA) (House Bill 289 and Senate Bill 223), which became effective on February 27, 2018. Sections 1 through 11 [71-9-1 through 71-9-11 NMSA 1978] of this act may be cited as the "Geothermal Resources Development Act". History: Laws 2016, ch. 71, § 1 and Laws 2016, ch. 78, § 1.

As of July 1, 2016, the existing Geothermal Resources Conservation Act (GRCA) remains in effect for 5-years during a "transition period" ending February 27, 2023. GRCA consists of: Chapter 71: Energy & Minerals Article 5: Geothermal Resources Conservation Act Chapter 71, Article 5 NMSA 1978 Title 19: Natural Resources & Wildlife Chapter 14: Geothermal Power Title 19, Chapter 14 NMAC (11-15-83 Recompiled 12-31-01).

The GRDA provides for the permitting of geothermal injection wells but is limited to high temperature wells (>250 degrees F). The GRDA is administered by the Energy Conservation and Management Division (ECMD) of EMNRD. Permits issued under the GRCA remain in effect through the transition period and are administered by the ECMD. There are currently eight (8) permitted Class V geothermal injection wells in New Mexico under discharge permit "GTHT-1" (Lightning Dock Geothermal Power Production Site) located in Hidalgo County, and all are in compliance.

There are currently eight (8) permitted OCD Class V remediation injection wells in New Mexico under discharge permit "GW-294" (Plains Townsend Remediation Site). All are associated with an infiltration gallery located in Lea County, and all are in compliance.

2016:

In 2016, the New Mexico Legislature adopted, and the Governor signed, the Geothermal Resources Development Act (House Bill 289; Senate Bill 223). As of July 1, 2016, the Geothermal Resources Conservation Act is repealed and replaced by the Geothermal Resources Development Act. The new Act also provides for the permitting of geothermal injection wells but is limited to high temperature wells (>250 degrees F). The new Act will be administered by the Energy Conservation and Management Division (ECMD) of EMNRD. Permits issued under the old Act will remain in effect but will be administered by ECMD. EMNRD will submit a Program Revision to U.S. EPA.

2019:

UIC CLASS V WELLS: GEOTHERMAL INJECTION WELLS

In 2016, the New Mexico Legislature adopted, and the Governor signed, the Geothermal Resources Development Act (GRDA) which became effective on July 1, 2016. NMSA 1978, Sections 71-9-1 et seq. As of July 1, 2019, permits issued under the prior Geothermal Resources Conservation Act (GRCA) remains in effect for a "transition period" that ends February 27, 2023.

GRDA provides for the permitting of geothermal injection wells but is limited to high temperature wells (>250 degrees F). GRDA is administered by the Energy Conservation and Management Division (ECMD) of EMNRD. Permits issued under GRCA remain in effect through the transition period and are administered by the ECMD. There are currently eight (8) permitted Class V geothermal injection wells in New Mexico under discharge permit "GTHT-1" (Lightning Dock Geothermal Power Production Site) located in Hidalgo County, and all are in compliance.

2020:

UIC CLASS V WELLS: GEOTHERMAL INJECTION WELLS
In 2016, the New Mexico Legislature adopted, and the Governor signed the Geothermal Resources Development Act (GRDA) which became effective on July 1, 2016. As of July 1, 2019, the existing Geothermal Resources Conservation Act (GRCA) remains in effect for a "transition period" that ends February 27, 2023.

GRDA provides for the permitting of geothermal injection wells but is limited to high-temperature wells (>250 degrees F). GRDA is administered by the Energy Conservation and Management Division (ECMD) of EMNRD. Permits issued under GRCA remain in effect through the transition period and are administered by the ECMD. There are currently eight (8) permitted Class V geothermal injection wells in New Mexico under discharge permit "GTHT-1" (Lightning Dock Geothermal Power Production Site) located in Hidalgo County, and all wells are in compliance.

2021:

UIC CLASS V WELLS: GEOTHERMAL INJECTION WELLS

The current statute for Class V geothermal wells is the Geothermal Resources Development Act (GRDA) which became effective on July 1, 2016. As of July 1, 2019, the existing Geothermal Resources Conservation Act (GRCA) remains in effect for a "transition period" that ends February 27, 2023. GRDA provides for the permitting of geothermal injection wells but is limited to high-temperature wells (>250 degrees F). GRDA is administered by the Energy Conservation and Management Division (ECMD) of EMNRD. Permits issued under GRCA remain in effect through the transition period and are administered by the ECMD. There are currently **10** permitted Class V geothermal injection wells in New Mexico under discharge permit GTHT-1 (Lightning Dock Geothermal Power Production Site) located in Hidalgo County. Eight are existing injection wells while two (2) were recently approved during FY-21 under individual well permits. All wells are in compliance.

2022:

UIC CLASS V WELLS: GEOTHERMAL INJECTION WELLS

The current statute for Class V geothermal wells is the Geothermal Resources Development Act (GRDA) which became effective on July 1, 2016. As of July 1, 2019, the existing Geothermal Resources Conservation Act (GRCA) remains in effect for a "transition period" that ends February 27, 2023.

GRDA provides for the permitting of geothermal injection wells but is limited to high-temperature wells (>250 degrees F). GRDA is administered by the Energy Conservation and Management Division (ECMD) of EMNRD. Permits issued under GRCA remain in effect through the transition period and are administered by the ECMD. There are currently **10** permitted Class V geothermal injection wells in New Mexico under discharge permit GTHT-1 (Lightning Dock Geothermal Power Production Site) located in Hidalgo County. Eight are existing injection wells while two (2) were recently approved during FY-21 under individual well permits. All wells are in compliance.

12/30/2016

Dear Geothermal Energy Stakeholder:

The New Mexico Energy Minerals and Natural Resources Department requests your organization's assistance in reviewing the preliminary draft rules for high temperature geothermal well and facility permitting in New Mexico. This is a preliminary, unofficial review meant to highlight and correct any major defects or errors in the draft rules before offering them for full public review. Please review these drafts and provide me with any comments by January 20, 2017.
Background:

In the 2016 New Mexico Legislative Session, Senate Bill 223 moved the resource development and regulation implementation for high temperature (> 250 degrees F) geothermal wells from the New Mexico Oil Conservation Division to the New Mexico Energy Conservation and Management Division. The official program transition date was July 1, 2016. The New Mexico Energy Conservation and Management Division is currently in the process of revising/replacing the existing regulations for the development and permitting of high temperature geothermal wells. The attached draft regulations (19.14.1 NMAC - General through 19.14.4 NMAC – Construction and Operation) are propose to replace the existing regulations 19.14.1 NMAC – General Provisions and Definitions through 19.14.132 NMAC – Geothermal Power, Changes in Forms and Reports.

Please let me know if you have any questions, otherwise I look forward to reviewing your comments to our initial effort.

Sincerely,

Daren K. Zigich, P.E.
Engineering Technology Program Manager
Energy Conservation and Management Division
NM Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, NM 87505
(505) 476-3323

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER (STATEWIDE)
PART 1 GENERAL

19.14.1.1 ISSUING AGENCY: Energy, Minerals and Natural Resources Department, Energy Conservation and Management Division.
[19.14.1.1 NMAC - N, / /]

19.14.1.2 SCOPE: All persons who engage in the exploration, development or production of a geothermal resource.
[19.14.1.2 NMAC - N, / /]

19.14.1.3 STATUTORY AUTHORITY: Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.
[19.14.1.3 NMAC - N, / /]

19.14.1.4 DURATION: Permanent.
[19.14.1.4 NMAC - N, / /]

19.14.1.5 EFFECTIVE DATE: _____ except where a later date is cited at the end of a section or paragraph.
[19.14.1.5 NMAC - N, / /]

19.14.1.6 OBJECTIVE: The objective of 19.14.1 NMAC is to set forth general provisions and definitions pertaining to the authority of the energy conservation and management division pursuant to the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.
[19.14.1.6 NMAC - N, / /]

19.14.1.7 DEFINITIONS: These definitions apply to 19.14.1 through 19.14.4 NMAC.

A. "Applicant" means any person submitting an application to the division for a permit to construct, modify or operate a well[(s)] or facility used for the exploration, development or production of geothermal resources.

B. "Annular space" means the space between the walls of the well as drilled and the casing or between a permanent casing and the borehole.

C. "ASL" means above sea level.

D. "Blowout" means an uncontrolled escape of liquids and gases from a geothermal well.

E. "Blowout prevention equipment" is equipment that is designed to be attached to the casing in a geothermal well to prevent a blowout.

F. "BOPE" means blowout prevention equipment.

G. "Casing" means the conduit required to prevent waste and contamination of the ground water, the geothermal resource or both, and to hold the formation open during the construction or use of the well.

H. "Closed-loop system" as used in 19.14.4 NMAC means a system that uses above ground steel tanks for the management of drilling fluids.

I. "Completion" for purposes of well drilling or workover operations means that it has been 30 days since well drilling operations have ceased unless the division approves a suspension of operations, or 30 days after the well has commenced producing a geothermal resource, whichever occurs first, unless the permitteee resumes well drilling operations before the end of the 30-day period or at the end of the suspension.

J. "Correlative rights" means the opportunity afforded, insofar as is practicable, to each owner or leaseholder in a geothermal reservoir to produce the owner's or leaseholder's just and equitable share of the geothermal resources within such reservoir, being an amount, so far as can be practicably determined and so far as can be practicably obtained without waste, substantially in the proportion that the recoverable geothermal resources of such ownership or lease interest bears to the total recoverable geothermal resources in the reservoir and, for such purpose, to use the owner's or leaseholder's just and equitable share of the natural heat or energy in the reservoir.

K. "Department" means the energy, minerals and natural resources department.

L. "Director" means the director of the energy conservation and management division of the department.

M. "Division" means the energy conservation and management division of the department.

N. "Drilling operations" means the actual drilling, re-drilling, completion or recompletion of a well for exploration, observation, production or injection including the running and cementing of casing, the performance of such operations as logging and perforating and the installation of well head equipment.

O. "EPA" means the United States environmental protection agency.

P. "Exploratory well" means a well drilled for the discovery or evaluation of geothermal resources either in an identified geothermal reservoir or in unexplored areas.

Q. "Fresh water" means the water in lakes and playas (regardless of quality, unless the water exceeds 10,000 mg/l TDS and it can be shown that degradation of the particular water body will not adversely affect hydrologically connected fresh ground water), the surface waters of streams regardless of the water quality within a given reach, and underground waters containing 10,000 mg/l or less of TDS except for which, after notice and hearing, it is found there is no present or reasonably foreseeable beneficial use that contamination of such waters would impair.

R. "Geothermal reservoir" means an underground reservoir containing geothermal resources, whether the fluids in the reservoir are native to the reservoir or flow into or are injected into the reservoir.

S. "Geothermal resources" means the natural heat of the earth in excess of 250 degrees fahrenheit, or the energy, in whatever form, below the surface of the earth present in, resulting from, created by or that may be extracted from this natural heat in excess of 250 degrees fahrenheit, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, but excluding oil, hydrocarbon gas and other hydrocarbon substances and excluding the heating and cooling capacity of the earth not resulting from the natural heat of the earth in excess of 250 degrees fahrenheit, as may be used for the heating and cooling of buildings through an on-site geo-exchange heat pump or similar on-site system.

T. "Geothermal waste" means non-domestic waste resulting from the exploration, development[~~,~~] or production of geothermal resources. Geothermal waste does not include waste not generally associated with geothermal exploration, development or production such as tires, appliances or ordinary garbage or refuse, and does not include sewage, regardless of the source.

U. "Injection well" means any well employed for injecting material into a geothermal area or adjacent area to maintain pressures in a geothermal reservoir, pool or other source, or to provide new material to serve as a material medium therein, or for reinjecting any material medium or the residue thereof, or any by-product of geothermal resource exploration or development into the earth.

V. "LLDPE" means linear low-density polyethylene.

W. "Low chloride fluids" means water-based fluids that contain less than 15,000 mg/l of chlorides as determined by field or laboratory analysis.

X. "Material medium" means any substance including, but not limited to, naturally heated fluids, brines, associated gases and steam in whatever form, found at any depth and in any position below the surface of the earth, which contains or transmits the natural heat energy of the earth, but excluding petroleum, oil, hydrocarbon gas or other hydrocarbon substances.

Y. "Mg/l" means milligrams per liter.

Z. "Mg/kg" means milligrams per kilogram.

AA. "Notice" means, for purposes of 19.14.4 NMAC, a statement to the division that the permittee intends to do work.

BB. "Observation well" means any well used to observe the level of the water and its temperature, pressure and chemistry in an area of potential geothermal resource.

CC. "Permittee" means the person issued a permit by the director, or is required to have a permit pursuant to 19.14.2 NMAC. The permittee shall be the owner of the geothermal lease or geothermal interest and any well(s) or facility located upon the geothermal lease or interest.

DD. "Person" means an individual or other legal entity, including federal, state or local governments or their agents or instrumentalities.

EE. "Pit" means a drilling or workover pit, which is constructed with the intent that the pit will hold liquids and mineral solids. Pits may be used for one or more wells and must be located at one of the associated permitted well drilling locations. Any containment structure such as a pond or other impoundment that holds only fresh water that has not been treated for drilling or workover purposes is not a pit.

FF. "Production well" means a geothermal well which is used to transmit fluids derived from a geothermal resource to the surface where the fluids are available for industrial, commercial or domestic purposes.

GG. "Responsible official" means a corporate officer (president, secretary, treasurer or vice president), general partner or proprietor or public principal executive officer or elected official who is authorized to execute documents on behalf of the corporation, entity or office.

HH. "Standing" means a person having a property, water right or geothermal resource interest.

II. "Sump" means a subgrade impermeable vessel that is partially buried in the ground, is in contact with the ground surface or is a collection device incorporated within a secondary containment system, which remains predominantly empty, serves as a drain or receptacle for de minimis releases on an intermittent basis and is not used to store, treat, dispose of or evaporate products or geothermal wastes. Buckets, pails, drip pans or similar vessels that are not in contact with the ground surface are not sumps.

JJ. "Suspension of operations" means the cessation of drilling, re-drilling or alteration of casing before the well is officially abandoned or completed.

KK. "TDS" means total dissolved solids.

LL. "Thermal gradient well" means a well drilled to obtain a temperature gradient reading in an area of potential geothermal resources.

MM. "UTM" means Universal Transverse Mercator.

NN. "Waste" means any physical waste including, but not limited to:

(1) underground waste resulting from inefficient, excessive or improper use, or dissipation of geothermal energy, or of any geothermal resource pool, reservoir or other source; or the locating, spacing, constructing, equipping, operating or producing of any well in a manner that results, or tends to result, in reducing the quantity of geothermal energy to be recovered from any geothermal area; or

(2) the inefficient above-ground transporting and storage of geothermal energy; and the locating, spacing, equipping, operating or producing of any well or injection well in a manner causing or tending to cause unnecessary or excessive surface loss or destruction of geothermal energy; the escape into the open air from a well of steam or hot water that exceeds what is reasonably necessary in the efficient development or production of a well.

OO. "Well" means any well drilled for the discovery, observation or production of geothermal resources or any well on lands producing geothermal resources or reasonably presumed to contain geothermal resources, or any special well, converted producing well or reactivated or converted abandoned well employed for reinjecting geothermal resources or the residue thereof.

[19.14.1.7 NMAC - N, / /]

19.14.1.8 CONFIDENTIAL INFORMATION PROTECTION:

A. Applicants or permittees who submit information to the division may claim such information as confidential. Applicants or permittees must assert any claim of confidentiality at the time of submittal.

B. To claim confidentiality of information in a submittal, the applicant or permittee must clearly mark each page in the document on which the applicant or permittee claims there is confidential information, and submit to the division a written description of the basis for the claim of confidentiality and why the information meets the requirements for a claim of confidentiality at the time it submits the document to the division. The division shall review the claim of confidentiality based on the written submittal and determine whether the information may be maintained as confidential pursuant to the Inspection of Public Records Act, NMSA 1978, Section 14-2-1 et seq. If the division determines that information in a submittal is confidential, the division may require submission of redacted copies of the submittal for the public record.

C. If no claim of confidentiality is made at the time of submission, any such claims are deemed waived and the division may make the information available to the public without further notice.

D. Information the division determines is confidential may be disclosed to officers, employees or authorized representatives of the division, or when relevant in any proceedings Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.

19.14.1.9 ADMINISTRATIVE PENALTY:

A. Failure to comply with the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq., or any rule promulgated pursuant to the Geothermal Resources Development Act or an order or permit issued pursuant to the Geothermal Resources Development Act is a prohibited act. If a person violates the provisions of the Geothermal Resources Development Act or the rules promulgated pursuant to that act or an order or permit issued pursuant to that act, the division may assess the person a civil penalty of $2,500 for each violation. In the case of a continuing violation, each day of violation shall constitute a separate violation.

B. In determining the amount of the penalty, the division shall consider the person's history of previous violations of the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq. or the Geothermal Resources Act or the rules or permits issued pursuant to those acts, the seriousness of the violation, any hazard to the health or safety of the public or the environment and the demonstrated good faith of the person.

C. The division may assess a civil penalty only after the person charged with a violation has been given an opportunity for a public hearing pursuant to 19.14.3.15 NMAC.

D. After the public hearing is held, or the person has failed to participate in the public hearing, the division shall issue an order requiring that the person pay any penalty imposed.

E. If the person fails to pay the civil penalty as ordered by the division, the division may file a civil suit to collect the penalty in the district court of the county in which the defendant resides or in which any defendant resides if there is more than one defendant or in the district court of any county in which the violation occurred.

[19.14.1.9 NMAC - N, / /]

HISTORY OF 19.14.1 NMAC:

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER (STATEWIDE)
PART 2 PERMITS

19.14.2.1 ISSUING AGENCY: Energy, Minerals and Natural Resources Department, Energy Conservation and Management Division.
[19.14.2.1 NMAC - N, / /]

19.14.2.2 SCOPE: All persons who engage in the exploration, development or production of a geothermal resource.
[19.14.2.2 NMAC - N, / /]

19.14.2.3 STATUTORY AUTHORITY: Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.
[19.14.2.3 NMAC - N, / /]

19.14.2.4 DURATION: Permanent.
[19.14.2.4 NMAC - N, / /]

19.14.2.5 EFFECTIVE DATE: _____ except where a later date is cited at the end of a section or paragraph.
[19.14.2.5 NMAC - N, / /]

19.14.2.6 OBJECTIVE: The objective of 19.14.2 NMAC is to require persons to obtain a permit prior to commencing exploration, development and production of geothermal resources and to establish procedures for application for and approval or denial of permits.
[19.14.2.6 NMAC - N, / /]

19.14.2.7 DEFINITIONS: [RESERVED]
[See 19.14.1.7 NMAC for definitions.]

19.14.2.8 EXCLUSION FOR STATE ENGINEER PERMIT:

A. A permit from the state engineer is not required for the use of ground water over 250 degrees fahrenheit as incident to the development of geothermal resources permitted pursuant to the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq. when:

(1) the use does not require any diversion of ground water; or

(2) all diverted ground water is reinjected as soon as practicable into the same ground water source from which it was diverted, resulting in no new depletion to the source; provided that:

(a) the division provides the state engineer all information available to the division regarding the proposed diversion and reinjection and shall request the opinion of the state engineer as to whether existing ground water rights sharing the same ground water source may be impaired; and

(b) if the state engineer determines that the information provided is sufficient to render an opinion and it is the opinion of the state engineer that any existing ground water rights may be impaired, the division, upon receipt of the opinion of the state engineer, shall require the applicant or permittee to submit to the division a plan of replacement with regard to any existing ground water rights that are likely to be impaired.

B. In response to a request for opinion pursuant to Subsection A of 19.14.2.8 NMAC, the determination by the state engineer as to whether the information provided is sufficient to render an opinion or the issuance by the state engineer of an opinion shall not constitute a decision, act or refusal to act under NMSA 1978, Section 72-2-16.

C. No ground water right is established through the use of ground water as allowed in Subsection A of 19.14.2.8 NMAC.

D. As used in 19.14.2.8 NMAC, “plan of replacement” means a detailed plan for the replacement of water, which may include:

(1) the furnishing of a substitute water supply;

(2) the modification of existing water supply facilities;

(3) the drilling of replacement wells;

(4) the assumption of additional operating costs;

(5) the procurement of documentation establishing a waiver of protection by owners of affected water rights;

(6) artificial recharge; or

(7) any other means to avoid impairment of water rights.

[19.14.2.8 NMAC - N, / /]

19.14.2.9 PERMIT REQUIRED: No person shall explore, develop or produce a geothermal resource except pursuant to and in accordance with the terms and conditions of a division-issued permit. The applicant for a permit or permit modification, renewal or transfer shall be the person who has the right to produce the geothermal resource either through ownership, lease, permit or other right. The permittee is responsible for the actions of its officers, employees, consultants, contractors and subcontractors as they relate to the exploration, development or production of the geothermal resource. Any person who is involved in the exploration, development or production of a geothermal resource shall comply with the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.,19.14.1 through 19.14.4 NMAC and the permit.

[19.14.2.9 NMAC - N, / /]

19.14.2.10 APPLICATION TO DRILL, MODIFY OR OPERATE WELLS OR FACILITIES IN A GEOTHERMAL RESOURCE:

A. Application for a permit to drill an exploration well into a geothermal resource or to drill or operate a geothermal production, observation or thermal gradient well into a geothermal resource. Any person who proposes to drill or operate a well for the exploration, production or observation of geothermal resources shall first apply for a permit by filing a written application with the division. The applicant shall submit two paper copies and one electronic copy of the application. The applicant shall submit the information listed below in the application:

(1) name and contact information of the owner or operator of the well and the drilling contractor;

(2) location of the proposed or existing well (UTM coordinates or latitude-longitude) and a map showing location and distances to property lines;

(3) estimated or actual (if existing) top of well elevation (ASL);

(4) name and contact information of the surface land owner;

(5) signature of a responsible official;

(6) name and contact information of the geothermal resource owner and documentation such as deeds, leases, permits or other documentation showing applicant has authority or right to produce the geothermal resource;

(7) physical characteristics of the geothermal resource including volume, temperature, permeability, thermal capacity and water quality of both the geothermal resource waters and any fresh water resources in the proposed drilling area;

(8) a map and accompanying list showing the names, addresses and locations of adjacent landowners within one-half mile of the proposed geothermal well or facility; the location of fresh water wells within one mile of the proposed geothermal well or facility; the names, addresses and locations of any geothermal resource owners or lessees currently owning or leasing a geothermal resource within five miles of the proposed geothermal well or facility; and the names, addresses and locations of any local, state, federal or tribal government property within five miles of the proposed geothermal well or facility;

(9) a statement of the purpose and estimated or actual (if existing) depth of the well;

(10) for production wells, the proposed production rate of geothermal resource waters;

(11) a description of the geothermal well construction, BOPE and the drilling rig;

(12) a description of the logging, coring and testing program;

(13) methods for disposal of geothermal waste;

(14) plans for providing financial assurance prior to permit issuance pursuant to 19.14.2.18 NMAC;

(15) pit information pursuant to 19.14.4.17 NMAC; and

(16) a geothermal well plugging and abandonment plan, including a responsible third party contractor's cost estimate, sufficient to plug and abandon the wells in a manner that will protect life, health, property, natural resources, the environment and the public welfare, and comply with the requirements contained in 19.14.4.16 NMAC.

B. Application for permit to drill or operate a geothermal injection well. Any person who proposes to

drill or operate a well for the injection of fluids into geothermal resources shall first apply for a permit by filing a written application with the division. The applicant shall submit two paper copies and one electronic copy of the application. The items listed below along with the items listed in Subsection A of 19.14.2.10 NMAC are required:

(1) a description of the well construction, or proposed well construction, and the proposed method for testing the well before the well is used for injection;

(2) the estimated maximum injection pressure, mass flowrate and temperature;

(3) an analysis of the proposed injection fluid;

(4) the location of all known fresh water wells within a one mile radius of the injection well or all known geothermal wells within a five mile radius of the injection well; and

(5) a description of the proposed pipelines, metering equipment and safety devices that will be used to prevent accidental pollution.

C. Application for a geothermal facility with multiple geothermal wells. Any person who proposes to drill or operate multiple geothermal wells and operate a geothermal facility on an applicant's geothermal lease shall apply for a multi-well geothermal facility permit. The applicant shall submit two paper copies and one electronic copy of the application. The items listed below along with the items listed in Subsections A and B of 19.14.2.10 NMAC are required:

(1) a description of surface equipment and site plan, with proposed topography, of the power generating facility and associated well field with proposed and existing wells identified; and

(2) a facility closure plan, including a responsible third party contractor's cost estimate, sufficient to close the facility in a manner that will protect life, health, property, natural resources, the environment and the public welfare, and comply with the closure requirements contained in 19.14.4 NMAC.

D. Application to modify or renew a permit. Any permittee who proposes to modify an individual geothermal well permit or a geothermal facility permit or renew an existing permit (individual or facility) shall first apply for a permit modification or permit renewal by filing a written application with the division. The permittee shall file an application to renew a permit one year prior to the expiration date of the current permit. All applications to modify or renew a permit shall follow the applicable requirements listed in Subsections A, B or C of 19.14.2.10 NMAC unless the modification is a minor permit modification or is approved under the permittee's notification requirements and requests for approval to division conditions listed in 19.14.4.9 NMAC. A minor permit modification includes:

(1) change in owner of the geothermal lease or geothermal interest;

(2) change in well name;

(3) change in previously proposed location of a well that is within the approved area of a geothermal facility permit; and

(4) change in status of an injection well to another type of well.

E. Transfer of a permit. The permittee shall not transfer a permit without the division's prior written approval. A request for transfer shall identify officers, directors and owners of twenty-five percent or greater in the transferee. Unless the division otherwise orders, public notice or hearing are not required for the division to approve a transfer request. If the division denies the transfer request, it shall notify the permittee and the proposed transferee of the denial by certified mail, return receipt requested and either the permittee or the proposed transferee may request a hearing within 10 days after receipt of the notice. Until the division approves the transfer and the required financial assurance is in place, the division shall not release the transferor's financial assurance.

[19.14.2.10 NMAC - N, / /]

19.14.2.11 CHANGING, SUPPLEMENTING OR CORRECTING APPLICATIONS:

A. Prior to the division's final decision on an application, the applicant shall have a duty to promptly supplement and correct information submitted in the application. The duty to supplement shall include relevant information thereafter acquired or otherwise determined to be relevant.

B. If, while processing an application, the division determines that additional information is necessary to evaluate or take final action on that application, it may request such information. The request shall be in writing, identify the additional information requested and the need for the additional information, and set a reasonable deadline for a response. The applicant shall submit the requested information in writing on or before the deadline the division provides.

C. The process provided in 19.14.2.11 NMAC is not intended to limit informal informational exchanges during the application review period or prior to submission of an application. The process also does not prohibit an applicant from withdrawing an application and submitting a new application.

[19.14.2.11 NMAC - N, / /]

19.14.2.12 PERMIT DECISIONS AND APPEALS:

A. The division shall, in a timely manner after its receipt of an application for a permit, review such application and determine whether it is acceptable for review. An application that is acceptable for review is one that includes all of the information 19.14.2.10 NMAC requires. If the division deems the application:

(1) acceptable for review, the division shall send a letter by e-mail and physical mail to the applicant notifying that applicant that the division will review the application;

(2) not acceptable for review, the division shall send a letter by e-mail and physical mail to the applicant stating what additional information or points of clarification are necessary to deem the application acceptable for review; upon receipt of the additional information or clarification, the division shall promptly review such information and determine whether the application is acceptable for review;

(3) acceptable for review but no permit is required, the division shall send a letter by e-mail and physical mail to the applicant informing the applicant of the determination.

B. Upon completion of the division's review of the application, the division shall either issue a draft permit or deny the application.

C. If the division denies an application pursuant to 19.14.2.14 NMAC, the applicant may appeal the division's decision to deny the application by requesting a hearing within 30 days of receipt of the notice of denial and the division shall schedule a hearing pursuant to 19.14.3 NMAC.

D. If after the applicant provides public notice as required in 19.14.2.13 NMAC, no requests for hearing are filed with the division within the 30 day public notice period as provided by 19.14.3.8 NMAC, or any such requests for hearing are filed by persons the division determines lack standing, and the division does not otherwise schedule a hearing pursuant to 19.14.3.8 NMAC, the division's draft permit shall become final and the division, after receipt of acceptable financial assurance submitted by the applicant pursuant to 19.14.2.18 NMAC, shall issue the permit.

E. The division shall grant the permit or deny the permit based on information contained in the division's administrative record. The administrative record shall consist of the application, any other evidence the applicant submitted, any technical evidence or substantive written comments any person other than the division submitted, any other evidence considered by the division, a statement of matters officially noticed and, if a public hearing is held, the evidence submitted at the hearing. The applicant has the burden of demonstrating that a permit or permit modification should be approved.

[19.14.2.12 NMAC - N, / /]

19.14.2.13 PUBLIC NOTICE AND PARTICIPATION:

A. The division shall:

(1) make available for public inspection a list of all pending applications for permits or permit modifications or renewals;

(2) make available for public inspection the permit application and the division's draft permit and supporting analysis documentation; this material shall be available at the division's office; except those portions of which may be determined as confidential in accordance with 19.14.1.8 NMAC or the Inspection of Public Records Act, NMSA 1978, Section 14-2-1 et seq;

(3) subsequent to the division's production of a draft permit and supporting documentation, publish a public notice, on the division's website, which shall include: the applicant's name and address, the location and brief description of the well or facility, a scope of the proposed operation and the division's preliminary intent to issue the permit at the end of the public notice period barring any substantive comments or new information; the public notice shall identify the location of the permit application and division's draft permit and supporting analysis documentation for public review and describe the manner in which comments or evidence may be submitted to the division, including that persons must provide written comments or evidence to the division before the end of the 30 day public notice period; and a statement of the procedures for requesting a hearing on the application for those having standing;

(4) provide the public notice under Paragraph (3) of Subsection A of 19.14.2.10 NMAC by mail, which may include e-mail, to the applicant;

(5) maintain a list of individuals and organizations who have indicated in writing a desire to receive public notices of all applications under 19.14.2 NMAC; and

(6) mail written notice of the final action taken on a permit application to any person who expresses an interest in writing in the application.

B. The applicant shall:

(1) upon receipt of the division's public notice, provide written notice, by certified mail, return receipt requested, of the division's public notice to the adjacent surface owners within one-half mile of the geothermal well or facility and any geothermal resource owners or lessees within five miles of the geothermal well or facility;

(2) publish in a newspaper of general circulation in the county or counties where the geothermal well or facility is or will be located;

(3) mail notice, on or before publication of the public notice that is published in a newspaper of general circulation, by first class mail or e-mail to persons, as identified to the applicant by the division, who have requested notification of applications generally, or of the particular application, and who have provided a legible return address or e-mail address;

(4) mail notice by first class or e-mail to all local, state, federal or tribal governmental agencies that own property within five miles of the geothermal well or facility; and

(5) provide the division with proof that the applicant has met the public notice requirements of Paragraphs (1), (2), (3) and (4) of Subsection B of 19.14.2.13 NMAC prior to the division scheduling a hearing pursuant to 19.14.3 NMAC or issuing the permit.

C. The division shall hold a public hearing if an applicant or a person having standing requests it pursuant to 19.14.3 NMAC. Public hearings shall be held in Santa Fe.

[19.14.2.13 NMAC - N, / /]

19.14.2.14 BASIS FOR DENIAL OF PERMIT: The division shall deny any application for a permit or permit modification or renewal if any provision of the Geothermal Resources Development Act will be violated or it appears that the construction, modification or permit renewal will not meet applicable rules adopted pursuant to the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.

[19.14.2.14 NMAC - N, / /]

19.14.2.15 PERMIT CONDITIONS:

A. The contents of the application specifically identified by the division shall become terms and conditions of the permit or permit modification.

B. The division shall, as appropriate, specify conditions upon a permit, including:

(1) placement of geothermal wells in accordance with the location limitations in 19.14.4.8 NMAC;

(2) financial assurance requirements in accordance with 19.14.2.18 NMAC;

(3) well construction in accordance with 19.14.4.10 NMAC;

(4) blowout prevention requirements in accordance with 19.14.4.11 NMAC;

(5) operating limitations in accordance with 19.14.4.12 NMAC;

(6) testing and monitoring requirements in accordance with 19.14.4.13 NMAC;

(7) recordkeeping and reporting requirements in accordance with 19.14.4.14 NMAC;

(8) surface facility requirements in accordance with 19.14.4.15 NMAC;

(9) abandonment requirements in accordance with 19.14.4.16 NMAC;

(10) pit design, construction and operating plan and closure remediation plan requirements in accordance with 19.14.4.17 NMAC; and

(11) other operational requirements, including additional testing, monitoring, recordkeeping and reporting or construction requirements deemed necessary to protect life, health, correlative rights, property, natural resources, the environment or the public welfare.

C. Any term or condition imposed by the division on a permit or permit modification is enforceable to the same extent as a rule.

D. The permit term for all permits shall not exceed 10 years.

[19.14.2.15 NMAC - N, / /]

19.14.2.16 PERMIT CANCELLATIONS: The division shall automatically cancel any permit for any well or facility that has been abandoned and plugged or closed in accordance with the requirements of 19.14.4 NMAC and the permit. The division may terminate or modify a permit during its term, or deny a permit renewal application, by following the procedures in 19.14.2.12 NMAC for the following causes:

A. the permittee's noncompliance with any condition of the permit or 19.14.4 NMAC;

B. the permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts or the permittee's misrepresentation of any relevant facts at any time;

C. a determination that the permitted activity has a reasonable likelihood to endanger life, health, property, natural resources (including geothermal and fresh water resources), the environment or the public welfare and can only be regulated to acceptable levels by permit modification or termination; or

D. a determination that the permitted activity is not protective of correlative rights of other geothermal resource leaseholders or owners.

[19.14.2.16 NMAC - N, / /]

19.14.2.17 CORRECTIVE ACTION:

A. Applicants for injection well permits or for geothermal facility permits that include injection wells shall identify the location of all known wells, within a five mile radius of the injection well, that penetrates the injection zone. For wells that are improperly sealed, completed or abandoned, the applicant shall also submit a plan consisting of such steps or modifications as are necessary to prevent movement of fluid into underground sources of fresh water ("corrective action"). Where the plan is adequate, the division shall incorporate it into the permit as a condition. Where the division's review of an application indicates that the applicant's plan is inadequate, the division shall require the applicant to revise the plan, prescribe a plan for corrective action as a condition of the permit or deny the application. An applicant may request a hearing, pursuant to 19.14.3.8 NMAC, regarding the corrective action plan or the denial of the corrective action plan.

B. No permittee of a new injection well or for a geothermal facility permit that includes a new injection well may begin injection until the permittee has taken all required corrective action. Any permit issued for or that includes an existing injection well requiring corrective action shall include a compliance schedule requiring the permittee to complete any corrective action accepted or prescribed under Subsection A of 19.14.2.17 NMAC as soon as possible.

[19.14.2.17 NMAC - N, / /]

19.14.2.18 FINANCIAL ASSURANCE FOR GEOTHERMAL WELLS AND FACILITIES: Upon notification by the division that it has approved a new geothermal well or facility permit, a geothermal well or facility permit modification or a geothermal well or facility renewal permit but prior to issuing the permit, an applicant shall submit acceptable financial assurance for the geothermal well or facility affected by the permit action.

A. The applicant shall submit acceptable financial assurance in the amount of the plugging and abandonment cost for each geothermal well being permitted or, if permitting a geothermal facility, the estimated closure cost of the entire facility, including the plugging and abandonment costs for all geothermal wells and pits. The geothermal well's estimated plugging and abandonment cost or the geothermal facility's estimated closure cost shall be the amount provided in the plugging and abandonment or closure plan the applicant submitted with its application unless the division determines that such estimate does not reflect a reasonable and probable well plugging and abandonment or facility closure cost, in which event, the division shall determine the estimated well plugging and abandonment or facility closure cost and shall include such determination in its draft permit. If the applicant disagrees with the division's determination of estimated well plugging and abandonment or facility closure cost, the applicant may request a hearing as provided in 19.14.3.8 NMAC. If the applicant so requests, and no other person files a request for a hearing regarding the application, the hearing shall be limited to determination of well plugging and abandonment or facility estimated closure cost.

B. Terms of financial assurance. The financial assurance shall be on division-prescribed forms, payable to the state of New Mexico and conditioned upon the geothermal well's or facility's proper operation, and proper well plugging and abandonment or facility closure in compliance with state of New Mexico statutes, division rules and the geothermal well or facility permit terms. The permittee shall notify the division of a material change affecting the financial assurance within 30 days of discovery of such change.

C. Forfeiture of financial assurance. The division shall give the permittee and any surety 20 days' notice and an opportunity for a hearing prior to forfeiting financial assurance.

D. Forms of financial assurance. The division may accept the following forms of financial assurance.

(1) Surety bonds. A surety bond shall be executed by the applicant and by a corporate surety licensed to do business in the state, and shall be non-cancelable.

(2) Letters of credit. A letter of credit shall be issued by a bank organized or authorized to do commercial banking business in the United States, shall be irrevocable for a term of not less than five years and shall provide for automatic renewal for successive, like terms upon expiration, unless the issuer has notified the division in writing of non-renewal at least 90 days before its expiration date. The letter of credit shall be payable to the state of New Mexico in part or in full upon receipt from the director or the director's authorized representative of demand

for payment accompanied by a notice of forfeiture.

(3) Cash accounts. An applicant may provide financial assurance in the form of a federally insured or equivalently protected cash account or accounts in a financial institution, provided the operator and the financial institution shall execute as to each such account a collateral assignment of the account to the division, which shall provide that only the division may authorize withdrawals from the account. In the event of forfeiture pursuant to Subsection C of 19.14.2.18 NMAC, the division may, at any time and from time to time, direct payment of all or part of the balance of such account (excluding interest accrued on the account) to itself or its designee for the well's plugging and abandonment or facility's closure.

E. Replacement of financial assurance.

(1) The division may allow a permittee to replace existing forms of financial assurance with other forms of financial assurance that provide equivalent coverage.

(2) The division shall not release existing financial assurance until the permittee has submitted, and the division has approved, an acceptable replacement.

F. Review of adequacy of financial assurance. The division shall, upon a geothermal well or facility permit renewal action, review the adequacy of the existing financial assurance for the geothermal well or facility. [19.14.2.18 NMAC - N, / /]

HISTORY OF 19.14.2 NMAC:

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER (STATEWIDE)
PART 3 HEARINGS

19.14.3.1 ISSUING AGENCY: Energy, Minerals and Natural Resources Department, Energy Conservation and Management Division.
[19.14.3.1 NMAC - N, / /]

19.14.3.2 SCOPE: All persons who engage in the exploration, development or production of a geothermal resource.
[19.14.3.2 NMAC - N, / /]

19.14.3.3 STATUTORY AUTHORITY: Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.
[19.14.3.3 NMAC - N, / /]

19.14.3.4 DURATION: Permanent.
[19.14.3.4 NMAC - N, / /]

19.14.3.5 EFFECTIVE DATE: _____ except where a later date is cited at the end of a section or paragraph.
[19.14.3.5 NMAC - N, / /]

19.14.3.6 OBJECTIVE: The objective of 19.14.3 NMAC is to establish procedures for hearings before the energy conservation and management division pursuant to the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.
[19.14.3.6 NMAC - N, / /]

19.14.3.7 DEFINITIONS: [RESERVED]
[See 19.14.1.7 NMAC for definitions.]

19.14.3.8 INITIATING A HEARING: The division, attorney general, an applicant or permittee or other person with standing may file a request with the division for a hearing. The director, upon receiving a request for hearing, may dismiss a hearing request upon a showing that the person requesting the hearing does not have standing. The person requesting a hearing or an attorney representing that person shall sign the hearing request. The hearing request shall be submitted in writing to the division and be postmarked or e-mailed by the close of the public comment period in Paragraph (3) of Subsection A of 19.14.2.13 NMAC. The hearing request shall include:

A. the requestor's name;

B. the requestor's address, or the address of the requestor's attorney, including an e-mail address and fax number if available;

C. the division's action that is disputed or a copy of the public notice referencing the division's action;

D. the name or general description of the property interest that the division's action affects;

E. briefly, the general nature of the dispute; and

F. any other matter division rules or a division order requires.

[19.14.3.8 NMAC - N, / /]

19.14.3.9 HEARING NOTICE:

A. The division shall publish notice of a hearing in the name of the "State of New Mexico", signed by the director stating:

(1) the time and place for the hearing;

(2) the hearing requestor's name and address, or address of the requestor's attorney, including an e-mail address and fax number, if available;

(3) a case name and number;

(4) brief description of the purpose of the hearing; and

(5) a reasonable description of the subject matter of the hearing that alerts persons who may

be affected if the division approves or enacts the proposed action.

B. The division shall publish notice of each hearing at least 30 days before the hearing by:

(1) posting notice on the division's website;

(2) delivering written notice to the hearing requestor, by certified mail, return receipt requested and the applicant or permittee if not the hearing requestor;

(3) delivering notice by ordinary first class United States mail or e-mail to each person who has requested in writing to be notified of such hearings; and

(4) publishing notice in a newspaper of general circulation in the counties the hearing affects, or if the hearing's effect will be statewide, in a newspaper of general circulation in the state.

[19.14.3.9 NMAC - N, / /]

19.14.3.10 PARTIES TO THE HEARING: The parties to a hearing shall include:

A. the hearing requestor;

B. the applicant or permittee of the geothermal well or facility, if not the requestor of the hearing;

C. a person with standing who has requested to intervene in the hearing.

[19.14.3.10 NMAC - N, / /]

19.14.3.11 CONDUCT OF HEARINGS:

A. Testimony. Hearings shall be conducted without rigid formality. The division shall take or have someone take a transcript or recording of the testimony and preserve it as part of the division's records. A person testifying shall do so under oath. The hearing examiner shall designate whether an interested party's unsworn comments and observations are relevant and, if relevant, include the comments and observations in the record.

B. Pre-filed testimony. The director or hearing examiner may order the parties to file prepared written testimony in advance of the hearing. The witness shall be present at the hearing and shall adopt, under oath, the prepared written testimony, subject to cross-examination and motion to strike the unless the witness' presence at hearing is waived upon notice to other parties and without their objection. The parties shall number pages of prepared written testimony, which shall contain line numbers on the left-hand side.

C. Appearances pro se or through attorney. Parties may appear and participate in hearings either pro se (on their own behalf) or through an attorney. Corporations, partnerships, governmental entities, political subdivisions, unincorporated associations and other collective entities may appear only through an attorney or duly authorized officer or member. Participation in hearings shall be limited to parties as defined in 19.14.3.10 NMAC, except that a representative of a federal, state or tribal governmental agency or political subdivision may make a statement on the agency's or political subdivision's behalf. The hearing examiner shall have the discretion to allow other person present at the hearing to make a relevant statement, but not to present evidence or cross examine witnesses. A person making a statement shall be subject to cross-examination by the parties or their attorneys.

D. Presentation of evidence. The hearing examiner shall afford full opportunity to the parties at a hearing to present evidence and to cross-examine witnesses. The rules of evidence applicable in a trial before a court without a jury shall not control, but hearing examiners may use such rules as guidance in conducting hearings. The hearing examiner may admit relevant evidence, unless it is immaterial, repetitious or otherwise unreliable. The hearing examiner may take administrative notice of the authenticity of documents copied from the division's files.

E. Parties introducing exhibits at hearings shall provide a complete set for the court reporter, if applicable, the hearing examiner and other parties.

[19.14.3.11 NMAC - N, / /]

19.14.3.12 HEARING EXAMINER'S POWER AND AUTHORITY: The hearing examiner to whom the director refers a matter shall have full authority to hold a hearing on the matter, subject only to such limitations as the director may order in a particular case. The hearing examiner shall have the power to perform all acts and take all measures necessary and proper for the hearing's efficient and orderly conduct, including administering oaths to witnesses, receiving testimony and exhibits offered in evidence and ruling upon such objections as may be interposed. The hearing examiner shall cause a complete record of the proceedings to be made and transcribed or recorded and shall certify the record of the proceedings to the director.

A. The hearing examiner may hold a pre-hearing conference prior to the hearing on the merits on cases pending before the division upon a party's request or upon the hearing examiner giving notice. The pre-hearing conference's purpose shall be to narrow issues, eliminate or resolve other preliminary matters and encourage settlement. The director or hearing examiner shall either provide or ensure that written or oral notice of a pre-hearing conference is given to the applicant and other parties who have filed appearance in the case.

B. The director or hearing examiner may rule on motions that are necessary or appropriate for disposition prior to the hearing on the merits. Prior to ruling on a motion, the director or hearing examiner shall give written or oral notice to each party who has filed an appearance in the case and who may have an interest in the motion's disposition (except a party who has indicated that it does not oppose the motion), and shall allow interested parties a reasonable opportunity to respond to the motion. The director or hearing examiner may conduct a hearing on the motion, following written or oral notice to interested parties.
[19.14.3.12 NMAC - N, / /]

19.14.3.13 REPORT AND RECOMMENDATIONS FROM HEARING EXAMINER: Upon conclusion of a hearing, the hearing examiner shall promptly consider the proceedings in such hearing, and based upon the hearing's record prepare a written report with recommendations for the division's disposition of the matter or proceeding. The hearing examiner shall draft a proposed order and submit it to the director with the certified record of the hearing.
[19.14.3.13 NMAC - N, / /]

19.14.3.14 DISPOSITION OF CASES HEARD BY A HEARING EXAMINER: After receipt of the division examiner's report, the director shall enter the division's order, which the director may have modified from the hearing examiner's proposed order disposing of the matter.
[19.14.3.14 NMAC - N, / /]

19.14.3.15 ADMINISTRATIVE PENALTY HEARINGS: The division is charged with the regulation of the exploration, development and production of geothermal resources in such a manner as to safeguard life, health, property, natural resources, the environment and the public welfare and to encourage maximum economic recovery. An administrative penalty hearing is an adjudicatory proceeding in which the division seeks an order imposing sanctions for violation of a provision of the Geothermal Resources Development Act, or a rule, permit or order issued pursuant to the act. The division is authorized pursuant to NMSA 1978, Section 71-9-8 to impose sanctions of up to $2,500 for each violation.

A. To begin an action for an administrative penalty, the division will issue a notice of violation to the permittee. The notice of violation shall:

(1) identify the permittee against whom the order is sought;

(2) identify the provision of the Geothermal Resources Development Act or the provision of the rule, permit or order issued pursuant to the act allegedly violated;

(3) provide a general description of the facts supporting the allegations; and

(4) state the sanction or sanctions sought.

B. The division shall provide notice by posting notice on the division's website and by delivering the notice of violation to the permittee against whom the order is sought by certified mail, return receipt requested to the address that the permittee has provided to the division, and delivering notice by first class United States mail or e-mail to each person who has requested in writing to be notified of such hearings, and publishing notice in a newspaper of general circulation in the counties the hearing affects, or if the hearing's affect is statewide, in a newspaper of general circulation in the state.

C. The parties to the hearing shall include the division and the permittee against whom the order is sought.

D. In determining the amount of the penalty, the division shall consider the permittee's history of previous violations of the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq. or the Geothermal Resources Act, NMSA 1978, Section 19-13-1 et seq. or the rules, permits or orders issued pursuant to those acts, the seriousness of the violation, any hazard to the health or safety of the public or the environment and the demonstrated good faith of the person.

E. The division may assess a civil penalty only after the person charged with a violation has been given an opportunity for a public hearing.

F. A hearing to assess an administrative penalty shall be held pursuant to 19.14.3.11 through 19.14.3.14 NMAC.

G. The director may enter an agreed compliance order with the permittee against whom an administrative penalty is sought to resolve alleged violations of any provision of the Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq. or any provision of any rule, permit or order issued pursuant to the act. The director may enter an agreed compliance order prior to or after the filing of a notice of violation. An agreed compliance order shall have the same force and effect as an administrative penalty order issued after a

hearing.

H. After the public hearing is held, or the person has failed to participate in the public hearing, the division shall issue an order requiring that the person pay any penalty imposed.

I. If the person fails to pay the civil penalty as ordered by the division, the division may file a civil suit to collect the penalty in the district court of the county in which the defendant resides or in which any defendant resides if there is more than one defendant or in the district court of any county in which the violation occurred.

[19.14.3.15 NMAC - N, / /]

HISTORY OF 19.14.3 NMAC:

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER (STATEWIDE)
PART 4 CONSTRUCTION AND OPERATION

19.14.4.1 ISSUING AGENCY: Energy, Minerals and Natural Resources Department, Energy Conservation and Management Division.
[19.14.4.1 NMAC - N, / /]

19.14.4.2 SCOPE: All persons who engage in the exploration, development or production of a geothermal resource.
[19.14.4.2 NMAC - N, / /]

19.14.4.3 STATUTORY AUTHORITY: Geothermal Resources Development Act, NMSA 1978, Section 71-9-1 et seq.
[19.14.4.3 NMAC - N, / /]

19.14.4.4 DURATION: Permanent.
[19.14.4.4 NMAC - N, / /]

19.14.4.5 EFFECTIVE DATE: _____ except where a later date is cited at the end of a section or paragraph.
[19.14.4.5 NMAC - N, / /]

19.14.4.6 OBJECTIVE: The objective of 19.14.4 NMAC is to establish rules to ensure the exploration, development and production of geothermal resources is conducted in a manner that safeguards life, health, property, natural resources, the environment and the public welfare, and to encourage maximum economic recovery.
[19.14.4.6 NMAC - N, / /]

19.14.4.7 DEFINITIONS: [RESERVED]
[See 19.14.1.7 NMAC for definitions.]

19.14.4.8 GEOTHERMAL WELL LOCATION LIMITATIONS: Any well drilled for the exploration, development or production of geothermal resources or as an injection well shall be located 100 feet or more from and within the outer boundary of the parcel of land on which the well is situated, or 100 feet or more from a public road, street or highway dedicated prior to the commencement of drilling. The division may modify or waive this requirement upon written request if the applicant can demonstrate that public safety is preserved and that the integrity of the geothermal source is not jeopardized.
[19.14.4.8 NMAC - N, / /]

19.14.4.9 PERMITTEE'S NOTIFICATION REQUIREMENTS AND REQUESTS FOR APPROVAL TO DIVISION: A permittee shall notify the division with:

A. a notice of intent to engage in any one of the following activities:
(1) make a minor change in the operation of the well (minor changes include changing capillary tubing, pulling or replacing a pump or any other change the division considers a minor change);
(2) conduct a pressure or temperature survey;
(3) conduct a flow test;
(4) perform routine maintenance on a well; or
(5) notices required per Subsection B of 19.14.4.9 NMAC;

B. a notice of intent and request for approval for any one of the following activities:
(1) activities not specifically approved or exempted under an existing permit;
(2) activities that do not require a permit application per 19.14.2.10 NMAC;
(3) tracer tests using previously not approved methods or chemicals;
(4) mechanical integrity tests using alternative methods;
(5) increasing depth of a well;
(6) testing of water shut-off;
(7) entering or opening a plugged well;

(8) shooting, acidizing or fracturing a well;
(9) abandoning and plugging a well;
(10) directional drilling (drilling in a direction not intended to be vertical);
(11) changing the construction of a hole or well, including placing a plug in the hole or well and recovering or altering the casing;
(12) conducting a major workover or cleaning of a well;
any other activity for which the division conducts a field inspection or evaluates information or documentation regarding the construction of a hole or well; or
(13) removal of fluids from on-site pits or closed-loop systems per Paragraph (3) of Subsection D of 19.14.4.17 NMAC.

C. Any proposed changes that require changes to a permit shall be applied for and processed in accordance with 19.14.2.9 NMAC.

[19.14.4.9 NMAC - N, / /]

19.14.4.10 WELL CONSTRUCTION AND CASING REQUIREMENTS: Permittees shall construct and case all geothermal wells in a manner to protect or minimize damage to life, health, property, ground water and surface waters, geothermal resources, other natural resources, the environment and the public welfare. The permittee shall attach the permanent well head completion equipment to the production casing or to the intermediate casing if production casing does not reach the surface. All casing strings reaching the surface shall provide adequate anchorage for BOPE, pressure control and protection for all natural resources. The casing design criteria listed below represent minimum requirements.

A. Conductor casing. The permittee shall install a minimum of 40 feet of conductor casing. The permittee shall cement the annular space solid to the surface. The permittee shall allow a 24-hour cure period for the grout prior to drilling out the shoe unless the permittee uses additives, approved by the division, to obtain early strength. The permittee shall install an annular blowout preventer on all wells when the division deems it necessary.

B. Surface casing. A surface casing shall provide for control of formation fluids, for protection of shallow usable ground water and for adequate anchorage for blowout-prevention equipment. The permittee shall cement all surface casing solid to the surface. The permittee shall allow a 24-hour cure period prior to drilling out the shoe of the surface casing unless the permittee uses additives, approved by the division, to obtain early strength. The permittee shall set sufficient casing to reach a depth below all known or reasonably estimated levels of fresh water and water of present or future value for domestic, commercial or agricultural use and to protect those aquifers and to prevent blowout or uncontrolled flows.

C. Intermediate casing. Intermediate casing is required for protection against unusual pressure zones, cave-ins, wash-outs, abnormal temperature zones, uncontrollable lost circulation zones or other drilling hazards. The permittee shall cement intermediate casing strings solid to the surface or to the top of the liner hanger whenever the permittee runs intermediate casing string as a liner. The permittee shall pressure test the liner lap prior to resumption of drilling.

D. Production casing. The permittee shall set production casing above or through the producing or injection zone and cement it above the injection zones. The permittee shall use sufficient cement to exclude overlying formation fluids from the geothermal zone, to segregate zones and to prevent movement of fluids behind the casing into zones that contain fresh ground water. The permittee shall either cement production casing solid to the surface or lap it into intermediate casing, if run. If the permittee laps production casing into an intermediate casing, the casing overlap shall be at least 100 feet, cemented solid and pressure tested to ensure its integrity.

E. All casing materials shall be suitable for the proposed operating design stresses and temperatures.

[19.14.4.10 NMAC - N, / /]

19.14.4.11 BLOWOUT PREVENTION: The permittee shall take all necessary precautions to keep wells under operational control and mechanical integrity at all times. The permittee shall install BOPE, capable of shutting in the well during any operation, on the surface casing and maintained ready for use at all times. If necessary, the permittee shall equip the conductor pipe annular BOPE that can be remotely activated. The equipment shall be rated for operating at pressures and temperatures exceeding the maximum pressure and temperature anticipated for the well.

[19.14.4.11 NMAC - N, / /]

19.14.4.12 OPERATING LIMITATIONS: The division shall establish operating limitations, for all wells that either produce geothermal resource waters or inject geothermal resource waters, deemed necessary to protect

life, health, correlative rights, property, natural resources, the environment or the public welfare. The permittee shall operate all wells within the operating parameter limits established in the permit. The permittee shall not operate a new geothermal injection well before receiving authorization to inject from the division.
[19.14.4.12 NMAC - N, / /]

19.14.4.13 TESTING AND MONITORING:

A. Well construction testing and monitoring.

(1) The permittee shall log all injection or production wells with an induction electrical log, or equivalent, or by gamma-neutron log before running casing. The permittee shall log the well from the bottom of the hole to the bottom of the conductor pipe. This requirement may vary from area to area, depending upon the amount of pre-existing subsurface geological data available. If sufficient subsurface geologic data is available, the division may not require the permittee to log the well hole. However, the permittee shall obtain the division's written permission to omit this requirement prior to running surface casing.

(2) The permittee shall take cuttings a minimum of every 10 feet. The cuttings must be cleaned, dried, marked for location and depth and placed in envelopes and maintained with the well or facility records per Subsection A of 19.14.4.14 NMAC.

(3) The permittee shall regularly monitor the temperature of the return mud during the drilling of the surface casing hole. The permittee shall either install and maintain in working condition a continuous temperature monitoring device, or read the temperature manually. In either case, the permittee shall log the return mud temperature after each joint of pipe has been drilled down 30 feet.

(4) After installation and prior to drilling out the guide shoe from the casing, the permittee shall test the casing and BOPE under pressure.

(5) Prior to operation, the permittee shall test all injection wells to demonstrate that the casing has complete integrity. The permittee shall conduct the test by a method approved by the division and submit the test results to the division for approval before placing the well into operation.

B. Well operation testing and monitoring.

(1) To verify the integrity of the annular cement above the shoe of the casing of any injection well, the permittee shall make sufficient surveys within 30 days after the permittee begins injection into a well to prove that all the injected fluid is confined to the intended zone of injection. Thereafter, the permittee shall make surveys at least every two years or more often if necessary. If the permittee can substantiate by existing data that these tests are not necessary, then, after review of the data, the division may grant a waiver exempting the permittee from the tests.

(2) The permittee of a geothermal production well shall continuously monitor the rate of flow of water or steam or both, and the surface pressure and temperature of the fluids from each production well.

(3) The permittee of a geothermal injection well shall continuously monitor the rate of flow of injected geothermal fluid or wastewater, and the surface pressure and temperature of the fluids injected into each injection well.

(4) The permittee of a thermal gradient well that is co-located with a geothermal production or injection well shall monitor the thermal gradient of the fluid in the well monthly. The thermal gradient shall be monitored by measuring the fluid temperature in the well from the surface to the bottom of the hole, at 100 foot intervals.

(5) The permittee of an observation well that is co-located with a geothermal production or injection well shall monitor the static water level in the well monthly and sample and analyze the water quality of the observed aquifer semi-annually. The division shall establish the scope of the water quality analysis based on the potential contaminants from the geothermal resource and geothermal ground operations.

(6) The permittee shall perform all pit testing and monitoring in accordance with Subsection D of 19.14.4.17 NMAC.
[19.14.4.13 NMAC - N, / /]

19.14.4.14 RECORDKEEPING AND REPORTING: The permittee shall maintain all records, notifications and reports, according to the following timelines, at the well location, if the well is associated with an operating surface facility, or at the permittee's business office located within the state of New Mexico.

A. Recordkeeping of well construction testing and monitoring. The permittee shall maintain records and reports associated with well construction testing and monitoring in Subsection A of 19.14.4.13 NMAC, generated and collected during construction of all injection or production wells for the life of the well up to the time the well is plugged and abandoned.

B. Recordkeeping of well operation testing and monitoring. The permittee shall maintain records and reports associated with well operation testing and monitoring in Subsection B of 19.14.4.13 NMAC, generated and collected during operation of all injection or production wells for a period of five years from the date the record or report was created.

C. The permittee shall submit reports of well construction testing and monitoring associated with Paragraphs (1) through (3) of Subsection A of 19.14.4.13 NMAC to the division no later than 60 days after completion drilling activities. The permittee shall submit records of well construction testing and monitoring associated with Paragraphs (4) through (5) of Subsection A of 19.14.4.13 NMAC to the division no later than 30 days prior to placing the well into operation. The responsible official shall sign reports.

D. The permittee shall submit reports of well operation testing and monitoring associated with Paragraph (1) of Subsection B of 19.14.4.13 NMAC to the division no later than 60 days after injection is started. The permittee shall submit records of well operation testing and monitoring associated with Paragraphs (2) through (5) of Subsection B of 19.14.4.13 NMAC to the division semi-annually in a format specified by permit. The responsible official shall sign reports.

E. The permittee shall perform all pit recordkeeping and reporting in accordance with Paragraphs (4) through (5) of Subsection D of 19.14.4.17 NMAC.

[19.14.4.14 NMAC - N, / /]

19.14.4.15 GEOTHERMAL SURFACE FACILITIES:

A. General. The permittee shall maintain all well heads, separators, pumps, mufflers, manifolds, valves, pipelines and other equipment used for the production of geothermal resources in good condition in order to prevent loss of or damage to life, health, property, natural resources, the environment or the public welfare.

B. Corrosion. The permittee shall periodically inspect all surface well head equipment and pipelines and subsurface casing and tubing signs of corrosion in order to safeguard life, health, property, natural resources, the environment and the public welfare.

C. Tests. The division may require such tests or remedial work as in its judgment are necessary to prevent damage to life, health, property, natural resources, the environment and the public welfare and to protect geothermal reservoirs from damage or to prevent the infiltration of detrimental substances into underground or surface water suitable for irrigation or other beneficial uses to the best interest of the neighboring property owners and the public. Such tests may include, but are not limited to, casing tests, cementing tests and equipment tests.

D. Reclamation. Where the permittee is not the surface owner, the permittee shall maintain a post-geothermal resource production land use plan that details how the surface area disturbed by the geothermal surface facilities will be reclaimed to achieve the proposed use and written approval of the surface owner for the proposed use.

[19.14.4.15 NMAC - N, / /]

19.14.4.16 ABANDONMENT AND PLUGGING:

A. Prior to abandoning and plugging a geothermal well, the permittee shall file with the division an application for permission to abandon and plug a geothermal well. The application shall be accompanied by a detailed statement of the proposed activity.

B. The following provisions apply to the abandonment of a thermal gradient or observation well.

(1) If the well was drilled with air and no water was encountered, the permittee shall backfill the hole with cuttings and place a cement plug of 50 linear feet at the top of the well.

(2) If the well was drilled with mud or drilled with air and water was encountered, the permittee shall fill the bore with mud and place a cement plug 50 linear feet at the top of the well.

(3) The permittee shall restore the surface to near original condition including the restoration of native vegetation.

C. The following provisions apply to the abandonment of a geothermal production or injection well.

(1) Except for cement used for surface plugging, the permittee shall plug the well by pumping cement in the hole through the drill pipe or tubing. The cement shall consist of a mix that resists high temperatures.

(2) The permittee shall place cement plugs in the uncased portion of wells to protect all subsurface resources. These plugs shall extend a minimum of 100 lineal feet above the producing formations and 100 lineal feet below the producing formations or to the total depth drilled, whichever is less. The permittee shall place cement plugs to isolate formations and to protect the fluids in those formations from interzonal migration.

(3) Where there is an open hole, the permittee shall place a cement plug in the deepest casing string by:

(a) placing a cement plug across the guide shoe extending a minimum of 100 lineal feet above and below the guide shoe, or to the total depth drilled, whichever is less; or

(b) setting a cement retainer with effective control of back pressure approximately 100 lineal feet above the guide shoe, with at least 200 lineal feet of cement below, or to the total depth drilled, whichever is less, and 100 lineal feet of cement above the retainer.

(4) If there is a loss of drilling fluids into the formation or such a loss is anticipated or if the well has been drilled with air or another gaseous substance, a permanent bridge plug shall be set at the casing shoe and capped with a minimum of 200 lineal feet of cement.

(5) The permittee shall place a cement plug across perforations, extending 100 lineal feet below, or to the total depth drilled, whichever is less, and 100 lineal feet above the perforations. When the permittee uses a cement retainer to squeeze cement into or across the perforations, the permittee shall set the retainer a minimum of 100 lineal feet above the perforations. Where the casing contains perforations at or below debris or collapsed casing, which prevents cleaning, the permittee shall set a cement retainer at least 100 lineal feet above that point and squeeze cement in the interval below the retainer.

(6) The permittee shall obtain the division's approval before casing is cut and recovered. The permittee shall place a cement plug in such a manner as to isolate all uncased intervals and guide shoes that are not protected by an inner string of casing. The plug shall extend a minimum of 50 feet above and below any such interval or guide shoe.

(7) The permittee shall plug all annular spaces extending to the surface with cement.

(8) The permittee shall cement the innermost string of casing that reaches ground level to a minimum depth of 50 feet below the top of the casing.

(9) The permittee shall verify the hardness and location of cement plugs placed across perforated intervals and at the top of uncased or open holes by setting down with tubing or drill pipe a minimum weight of 15,000 pounds on the plug or, if less than 15,000 pounds, the maximum weight of the available tubing or drill pipe string. If the permittee uses a cement retainer or bridge plug to set the bottom plug, a test is not required for that interval.

(10) The permittee shall fill any interval that is not filled with cement with good quality, heavy drilling fluids.

(11) All casing strings shall be cut off below ground level and capped by welding a steel plate on the casing stub. The permittee shall remove all structures and other facilities.

(12) The permittee shall restore the surface to near original condition including the restoration of native vegetation.

[19.14.4.16 NMAC - N, / /]

19.14.4.17 PITS DESIGN, CONSTRUCTION AND OPERATTING PLAN AND CLOSURE-REMEDIATION PLAN REQUIREMENTS: All geothermal resources permit applications shall include details regarding the design, construction and operation of a system designed to temporarily store and dispose of drilling wastes and other process fluids during periods of well or facility maintenance. The division will approve one of two methods (pit or closed-loop system) for the handling of drilling fluids or other process fluids released during well or facility maintenance activities. The plan for design and construction of a pit shall follow applicable liner manufacturers' requirements. The operating details shall include operating and maintenance procedures, a closure plan and hydrogeologic data that provides sufficient information and detail on the site's topography, soils, geology, surface hydrology and ground water hydrology to enable the division to evaluate compliance with acceptable siting criteria. In the absence of site-specific ground water data, the permittee may provide a reasonable determination of probable ground water depth using data generated by models, cathodic well lithology, published information or other tools as approved by the division.

A. Siting.

(1) A permittee shall not locate a pit containing low chloride fluid:

(a) where ground water is less than 25 feet below the bottom of the pit;

(b) within 100 feet of any continuously flowing watercourse or any other significant watercourse;

(c) within 200 feet of any lakebed, sinkhole or playa lake (measured from the ordinary high-water mark);

(d) within 300 feet from an occupied permanent residence, school, hospital, institution or church in existence at the time of initial application;

(e) within:

(i) 200 feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes; or

(ii) 300 feet of any other fresh water well or spring, in existence at the time of the initial application;

(f) within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended, unless the municipality specifically approves;

(g) within 100 feet of a wetland;

(h) within the area overlying a subsurface mine, unless the division grants a variance that approves the proposed location based upon the permittee's demonstration that the pit's construction and use will not compromise the subsurface integrity;

(i) within an unstable area, unless the division grants a variance upon a demonstration that the permittee has incorporated engineering measures into the design to ensure that the pit's integrity is not compromised; or

(j) within a 100-year floodplain.

(2) A permittee shall not locate a pit containing fluids that are not low chloride fluids:

(a) where ground water is less than 50 feet below the bottom of the pit;

(b) within 300 feet of any continuously flowing watercourse or any other significant watercourse;

(c) within 200 feet of any lakebed, sinkhole or playa lake (measured from the ordinary high-water mark);

(d) within 300 feet from an occupied permanent residence, school, hospital, institution or church in existence at the time of initial application;

(e) within:

(i) 500 feet of a spring or a private, domestic fresh water well used by less than five households for domestic or stock watering purposes; or

(ii) 1,000 feet of any other fresh water well or spring, in existence at the time of the initial application;

(f) within incorporated municipal boundaries or within a defined municipal fresh water well field covered under a municipal ordinance adopted pursuant to NMSA 1978, Section 3-27-3, as amended, unless the municipality specifically approves;

(g) within 300 feet of a wetland;

(h) within the area overlying a subsurface mine, unless the division grants a variance that approves the proposed location based upon the permittee's demonstration that the pit's construction and use will not compromise the subsurface integrity;

(i) within an unstable area, unless the division grants a variance upon a demonstration that the permittee has incorporated engineering measures into the design to ensure that the pit's integrity is not compromised; or

(j) within a 100-year floodplain.

B. Design and construction. A permittee shall design and construct a pit or closed-loop system to contain liquids and solids; prevent contamination of fresh water; and protect life, health, property, natural resources, the environment and the public welfare.

(1) The pit or closed-loop system shall ensure the confinement of liquids to prevent releases.

(2) A pit shall have a properly constructed foundation and interior slopes consisting of a firm, unyielding base, smooth and free of rocks, debris, sharp edges or irregularities to prevent the liner's rupture or tear. The permittee shall construct a pit so that the slopes are no steeper than two horizontal feet to one vertical foot (2H:1V).

(3) The permittee shall design and construct a pit with a geomembrane liner. The geomembrane liner shall consist of 20- mil string reinforced LLDPE or equivalent liner material that the division approves. The geomembrane liner shall be composed of an impervious, synthetic material that is resistant to petroleum hydrocarbons, salts and acidic and alkaline solutions. The liner material shall be resistant to ultraviolet light. Liner compatibility shall comply with EPA SW-846 Method 9090A.

(4) The permittee shall minimize liner seams and orient them up and down, not across, a slope. The permittee shall use factory welded seams where possible. Prior to field seaming, the permittee shall overlap liners four to six inches. The permittee shall minimize the number of field seams in corners and irregularly shaped areas. Qualified personnel shall field weld and test liner seams.

(5) Construction shall avoid excessive stress-strain on the liner.

(6) Geotextile is required under the liner where needed to reduce localized stress-strain or protuberances that may otherwise compromise the liner's integrity.

(7) The permittee shall anchor the edges of all liners in the bottom of a compacted earth-filled trench. The anchor trench shall be at least 18 inches deep, unless anchoring to encountered bedrock provides equivalent anchoring.

(8) The permittee shall ensure that the liner is protected from any fluid force or mechanical damage at any point of discharge into or suction from the lined pit.

(9) The permittee shall design and construct a pit to prevent run-on of surface water. A berm, ditch, proper sloping or other diversion shall surround a pit to prevent run-on of surface water. During drilling operations, the edge of the pit adjacent to the drilling or workover rig is not required to have run-on protection if the permittee is using the pit to collect liquids escaping from the drilling or workover rig and run-on will not result in a breach of the pit.

(10) The volume of a pit shall not exceed 10 acre feet, including freeboard.

(11) Stockpiling of topsoil. Prior to constructing a pit, the permittee shall strip and stockpile the topsoil for use as the final cover or fill at the time of closure.

(12) Signs. The permittee shall post an upright sign not less than 12 inches by 24 inches with lettering not less than two inches in height in a conspicuous place on the fence surrounding the pit. The permittee shall post the sign in a manner and location such that a person can easily read the legend. The sign shall provide the following information: the permittee's name; the location of the site by quarter-quarter or unit letter, section, township and range; and emergency telephone numbers.

(13) A permittee who is using a closed-loop system with drying pads shall design and construct the drying pads to include the following:

(a) appropriate liners that prevent the contamination of fresh water and protect life, health, property, natural resources, the environment and the public welfare;

(b) sumps to facilitate the collection of liquids derived from drill cuttings; and

(c) berms that prevent run-on of surface water or fluids.

C. Fencing. The permittee shall fence or enclose a pit in a manner that deters unauthorized access and shall maintain the fences in good repair. Fences are not required if there is an adequate surrounding perimeter fence that prevents unauthorized access to the well site or facility, including the pit. During drilling or workover operations, the permittee is not required to fence the edge of the pit adjacent to the drilling or workover rig.

D. Operation. A permittee shall maintain and operate a pit or closed-loop system in accordance with the following requirements.

(1) The permittee shall operate and maintain a pit or closed-loop system, to contain liquids and solids and maintain the integrity of the liner, liner system or secondary containment system, prevent contamination of fresh water and protect life, health, property, natural resources, the environment and the public welfare.

(2) The permittee may only discharge fluids or mineral solids generated or used during the well drilling, completion or workover or facility maintenance operations process into a pit or closed-loop system. The permittee shall maintain a pit free of miscellaneous solid waste or debris.

(3) If the permittee elects to remove any stored fluids from a pit or a closed-loop system, the permittee shall dispose of the fluids pursuant to 19.14.4.20 NMAC.

(4) The permittee shall maintain at least two feet of freeboard in a pit. For temporary extenuating circumstances a permittee may maintain a freeboard of less than two feet. In such circumstances the permittee shall maintain a log describing such circumstances and make the log available to the division upon request.

(5) The permittee shall inspect a pit or closed-loop system containing drilling fluids at least daily while the drilling or workover rig is on location. Thereafter, the permittee shall inspect the pit weekly so long as liquids remain in the pit. The permittee shall maintain a log of such inspections and make the log available for the division's review upon request.

(6) The permittee shall not discharge into or store any hazardous waste in a pit or drying pad associated with a closed-loop system.

(7) If a pit liner's integrity is compromised above the liquid's surface then the permittee shall repair the damage or initiate replacement of the liner within 48 hours of discovery.

(8) If a pit or closed loop system develops a leak, or if any penetration of the pit liner occurs below the liquid's surface, then the permittee shall remove all liquid above the damage or leak within 48 hours of discovery, notify the division and repair the damage or replace the pit liner or closed loop hardware.

(9) The permittee shall inject or withdrawal of liquids from a pit through a header, diverter or other hardware that prevents damage to the liner by erosion, fluid jets or impact from installation and removal of hoses or pipes.

(10) The permittee shall operate and install a pit to prevent the collection of surface water run-on.

(11) The permittee shall install, or maintain on site, a water absorbent boom or other device to contain an unanticipated release.

E. Closure and remediation. A closure plan shall describe the proposed closure method and the proposed procedures and protocols to implement and complete the closure.

(1) The permittee shall not commence closure without first obtaining division approval of the closure plan submitted with the permit application.

(2) Prior to closure the permittee shall remove all free liquids reasonably achievable from the pit or drying pad and tank associated with a closed-loop system and dispose of such liquids at a division-approved facility.

(3) When closing a pit the permittee shall stabilize or solidify the remaining pit contents to a capacity sufficient to support the final cover of the pit. When transferring the geothermal waste contents from a drying pad and tank associated with a closed-loop system into a pit, the permittee shall stabilize or solidify the geothermal waste contents to a capacity sufficient to support the final cover of the pit. The permittee shall not mix the contents with soil or other material at a mixing ratio of greater than 3:1, soil or other material to contents. The geothermal waste mixture must pass the paint filter liquids test (EPA SW-846, Method 9095 or other test methods approved by the division).

(4) The permittee shall collect, at a minimum, a five-point composite of the contents of the pit to demonstrate that, after the geothermal waste is solidified or stabilized with soil or other non-geothermal waste material at a ratio of no more than 3:1 soil or other non-geothermal waste material to geothermal waste, the concentration of any contaminant in the stabilized geothermal waste is not higher than the parameters listed in Table 2 (19.14.4.19 NMAC).

(5) If, after appropriate stabilization, the concentrations of all contaminants in the contents from a pit are less than or equal to the parameters of listed in Table 2 (19.14.4.19 NMAC), the permittee may proceed with closure and remediation of the pit.

(6) If the concentration of any contaminant in the contents, after mixing with soil or non-geothermal waste material to a maximum ratio of 3:1, from a pit or drying pad associated with a closed-loop system is higher than constituent concentrations shown in Table 2 (19.14.4.19 NMAC), then the permittee shall close the pit or drying pad by first removing all contents and, if applicable, synthetic liners and transferring those materials to a division-approved facility.

(7) Upon achieving all applicable geothermal waste stabilization in the pit or transfer of stabilized geothermal wastes to the pit, the permittee shall:

(a) fold the outer edges of the pit liner to overlap the geothermal waste material in the pit prior to installing the geomembrane cover;

(b) install a geomembrane cover over the geothermal waste material in the pit; the permittee shall install the geomembrane cover in a manner that prevents the collection of infiltration water in the pit and on the geomembrane cover after the soil cover is in place; the geomembrane cover shall consist of a 20-mil string reinforced LLDPE liner or equivalent cover that the division approves; the geomembrane cover shall be composed of an impervious, synthetic material that is resistant to petroleum hydrocarbons, salts and acidic and alkaline solutions; cover compatibility shall comply with EPA SW-846 Method 9090A; and

(c) cover the pit with non-geothermal waste containing, uncontaminated, earthen materials and construct a soil cover prescribed by the division.

(8) If the permittee has removed the geothermal wastes and the liner from a drying pad associated with a closed-loop system to a pit, the permittee shall test the soils beneath the drying pad as follows.

(a) At a minimum, the permittee shall take a five-point composite sample to include any obvious stained or wet soils, or other evidence of contamination under the liner and have that sample analyzed for the constituents listed in Table 1 (19.14.4.18 NMAC).

(b) If any contaminant concentration is higher than the parameters listed in Table 1 (19.14.4.18 NMAC) the division may require additional delineation upon review of the results and the permittee must receive division approval before proceeding with closure.

(c) If all contaminant concentrations are less than or equal to the parameters listed in Table 1 (19.14.4.18 NMAC), the permittee can proceed to backfill the pad or excavation with non-geothermal waste containing, uncontaminated, earthen material.

(9) A permittee shall notify the division at least 60 days prior to cessation of operations and provide a proposed schedule for closure. If there is no closure plan on file with the division applicable to the pit, the permittee shall provide a closure plan with this notice. Upon receipt of the notice and proposed schedule, the division shall review the current closure plan for adequacy and inspect the site. When onsite burial occurs on private land, the permittee shall file a deed notice identifying the exact location of the onsite burial with the county clerk in the county where the onsite burial occurs.

(10) Within 60 days of closure completion, the permittee shall submit a closure report that documents all closure activities including sampling results; other information the division requires and details on back-filling, capping and covering, where applicable. In the closure report, the permittee shall certify that all information in the report and attachments is correct and that the permittee has complied with all applicable closure requirements and conditions specified in the approved closure plan. If the permittee elects to conduct onsite burial in an onsite pit, the permittee shall also provide a plat of the pit location. The permittee shall place a steel marker at the center of an onsite burial. The steel marker shall be not less than four inches in diameter and shall be cemented in a three-foot deep hole at a minimum. The steel marker shall extend at least four feet above mean ground level and at least three feet below ground level. The permittee name, lease name and well number and location, including unit letter, section, township and range, and that the marker designates an onsite burial location shall be welded, stamped or otherwise permanently engraved into the metal of the steel marker. A person shall not build permanent structures over an onsite burial without the division's written approval. A person shall not remove an onsite burial marker without the division's written permission.

(11) A permittee shall close a drying pad associated with a closed-loop system or a pit within one year from the date that the permittee releases the drilling or workover rig. The permittee shall note the date of the drilling or workover rig’s release, upon the well’s or workover’s completion. The division may grant an extension not to exceed one year.

(12) Reclamation of pit and drying pad locations.

(a) A permittee shall reclaim the pit or drying pad location and all areas associated with the closed-loop system or pit including associated access roads to a safe and stable condition that blends with the surrounding undisturbed area.

(b) The permittee may propose an alternative to the re-vegetation or recontouring requirement if the permittee demonstrates to the division that the proposed alternative provides equal or better prevention of erosion and protection from contamination of fresh water, and protection of life, health, property, natural resources, the environment and the public welfare.

(c) The permittee shall compact, cover, pave or otherwise stabilize and maintain areas reasonably needed for production operations or for subsequent drilling operations in such a way as to minimize dust and erosion to the extent practicable.

(d) The soil cover for closures after site contouring, where the permittee has removed the drying pad contents and liner, and if necessary remediated the soil beneath the drying pad liner to chloride concentrations less than 600 mg/kg as analyzed by EPA Method 300.0, shall consist of the background thickness of topsoil or one foot of suitable material, whichever is greater.

(e) The soil cover for burial in-place pits shall consist of a minimum of four feet of non-geothermal waste containing, uncontaminated, earthen material with chloride concentrations less than 600 mg/kg as analyzed by EPA Method 300.0. The soil cover shall include either the background thickness of topsoil or one foot of suitable material to establish vegetation at the site, whichever is greater.

(f) The permittee shall construct the soil cover to the site’s existing grade and prevent ponding of water and erosion of the cover material.

(g) The permittee shall reclaim all areas disturbed by the closure of pits, except areas reasonably needed for production operations or for subsequent drilling operations, as early and as nearly as practicable to their original condition or their final land use and maintain them to control dust and minimize erosion to the extent practicable. The permittee shall replace topsoils and subsoils to their original relative positions and contour them so as to achieve erosion control, long-term stability and preservation of surface water flow patterns. The permittee shall reseed disturbed area in the first favorable growing season following closure of a pit or drying

pad associated with a closed-loop system. Reclamation of all disturbed areas no longer in use shall be considered complete when all ground surface disturbing activities at the site have been completed, and a uniform vegetative cover has been established that reflects a life-form ratio of plus or minus fifty percent of pre-disturbance levels and a total percent plant cover of at least seventy percent of pre-disturbance levels, excluding noxious weeds.

(h) The permittee shall notify the division when reclamation and re-vegetation are complete.

[19.14.4.17 NMAC - N, / /]

19.14.4.18 TABLE 1 – CLOSURE CRITERIA FOR SOILS BENEATH DRYING PADS ASSOCIATED WITH CLOSED-LOOP SYSTEMS:

Depth below bottom of pit to ground water less than 10,000 mg/l TDS	Constituent	Method*	Limit**
≤50 feet	Chloride	EPA 300.0	600 mg/kg
51-100 feet	Chloride	EPA 300.0	10,000 mg/kg
>100 feet	Chloride	EPA 300.0	20,000 mg/kg

*Or other test methods approved by the division

**Numerical limits or natural background level, whichever is greater

[19.14.4.18 NMAC - N, / /]

19.14.4.19 TABLE 2 – CLOSURE CRITERIA FOR GEOTHERMAL WASTE LEFT IN PLACE IN PITS:

Depth below bottom of pit to ground water less than 10,000 mg/l TDS	Constituent	Method*	Limit**
25-50 feet	Chloride	EPA 300.0	20,000 mg/kg
51-100 feet	Chloride	EPA 300.0	40,000 mg/kg
>100 feet	Chloride	EPA 300.0	80,000 mg/kg

*Or other test methods approved by the division

**Numerical limits or natural background level, whichever is greater

[19.14.4.19 NMAC - N, / /]

19.14.4.20 DISPOSAL OF GEOTHERMAL WASTE: Persons disposing of geothermal waste shall do so in a manner that does not constitute a hazard to life, health, property, natural resources, the environment or the public welfare. The permittee shall dispose of geothermal waste as provided in 19.14.4.17 NMAC or at a facility permitted to accept the geothermal waste.

[19.14.4.20 NMAC - N, / /]

HISTORY OF 19.14.4 NMAC:

TITLE 19 - NATURAL RESOURCES AND WILDLIFE

CHAPTER 14

GEOTHERMAL POWER

19.14.1 NMAC	GENERAL PROVISIONS - DEFINITIONS	pdf version
19.14.2 - 19 NMAC	[RESERVED] PARTS 2 - 19	
19.14.20 NMAC	PLUGGING BOND	pdf version
19.14.21 NMAC	DRILLING PERMIT	pdf version
19.14.22 NMAC	SIGN ON WELLS	pdf version
19.14.23 NMAC	WELL SPACING	pdf version
19.14.24 NMAC	ROTARY DRILLING AND CABLE TOOL DRILLING	pdf version
19.14.25 NMAC	DRILLING MUD AND MUD PITS	pdf version
19.14.26 NMAC	SEALING OFF STRATA	pdf version
19.14.27 NMAC	CASING AND CEMENTING REQUIREMENTS	pdf version
19.14.28 NMAC	DEVIATION TESTS AND DIRECTIONAL DRILLING	pdf version
19.14.29 NMAC	SHOOTING AND CHEMICAL TREATMENT OF WELLS	pdf version
19.14.30 NMAC	RIGHT OF ENTRY	pdf version
19.14.31 NMAC	NOISE ABATEMENT	pdf version
19.14.32 NMAC	SAFETY REGULATIONS	pdf version
19.14.33 NMAC	WELL HEADS AND PRODUCTION EQUIPMENT	pdf version
19.14.34 NMAC	CORROSION	pdf version
19.14.35 NMAC	DISPOSAL OF PRODUCED WATERS	pdf version
19.14.36 NMAC	NOTIFICATION OF FIRE, BREAKS, LEAKS, SPILLS AND BLOWOUTS	pdf version
19.14.37 NMAC	MEASUREMENT OF PRODUCTION	pdf version
19.14.38 NMAC	UTILIZATION OF GEOTHERMAL RESOURCES	pdf version
19.14.39 - 50 NMAC	[RESERVED] PARTS 39 - 50	
19.14.51 NMAC	GENERAL	pdf version
19.14.52 NMAC	APPLICATION FOR PERMIT TO DRILL, DEEPEN OR PLUG BACK--GEOTHERMAL RESOURCES	pdf version
19.14.53 NMAC	GEOTHERMAL RESOURCES WELL LOCATION AND ACREAGE DEDICATION PLAT	pdf version
19.14.54 NMAC	SUNDRY NOTICES AND REPORTS ON GEOTHERMAL RESOURCES WELL	pdf version
19.14.55 NMAC	CERTIFICATE OF COMPLIANCE AND AUTHORIZATION TO PRODUCE GEOTHERMAL RESOURCES	pdf version
19.14.56 NMAC	GEOTHERMAL RESOURCES WELL LOG	pdf version
19.14.57 NMAC	GEOTHERMAL RESOURCES WELL SUMMARY REPORT	pdf version
19.14.58 NMAC	GEOTHERMAL RESOURCES WELL HISTORY	pdf version
19.14.59 NMAC	MONTHLY GEOTHERMAL PRODUCTION REPORT	pdf version
19.14.60 NMAC	MONTHLY GEOTHERMAL PURCHASER'S REPORT	pdf version
19.14.61 NMAC	MONTHLY GEOTHERMAL INJECTION REPORT MONTHLY GEOTHERMAL INJECTION REPORT	pdf version
19.14.62 NMAC	ANNUAL GEOTHERMAL TEMPERATURE AND PRESSURE TESTS	pdf version
19.14.63 NMAC	APPLICATION TO PLACE WELL ON INJECTION-GEOTHERMAL RESOURCES	pdf version
19.14.64 - 70 NMAC	[RESERVED] PARTS 64 - 70	
19.14.71 NMAC	GEOTHERMAL POWER LIABILITY	pdf version

19.14.72 NMAC	GEOTHERMAL POWER NOTICE	pdf version
19.14.73 NMAC	GEOTHERMAL POWER PLUGGING AND TEMPORARY ABANDONMENT	pdf version
19.14.74 NMAC	GEOTHERMAL POWER, WELLS MAY BE USED FOR FRESH WATER	pdf version
19.14.75 - 80 NMAC	[RESERVED] PARTS 75 - 80	
19.14.81 NMAC	GEOTHERMAL POWER, ILLEGAL SALE PROHIBITED	pdf version
19.14.82 NMAC	GEOTHERMAL POWER, RATABLE TAKE	pdf version
19.14.83 NMAC	REGULATION OF GEOTHERMAL RESOURCES PRODUCTION	pdf version
19.14.84 - 90 NMAC	[RESERVED] PARTS 84 - 90	
19.14.91 NMAC	GEOTHERMAL INJECTION WELLS	pdf version
19.14.92 NMAC	GEOTHERMAL DISPOSAL WELLS	pdf version
19.14.93 NMAC	GEOTHERMAL POWER, METHOD OF MAKING APPLICATION	pdf version
19.14.94 NMAC	GEOTHERMAL POWER, INJECTION REPORTS	pdf version
19.14.95 NMAC	GEOTHERMAL POWER, SURVEILLANCE	pdf version
19.14.96 NMAC	GEOTHERMAL POWER, ABANDONMENT	pdf version
19.14.97 - 100 NMAC	[RESERVED] PARTS 97 - 100	
19.14.101 NMAC	GEOTHERMAL POWER, GENERAL	pdf version
19.14.102 NMAC	GEOTHERMAL POWER, BLOWOUT PREVENTION EQUIPMENT	pdf version
19.14.103 NMAC	GEOTHERMAL POWER, AREAS WITH HISTORY OF BLOWOUTS	pdf version
19.14.104 NMAC	GEOTHERMAL POWER, TESTING OF BLOWOUT PREVENTION EQUIPMENT	pdf version
19.14.105 - 109 NMAC	[RESERVED] PARTS 105 - 109	
19.14.110 NMAC	GEOTHERMAL POWER, NECESSITY FOR HEARING	pdf version
19.14.111 NMAC	GEOTHERMAL POWER, EMERGENCY ORDERS	pdf version
19.14.112 NMAC	GEOTHERMAL POWER, METHOD OF INITIATING A HEARING	pdf version
19.14.113 NMAC	GEOTHERMAL POWER, METHOD OF GIVING LEGAL NOTICE FOR HEARING	pdf version
19.14.114 NMAC	GEOTHERMAL POWER, CONTENTS OF NOTICE OF HEARING	pdf version
19.14.115 NMAC	GEOTHERMAL POWER, PERSONAL SERVICE OF NOTICE	pdf version
19.14.116 NMAC	GEOTHERMAL POWER, PREPARATION OF NOTICES	pdf version
19.14.117 NMAC	GEOTHERMAL POWER, FILING PLEADINGS: COPY DELIVERED TO ADVERSE PARTY OR PARTIES	pdf version
19.14.118 NMAC	GEOTHERMAL POWER, CONTINUANCE OF HEARING WITHOUT NEW SERVICE	pdf version
19.14.119 NMAC	GEOTHERMAL POWER, CONDUCT OF HEARINGS	pdf version
19.14.120 NMAC	GEOTHERMAL POWER, POWER TO REQUIRE ATTENDANCE OF WITNESSES AND PRODUCTION OF EVIDENCE	pdf version
19.14.121 NMAC	GEOTHERMAL POWER, RULES OF EVIDENCE	pdf version
19.14.122 NMAC	GEOTHERMAL POWER, EXAMINERS QUALIFICATIONS AND APPOINTMENT	pdf version
19.14.123 NMAC	GEOTHERMAL POWER, REFERAL OF CASES TO EXAMINERS	pdf version
19.14.124 NMAC	GEOTHERMAL POWER, EXAMINER'S POWER AND AUTHORITY	pdf version
19.14.125 NMAC	GEOTHERMAL POWER, HEARINGS MUST BE HELD BEFORE THE COMMISSION	pdf version
19.14.126 NMAC	GEOTHERMAL POWER, EXAMINER'S MANNER OF CONDUCTING HEARINGS	pdf version
19.14.127 NMAC	GEOTHERMAL POWER, REPORT AND RECOMMENDATIONS, EXAMINER'S HEARING	pdf version
19.14.128 NMAC	GEOTHERMAL POWER, DISPOSITION OF CASES HEARD BY EXAMINERS	pdf version
19.14.129 NMAC	GEOTHERMAL POWER, DE NOVO HEARING BEFORE COMMISSION	pdf version
19.14.130 NMAC	GEOTHERMAL POWER, NOTICE OF COMMISSION AND DIVISION ORDERS	pdf version
19.14.131 NMAC	GEOTHERMAL POWER, REHEARINGS	pdf version
19.14.132 NMAC	GEOTHERMAL POWER, CHANGES IN FORMS AND REPORTS	pdf version

Title 19 | NMAC Titles | NMAC Homepage

This rule was filed as Rule G-0.1, Rule G-1, Rule G-2, Rule G-3, Rule G-4, Rule G-5, Rule G-6, Rule G-7, Rule G-8, Rule G-9, Rule G-10 and Rule G-100.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 1 GENERAL PROVISIONS

19.14.1.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.1.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.1.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.1.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.1.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.1.6 OBJECTIVE:

A. The following geothermal rules and regulations are of statewide application and have been adopted by the oil conservation division of the New Mexico energy and minerals department to conserve the natural geothermal resources of the state of New Mexico, to prevent waste, and to protect the correlative rights of all owners of geothermal resources. Special rules, regulations, and order may be adopted from time to time when required for a particular geothermal resources area, and shall prevail over the geothermal rules and regulations if in conflict therewith. However, when these geothermal rules and regulations do not conflict with special rules hereafter adopted, these geothermal rules and regulations will apply.

B. The Division may grant exceptions to these rules and regulations after notice and hearing, when the granting of such exceptions will not result in waste but will protect correlative rights or prevent waste.
[Rule G-1; Recompiled 12/31/01]

19.14.1.7 DEFINITIONS:

A. "Commission" shall mean the oil conservation commission.

B. "Condensate" shall mean the liquid recovered from the condensation of gases or steam produced from a geothermal reservoir.

C. "Correlative rights" shall mean the opportunity afforded, insofar as is practicable to do so, the owner of each property in a geothermal reservoir to produce his just and equitable share of the geothermal resources within such reservoir, being an amount, so far as can be practicably determined, and so far as can be practicably obtained without waste, substantially in the proportion that the quantity of recoverable geothermal resources under such property bears to the total recoverable geothermal resources in the reservoir, and for such purpose to use his just and equitable share of the natural heat or energy in the reservoir.

D. "Designated agent" shall mean that person designated by the owner or operator of any geothermal resources well to be his agent in all matters concerning the keeping of records within the state.

E. "Development well" shall mean a well drilled within the established limits of a designated geothermal field or within one mile thereof, for the commercial production of geothermal resources.

F. "Disposal well" shall mean a well drilled or converted for the purpose of disposing of fluids into a formation other than a geothermal reservoir.

G. "Division" shall mean the oil conservation division of the New Mexico energy and minerals department.

H. "Drilling operations" shall mean the actual drilling, redrilling, completion or recompletion of a well for geothermal production or injection, including the running and cementing of casing, the performance of such operations as logging and perforating, and the installation of wellhead equipment.

I. "Exploratory well" shall mean a well drilled for the discovery or evaluation of geothermal resources one mile or more beyond the established limits of a designated geothermal field.

J. "Geothermal section" shall mean that section of the oil conservation division charged with the authority and duty of regulating the drilling, development and production of geothermal resources, and with conserving and preventing waste of geothermal resources within this state pursuant to the provisions of the Geothermal Resources Conservation Act.

K. "Geothermal field" shall mean an area defined by the division which contains a well, or wells, capable of commercial geothermal production. "Geothermal field" includes "low-temperature thermal field."

L. "Geothermal gradient well" (see thermal gradient well)

M. "Geothermal observation well" shall mean any well which is to be utilized for the express purpose of evaluating or monitoring a geothermal reservoir by pressure observation or limited production.

N. "Geothermal reservoir" shall mean any common source of geothermal resources, whether the fluids produced from the reservoir are native to the reservoir, or flow into or are injected into said reservoir.

O. "Geothermal resources" shall mean the natural heat of the earth or the energy, in whatever form, below the surface of the earth present in, resulting from, created by, or which may be extracted from, this natural heat, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases and steam, in whatever form, found below the surface of the earth, but excluding oil, hydrocarbon gas and other hydrocarbon substances.

P. "Geothermal resources area" shall mean the same general surface area which is underlain, or appears to be underlain, by one or more formations containing geothermal resources.

Q. "Geothermal resources well" (see well)

R. "Geothermal waters" shall mean the water or brine produced from a geothermal reservoir.

S. "Injection" shall mean the placing of fluids in an underground stratum through a wellbore, whether by pressure at the surface or by gravity flow, and whether for disposal or other purpose.

T. "Injection well" shall mean a well drilled or converted for the purpose of injecting fluids into a geothermal reservoir.

U. "Log or well log" shall mean a systematic detailed and correct recorded description of the lithologic sequence encountered while drilling a geothermal well.

V. "Low-temperature thermal field" shall mean an area defined by the commission which contains a well, or wells, capable of production of low-temperature thermal waters.

W. "Low-temperature thermal water" shall mean naturally heated water the temperature of which is less than boiling at the altitude of occurrence, which has value by virtue of the heat contained therein and is found below the surface of the earth, or in warm springs on the surface.

X. "Low-temperature thermal well" shall mean a well drilled to produce low-temperature thermal water for the purpose of extracting heat for agricultural, commercial, industrial, municipal or domestic uses.

Y. "Multiple completion" shall mean the completion of a well in such a manner as to produce from more than one geothermal reservoir.

Z. "Operator" shall mean any person drilling, maintaining, operating, producing or in control of any well, and shall include "owner" when any well is operated or has been operated or is about to be operated by or under the direction of the owner.

AA. "Owner" shall mean the person who has the right to drill into and to produce from any geothermal resources area, and to appropriate the geothermal resources thereof for himself or for himself and another.

BB. "Person" shall mean any individual, firm, association or corporation or any other group or combination acting as a unit.

CC. "Potential" shall mean the properly determined ability of a well to produce geothermal resources under conditions prescribed by the division.

DD. "Temporary abandonment" shall mean a state or period of suspended operations during which essentially continuous drilling, production, injection, storage or work-over procedures have not taken place. Such period shall be 60 days for drilling wells and six months for all other classes of wells.

EE. "Thermal gradient well" shall mean a well drilled or used solely for temperature observation purposes, and which shall not be completed as a geothermal producing well or as an injection or disposal well.

FF. "Unorthodox well location" shall mean a location which does not conform to the well location requirements established by the geothermal rules and regulations of the division.

GG. "Waste" shall mean any physical waste including, but not limited to, underground waste resulting from the inefficient, excessive or improper use or dissipation of reservoir heat or energy or resulting from the location, spacing, drilling, equipping, operation or production of a geothermal resources well in such a manner as to reduce or tend to reduce the ultimate economic recovery of the geothermal resources within a reservoir and surface waste resulting from the inefficient production, gathering, transportation, storage or utilization of geothermal resources and the handling of geothermal resources in such a manner that causes or tends to cause the unnecessary or excessive loss or destruction of geothermal resources obtained or released from a geothermal reservoir.

HH. "Well" shall mean any exploratory well, development well, injection well, disposal well, thermal gradient well, geothermal observation well, or low-temperature thermal well, as defined herein.

[Rule G-01; Recompiled 12/31/01]

19.14.1.8 ENFORCEMENT OF LAWS, RULES, AND REGULATIONS DEALING WITH CONSERVATION OF GEOTHERMAL RESOURCES: The division, its agents, representatives, and employees are charged with the duty and obligation of enforcing all statutes, rules and regulations of the state of New Mexico relating to the conservation of geothermal resources. However, it shall be the responsibility of all geothermal resource owners or operators to obtain information pertaining to the regulation of geothermal resources before operations have begun. Minor deviations from the requirements of these rules as to field practices may be permitted by the division or its duly authorized

representatives where such can be safely done without waste and burdensome delay or expense to the operator avoided.
[Rule G-2; Recompiled 12/31/01]

19.14.1.9 WASTE PROHIBITED:

A. The production or handling of geothermal resources of any type or in any form, or the handling of products thereof, in such a manner or under such conditions or in such an amount as to constitute or result in waste is hereby prohibited.

B. All owners, operators, contractors, drillers, transporters, service companies, pipe pulling and salvage contractors and other persons shall at all times conduct their operations in the drilling, equipping, operating, producing, and plugging and abandoning of geothermal resource wells in a manner that will prevent waste of geothermal resources, and shall not wastefully utilize geothermal resources or allow leakage of such resources from a geothermal reservoir, or from wells, tanks, containers, or pipe, or other storage, conduit or operating equipment.
[Rule G-3; Recompiled 12/31/01]

19.14.1.10 PROTECTION OF LIFE, HEALTH AND THE ENVIRONMENT: All geothermal operations, exploratory, drilling and producing, shall be conducted in a manner that will afford maximum reasonable protection to human life and health and to the environment.
[Rule G-4; Recompiled 12/31/01]

19.14.1.11 OTHER DEPARTMENTS AND AGENCIES: Nothing in these rules shall be construed to supersede the authority which any state department or agency has with respect to the management, protection and utilization of the state lands and resources under its jurisdiction.
[Rule G-5; Recompiled 12/31/01]

19.14.1.12 UNITED STATES GOVERNMENT LEASES: It is recognized by the division that all persons conducting geothermal operations on United States government land shall comply with the United States government regulations. Such persons shall also comply with all applicable state rules and regulations which are not in conflict therewith.
[Rule G-6; Recompiled 12/31/01]

19.14.1.13 UNITIZED AREAS: After notice and hearing, the division may grant approval for the combining of two or more contiguous leases into a unitized area for purposes of exploration for and production of geothermal resources.
[Rule G-7; Recompiled 12/31/01]

19.14.1.14 CLASSIFYING AND DEFINING POOLS: The division will determine whether a particular well or field is a high-temperature geothermal well or field or a low-temperature thermal well or field, as the case may be, and will, from time to time, classify and reclassify wells and name pools accordingly, and will determine the limits of any field so designated and from time to time redetermine such limits.
[Rule G-8; Recompiled 12/31/01]

19.14.1.15 FORMS UPON REQUEST: Forms for written notices, requests and reports required by the division will be furnished upon request.
[Rule G-9; Recompiled 12/31/01]

19.14.1.16 AUTHORITY TO COOPERATE WITH OTHER AGENCIES: The division may from time to time enter into arrangements with state and federal governmental agencies, industrial committees and other persons, with respect to special projects, services and studies relating to conservation of geothermal resources.
[Rule G-10; Recompiled 12/31/01]

19.14.1.17 DESIGNATION OF AGENT: Any person who had drilled or is drilling or proposes to drill any geothermal well shall file a "designation of agent" (on a form approved by the division) with the division. The designated agent shall be a resident of this state and shall be the repository for all well records of wells drilled by the owner or operator for whom he is agent (Rule G-200 B) [now 19.14.51.9 NMAC]. All changes of address of the agent shall be immediately reported to the division in writing. Upon termination of any agent's authority, a new designation of agent shall be filed with the division within ten days.
[Rule G-100; Recompiled 12/31/01]

HISTORY OF 19.14.1 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-0.1, Definitions, 11/1/83.
Rule G-1, Scope of Rules and Regulations, 11/1/83.

Rule G-2, Enforcement of Laws, Rules, and Regulations Dealing with Conservation of Geothermal Resources, 11/1/83.
Rule G-3, Waste Prohibited, 11/1/83.
Rule G-4, Protection of Life, Health, and the Environment, 11/1/83.
Rule G-5, Other Departments and Agencies, 11/1/83.
Rule G-6, United States Government Leases, 11/1/83.
Rule G-7, Unitized Areas, 11/1/83.
Rule G-8, Classifying and Defining Pools, 11/1/83.
Rule G-9, Forms Upon Request, 11/1/83.
Rule G-10, Authority to Cooperate with Other Agencies, 11/1/83.
Rule G-100, Designation of Agent, 11/1/83

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-101.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 20 PLUGGING BOND

19.14.20.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.20.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.20.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.20.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.20.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.20.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.20.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.20.8 PLUGGING BOND:

A. Any person who has drilled or is drilling or proposes to drill any geothermal resources well shall post with the division, and obtain approval thereof, a bond, in a form approved by the division, conditioned to plug such well, if non-productive or when abandoned, in such a way as to confine all fluids in their native strata. Each such bond shall be executed by a responsible surety company authorized to transact business in the state of New Mexico and shall describe, or by subsequent rider describe, the name and exact location of the well, or wells, covered by the bond. Bonds may be either one-well bonds or multi-well bonds, in the amounts stated below in accordance with type of bond and depth of well(s):

(1) One-well bonds:

Projected depth of proposed well or Actual depth of existing well	Amount of bond
Less than 500 feet deep ("shallow")	$2,000
500 feet to 2,000 feet deep ("intermediate")	$3,000
More than 2,000 feet deep ("deep")	$5,000.

Revised plans for an actively drilling shallow or intermediate well being drilled under a one-well bond may be approved by the division for drilling as much as 15 percent deeper than the maximum depth on the well's bond, provided, however, any well drilled more than 15 percent deeper than the maximum allowed depth on the bond must be covered by a new bond in the amount prescribed for the deeper depth bracket, in which case the old bond will be released.

(2) Multi-well bonds:

Projected depth of proposed wells or Actual depth of existing wells	Amount of bond
Less than 500 feet deep ("shallow")	$10,000
500 feet to 2,000 feet deep ("intermediate")	$10,000
More than 2,000 feet deep ("deep")	$10,000

(a) Not more than ten shallow wells may be drilled under a $10,000 multi-well bond. A $2,000 one-well bond shall be posed for each additional shallow well drilled or an additional $10,000 multi-well bond must be posted for each additional ten (or portion thereof) shallow wells drilled.

(b) Not more than six intermediate wells may be drilled under a $10,000 multi-well bond. A $3,000 one-well bond shall be posted for each additional intermediate well drilled or an additional $10,000 multi-well bond must be posted for each additional six (or portion thereof) intermediate wells drilled.

(c) Not more than four deep wells may be drilled under a $10,000 multi-well bond. A $5,000 one-well bond shall be posted for each additional deep well drilled or an additional $10,000 multi-well bond must be posted for each additional four (or portion thereof) deep wells drilled.

(d) The $10,000 multi-well bond may be used to cover the drilling of a combination of wells, i.e.,

shallow and intermediate, shallow and deep, intermediate and deep, or shallow, intermediate and deep, provided however, that the $10,000 capacity of the bond shall be charged in an amount equal to the one-well bond requirement for each such combination well according to its depth.

(e) Revised plans for an actively drilling shallow or intermediate well being drilled under a multi-well bond may be approved for drilling as much as 15 percent deeper than the well's maximum depth bracket without affecting the bond. Any well drilled more than 15 percent deeper than its depth bracket, however, shall be placed in the next deeper depth bracket, and the $10,000 capacity of the multi-well bond charged accordingly. Additional bonding will be required in the event the capacity of the bond to cover the well in its new depth bracket is inadequate.

B. For the purposes of the division, the bond required is a plugging bond, not a drilling bond, and shall endure until the well has been plugged and abandoned, and such plugging and abandonment approved by the division. Transfer of the well or property does not release the bond. In case of transfer and the principal desires to be released from the bond, he shall proceed as follows:

(1) The principal on the bond shall notify the division in writing that the well, or wells, covered by the bond are being or have been transferred to a certain transferee. The notice shall name the wells and shall give their exact location.

(2) On the same instrument the transferee shall recite that he accepts such transfer and accepts the responsibility for such well, or wells, under his bond which shall be tendered therewith.

(3) When the division has approved the transfer, the transferor is immediately released of the plugging responsibility of the well, or wells, constitute all of the wells covered by the bond, such bond will be released by written notice from the division to the principal and to the surety company.

C. The division director is vested with power to act for the division in all matters relating to this rule. [Recompiled 12/31/01]

HISTORY OF 19.14.20 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

Rule G-101, Plugging Bonds, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-101.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 20 PLUGGING BOND

19.14.20.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.20.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.20.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.20.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.20.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.20.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.20.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.20.8 PLUGGING BOND:

A. Any person who has drilled or is drilling or proposes to drill any geothermal resources well shall post with the division, and obtain approval thereof, a bond, in a form approved by the division, conditioned to plug such well, if non-productive or when abandoned, in such a way as to confine all fluids in their native strata. Each such bond shall be executed by a responsible surety company authorized to transact business in the state of New Mexico and shall describe, or by subsequent rider describe, the name and exact location of the well, or wells, covered by the bond. Bonds may be either one-well bonds or multi-well bonds, in the amounts stated below in accordance with type of bond and depth of well(s):

(1) One-well bonds:

Projected depth of proposed well or Actual depth of existing well	Amount of bond
Less than 500 feet deep ("shallow")	$2,000
500 feet to 2,000 feet deep ("intermediate")	$3,000
More than 2,000 feet deep ("deep")	$5,000.

Revised plans for an actively drilling shallow or intermediate well being drilled under a one-well bond may be approved by the division for drilling as much as 15 percent deeper than the maximum depth on the well's bond, provided, however, any well drilled more than 15 percent deeper than the maximum allowed depth on the bond must be covered by a new bond in the amount prescribed for the deeper depth bracket, in which case the old bond will be released.

(2) Multi-well bonds:

Projected depth of proposed wells or Actual depth of existing wells	Amount of bond
Less than 500 feet deep ("shallow")	$10,000
500 feet to 2,000 feet deep ("intermediate")	$10,000
More than 2,000 feet deep ("deep")	$10,000

(a) Not more than ten shallow wells may be drilled under a $10,000 multi-well bond. A $2,000 one-well bond shall be posed for each additional shallow well drilled or an additional $10,000 multi-well bond must be posted for each additional ten (or portion thereof) shallow wells drilled.

(b) Not more than six intermediate wells may be drilled under a $10,000 multi-well bond. A $3,000 one-well bond shall be posted for each additional intermediate well drilled or an additional $10,000 multi-well bond must be posted for each additional six (or portion thereof) intermediate wells drilled.

(c) Not more than four deep wells may be drilled under a $10,000 multi-well bond. A $5,000 one-well bond shall be posted for each additional deep well drilled or an additional $10,000 multi-well bond must be posted for each additional four (or portion thereof) deep wells drilled.

(d) The $10,000 multi-well bond may be used to cover the drilling of a combination of wells, i.e.,

shallow and intermediate, shallow and deep, intermediate and deep, or shallow, intermediate and deep, provided however, that the $10,000 capacity of the bond shall be charged in an amount equal to the one-well bond requirement for each such combination well according to its depth.

(e) Revised plans for an actively drilling shallow or intermediate well being drilled under a multi-well bond may be approved for drilling as much as 15 percent deeper than the well's maximum depth bracket without affecting the bond. Any well drilled more than 15 percent deeper than its depth bracket, however, shall be placed in the next deeper depth bracket, and the $10,000 capacity of the multi-well bond charged accordingly. Additional bonding will be required in the event the capacity of the bond to cover the well in its new depth bracket is inadequate.

B. For the purposes of the division, the bond required is a plugging bond, not a drilling bond, and shall endure until the well has been plugged and abandoned, and such plugging and abandonment approved by the division. Transfer of the well or property does not release the bond. In case of transfer and the principal desires to be released from the bond, he shall proceed as follows:

(1) The principal on the bond shall notify the division in writing that the well, or wells, covered by the bond are being or have been transferred to a certain transferee. The notice shall name the wells and shall give their exact location.

(2) On the same instrument the transferee shall recite that he accepts such transfer and accepts the responsibility for such well, or wells, under his bond which shall be tendered therewith.

(3) When the division has approved the transfer, the transferor is immediately released of the plugging responsibility of the well, or wells, constitute all of the wells covered by the bond, such bond will be released by written notice from the division to the principal and to the surety company.

C. The division director is vested with power to act for the division in all matters relating to this rule. [Recompiled 12/31/01]

HISTORY OF 19.14.20 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-101, Plugging Bonds, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-102.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 21 DRILLING PERMIT

19.14.21.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.21.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.21.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.21.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.21.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.21.6 OBJECTIVE: [RESERVED]

19.14.21.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.21.8 DRILLING PERMIT:

A. Prior to the commencement of operations, the owner or operator of any proposed well to be drilled for geothermal exploration, production, observation, or thermal gradient, or for injection or disposal purposes, shall file division form G-101, application for permit to drill, deepen or plug back-geothermal resources well, and obtain approval thereof from the division. form G-101 shall be accompanied by form G-102, geothermal resources well location and acreage dedication plat.

B. No permit shall be approved for the drilling of any well within the corporate limits of any city, town or village of this state unless notice of intention to drill such well has been given to the duly constituted governing body of such city, town or village or its duly authorized agent. Evidence of such notification shall accompany the application for a permit to drill (form G-101).
[Recompiled 12/31/01]

HISTORY OF 19.14.21 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-102, Drilling Permit, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-103.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 22 SIGN ON WELLS

19.14.22.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.22.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.22.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.22.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.22.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.22.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.22.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.22.8 SIGN ON WELLS: Each well, other than a thermal gradient well, shall be identified by a sign, posted on the drilling rig or not more than 20 feet from the well. Such sign shall be of durable construction and the lettering thereon kept in legible condition. Lettering shall be such that under normal conditions it shall be legible at a distance of 50 feet. Each sign shall show the name of the owner or operator of the well, the name of the lease, the number of the well, and the location of the well by quarter-quarter section, township and range. Each lease shall have a different and distinctive name, and the wells thereon shall be numbered in non-repetitive, logical sequence.
[Recompiled 12/31/01]

HISTORY OF 19.14.22 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-103, Sign on Wells, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-104.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 23 WELL SPACING

19.14.23.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.23.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.23.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.23.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.23.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.23.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.23.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.23.8 CLASSIFICATION OF WELLS:

A. Any well, other than a thermal gradient well, a geothermal observation well or a low-temperature thermal well, which is drilled a distance of one mile or more outside the boundary of any defined geothermal field and a distance of one mile or more beyond any well which is within one mile of such field, shall be classified as an exploratory well, and as such shall be spaced, drilled, operated and produced in accordance with these Geothermal Rules and Regulations.

B. Any well, other than a thermal gradient well, a geothermal observation well or a low-temperature thermal well, which is not an exploratory well as defined above shall be classified as a development well, unless such well is being drilled for injection or disposal purposes, in which case it will be appropriately classified.

C. Any well classified as a development well or injection or disposal well within a given geothermal field shall be drilled, operated and produced in accordance with these Geothermal Rules and Regulations unless special rules in conflict therewith have been promulgated for such field, said special rules then being applicable.
[Recompiled 12/31/01]

19.14.23.9 ACREAGE AND WELL LOCATION REQUIREMENTS:

A. Exploration wells. A well classified as an exploratory well shall be located on a designated drilling tract comprising at least 40 surface acres (being a quarter-quarter section of the U. S. public land surveys, or a projection thereof if on unsurveyed land) , and shall be located at least 330 feet from the outer boundary of the quarter-quarter section, at least 660 feet from the nearest such other well drilling to or capable of producing from or injection into the same formation to which it is projected, and at least 100 feet from any public road, street or highway dedicated prior to commencement of drilling.

B. Development wells. A well classified as a development well shall be located on a designated drilling tract comprising at least 10 surface acres (being a quarter-quarter-quarter section of the U.S. public land surveys or a projection thereof if on unsurveyed land), and shall be located at least 165 feet from the outer boundary of the quarter-quarter-quarter section, at least 330 feet from the nearest well drilling to or capable of production from or injection into the same geothermal reservoir to which it is projected, and at least 100 feet from any public road, street or highway dedicated prior to commencement of drilling.

C. Injection wells. Injection wells drilled for the purpose of injecting into a geothermal reservoir shall be located at least 330 feet from the outer boundary of the lease or drilling parcel and at least 100 feet from any public road, street or highway dedicated prior to commencement of drilling.

D. Disposal wells. There shall be no restriction as to the placement of geothermal disposal wells.

E. Thermal gradient wells and low-temperature thermal wells. There shall be no restriction as to the placement of thermal gradient wells or low-temperature thermal wells.
[Recompiled 12/31/01]

19.14.23.10 NON-STANDARD LOCATIONS:

A. The division director shall have the authority to grant an exception to the well location requirements of Rules B (1) , (2) , and (3) [now Subsections A, B and C of 19.14.23.9 NMAC] above without notice and hearing when such application is based upon topographical or geologic or engineering considerations.

B. Applications for such administrative approval shall be filed in duplicate and shall be accompanied by a plat showing the ownership of surrounding lands (within a 990-foot radius of the proposed location if application is for exception to Rule G-104 B (1) [now Subsection A of 19.14.23.9 NMAC] exploration wells; within a 495-foot radius of the proposed location if application is for exception to Rule G-104 B (2) [now Subsection B of 19.14.23.9 NMAC] development wells; within a 990-foot radius of the proposed location if application is for exception to Rule G-104 B (3) [now Subsection C of 19.14.23.9 NMAC] injection wells; and all drilling or completed wells thereon. If the proposed non-standard location is based upon topography, the plat shall also show the existent topographical conditions. If it is based upon geologic or engineering considerations, the application shall be accompanied by a geologic or engineering analysis, explaining the necessity for the non-standard location.

C. A copy of the application and accompanying plats and documents shall also be sent to the other owners, if any there be, within the above prescribed radii of the proposed non-standard location and the application shall state that such required copies have been so furnished. The division director may approve the non-standard location upon receipt of waivers from the above other owners or if no such other owner has entered an objection to the non-standard location within 20 days after receipt of the application by the division. If such objection is received, the matter will be set for hearing if the applicant so desires. If the director is not convinced of the necessity or desirability of such exception, he may require supplemental information to justify the exception, or set the matter for hearing if the applicant so desires.
[Recompiled 12/31/01]

19.14.23.11 OFFSETTING ACTION: Whenever an exception to the well location requirements is granted, the division after hearing may take such action as may be necessary to offset any advantage the person securing the exception may gain over other owners within the same geothermal reservoir.
[Recompiled 12/31/01]

19.14.23.12 SPECIAL ACREAGE AND WELL LOCATION REQUIREMENTS: In order to prevent waste and protect correlative rights, the division may, after notice and hearing, adopt different well location requirements and greater or lesser acreage dedication requirements than those contained in Rules G-104 B (1), (2), and (3) [now Subsections A, B and C of 19.14.23.9 NMAC] above for a particular geothermal reservoir and may adopt special well location and acreage dedication requirements for a particular low-temperature thermal field.
[Recompiled 12/31/01]

HISTORY OF 19.14.23 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-104, Well Spacing, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-105.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 24 ROTARY DRILLING AND CABLE TOOL DRILLING

19.14.24.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.24.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.24.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.24.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.24.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.24.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.24.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.24.8 ROTARY DRILLING AND CABLE TOOL DRILLING: Rotary drilling equipment, adequately equipped to contain underground pressures and prevent or control blowouts, shall be used for the drilling of all geothermal resources wells except thermal gradient wells, low-temperature thermal wells and disposal wells, none of which will penetrate any high pressure zone or formation, in which case cable tools may be used.
[Recompiled 12/31/01]

HISTORY OF 19.14.24 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-105, Rotary Drilling and Cable Tool Drilling, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-106.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 25 DRILLING MUD AND MUD PITS

19.14.25.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.25.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.25.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.25.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.25.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.25.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.25.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.25.8 DRILLING MUD AND MUD PITS:

A. In order to assure an adequate supply of drilling fluid to confine all natural fluids to their respective native strata and to prevent blowouts, each operator shall, prior to commencing drilling operations, provide a pit of adequate size to hold such drilling fluid and to receive drill cuttings, and such pit shall be so constructed and maintained to prevent contaminants from overflowing on the surface of the ground and/or entering any water course.

B. The temperature of the return mud shall be monitored continuously during the drilling of the surface casing hole, and in the case of a thermal gradient well, shall be monitored to total depth. Either a continuous temperature recording device shall be installed and maintained in good working condition, or the temperature shall be measured manually and recorded at least one time each hour.
[Recompiled 12/31/01]

HISTORY OF 19.14.25 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-106, Drilling Mud and Mud Pits, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-107.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 26 SEALING OFF STRATA

19.14.26.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.26.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.26.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.26.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.26.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.26.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.26.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.26.8 SEALING OFF STRATA:

A. During the drilling of any well, all fresh water strata and salt water strata overlying the geothermal resources strata shall be sealed or separated to prevent the migration of fluids from one stratum to the other.

B. All waters of present or probable future value for domestic, commercial, agricultural or stock purposes shall be confined to their respective strata and shall be adequately protected by methods approved by the division. Special precautions by methods satisfactory to the division shall be taken to guard against loss of artesian water from the strata in which it occurs, and to prevent the contamination of such artesian water strata by any objectional geothermal fluids. Sealing off of strata, and migration prevention shall ordinarily be accomplished by cementing casing.
[Recompiled 12/31/01]

HISTORY OF 19.14.26 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-107, Sealing Off Strata, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-108.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 27 CASING AND CEMENTING REQUIREMENTS

19.14.27.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.27.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.27.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.27.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.27.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.27.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.27.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.27.8 CASING AND CEMENTING REQUIREMENTS:

A. All wells drilled for the production of geothermal resources, including low-temperature thermal wells, and all specialty wells, including injection and disposal wells, shall be cased and cemented in such manner as to protect surface waters, if any, useable ground waters, geothermal resources, and life, health and property. Thermal gradient wells shall be drilled, completed and plugged in such a manner as to protect surface waters, in any, and useable ground waters. The division may require casing and cementing as is deemed necessary for such wells.

B. All casing strings reaching the surface shall provide adequate anchorage for blowout prevention equipment, hole pressure control, and protection for all natural resources. Although specifications for casing programs shall be determined on a well-to-well basis, the following general casing requirements should be used as guidelines in submitting form G-101, application for permit to drill, deepen, or plug back-geothermal resources well.

(1) Conductor Pipe: A minimum of 90 feet and a maximum of 200 feet. In special cases the division may allow conductor pipe to be run and cemented at deeper depths. Annular space is to be cemented solid to the surface. An annular blowout-preventer or equivalent approved by the division shall be installed on conductor pipe on exploratory wells and on development wells when deemed necessary by the division. Note: For thermal gradient wells and low-temperature thermal wells the conductor pipe requirement may be reduced or waived by the division. The above conductor pipe requirements are not meant to be applicable to the single or double joint of large diameter pipe often run to keep mud out of the cellar.

(2) Surface Casing: Except in the case of thermal gradient wells and low-temperature thermal wells, the surface casing hole shall be logged with an electrical or radioactivity log, or equivalent, before running casing. Note: This requirement may vary from area to area, depending upon the amount of subsurface data available, and may be waived under certain conditions. Requests for exceptions to the logging requirement should be noted on form G-101 when applying for a drilling permit. Surface casing shall provide for control of formation fluids, for protection of useable ground water and for adequate anchorage for blowout-prevention equipment. All surface casing shall be, if possible, cemented solid to the surface.

(a) Length of Surface Casing:

(i) In areas where subsurface geological conditions are variable or unknown, surface casing in general shall be set at a depth equalling or exceeding 10 percent of the proposed total depth of the well. A minimum of 200 feet and a maximum of 1,500 feet of surface casing shall be set.

(ii) In areas of known high formation pressure, surface casing shall be set at a depth determined by the division after a careful study of geological conditions. The division will make such a determination within 30 days. Drilling shall not commence until such determination has been made.

(iii) Within the confines of designated geothermal fields, the depth at which surface casing shall be set shall be determined by the division on the basis of known field conditions. Requirements (a)(1) and (a)(2) [now (i) and (ii) of Subparagraph (a) and (b)of Paragraph (2) of Subsection B of 19.14.27.8 NMAC] above may be waived for low-

temperature thermal wells.

(b) Cementing Point for Surface Casing:

(i) In areas where subsurface geological conditions are variable or unknown, surface casing shall be set in accordance with (a) (1) [now (i) Subparagraph (a) of Paragraph (2) of Subsection B of 19.14.27.8 NMAC] above and through a sufficient series of low permeability, competent lithologic units (such as claystone or siltstone) to ensure a solid anchor for blowout-prevention equipment and to protect useable ground water and surface water from contamination. A second string of surface casing may be required if the first string has not been cemented through a sufficient series of low permeability, competent lithologic units and either a rapidly increasing thermal gradient or rapidly increasing formation pressures are encounted.

(ii) In areas of known high formation pressure, surface casing shall be set in accordance with (a) (2) [now (ii) Subparagraph (a) of Paragraph (2) of Subsection B of 19.14.27.8 NMAC] above and through a sufficient series of low permeability, competent lithologic units (such as claystone, siltstone or basalt) to ensure a solid anchor for blowout-prevention equipment and to protect useable ground water and surface water from contamination. A second string of surface casing may be required, before drilling into the known high pressure zone is permitted, if the first string of surface casing has not been cemented through a sufficient series of low-permeability, competent lithologic units.

(iii) Within the confines of designated geothermal fields, cementing point shall be determined by the division on the basis of known field conditions. Requirements (b)(1) and (b)(2) [now (i) and (ii) of Subparagraph (b) of Paragraph (2) of Subsection B of 19.14.27.8 NMAC] above may be waived for low-temperature thermal wells.

(c) Return mud temperatures: Return mud temperatures shall be entered into the log book after each joint of pipe has been drilled down. See Rule G-106(b) [now Subsection B of 19.14.25.8 NMAC].

(d) Blowout-prevention equipment (BOPE): BOPE capable of shutting in the well during any operation shall be installed on the surface casing and maintained ready for use at all time (see Section H) [see compiler's note].

(3) Intermediate casing: Intermediate casing shall be required for protection against anomalous pressure zones, caveins, washouts, abnormal temperature zones, uncontrollable lost circulation zones or other drilling hazards. Intermediate casing strings shall be, if possible, cemented solid to the surface. This requirement (to circulate cement) may be waived if the production casing will be cemented to the surface.

(4) Production casing: Production casing may be set above or through the producing or injection zone and cemented above the objective zones. Sufficient cement shall be used to exclude overlying formation fluids from the zone, to segregate zones and to prevent movement of fluids behind the casing into zones that contain useable ground water. Production casing shall either be cemented solid to the surface or lapped into intermediate casing, if run. If the production casing is lapped into an intermediate string, the casing overlap shall be at least 50 feet, the lap shall be cemented solid, and it shall be pressure tested to ensure its integrity. In order to reduce casing corrosion, production casing used to produce corrosive brine reservoirs shall be of the same nominal inside diameter from the shoe of the casing to the ground surface.

(5) Casing and Cement Tests: All casing strings shall be tested after cementing and before commencing any other operations on the well. Form G-103 shall be filed for each casing string reporting the grade and weight of pipe used. In the case of combination strings utilizing pipe of varied grades or weights, the footage of each grade and weight used shall be reported. The results of the casing test, including actual pressure held on the pipe and the pressure drop observed, shall also be reported on the form G-103. See Rule G-203C(2) [now Paragraph (2) of Subsection C of 19.14.54.8 NMAC].

(a) Casing strings in wells drilled with rotary tools shall be pressure-tested. Minimum casing test pressure shall be approximately one-third of the manufacturer's rated internal yield pressure except that the test pressure shall not be less than 600 pounds per square inch and need not be greater than 1,500 pounds per square inch. In cases where combination strings are involved, the above test pressures shall apply to the lowest pressure-rated casing used. Test pressures shall be applied for a period of 30 minutes. If a drop of more than ten percent of the test pressure should occur, the casing or cement job shall be considered defective and corrective measures shall be taken before commencing any further operations on the well.

(b) Casing strings in wells drilled with cable tools may be tested as outlined in Rule 5(a) [now Subparagraph (a) of Paragraph (5) of Subsection B of 19.14.27.8 NMAC] above, or by bailing the well dry, in which case the well must remain satisfactorily dry for a period of at least one hour before commencing any further operations on the well.

(6) Defective casing or cementing: If the cementing of any casing appears to be defective, or if the casing in any well appears to be defective or corroded or parted, or if there appears to be any underground leakage for whatever other reason, which may cause or permit underground waste, the operator shall proceed with diligence to use the appropriate method or methods to eliminate such hazard. If such hazard of waste cannot be eliminated, the well shall be plugged and abandoned in accordance with a division approved plugging program.

(7) Logging: All wells, except thermal gradient wells and low-temperature thermal wells, shall be logged with an electrical or radioactivity log, or equivalent, from total depth to the surface casing shoe. This requirement may be waived by the division depending upon geological or engineering conditions.

[Recompiled 12/31/01]

HISTORY OF 19.14.27 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

Rule G-108, Casing and Cementing Requirements, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-109.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 28 DEVIATION TESTS AND DIRECTIONAL DRILLING

19.14.28.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.28.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.28.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.28.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.28.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.28.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.28.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.28.8 DEVIATION TESTS AND DIRECTIONAL DRILLING:

A. Any well which is deepened or drilled with rotary tools shall be tested at reasonably frequent intervals to determine the deviation from the vertical. Such tests shall be made at least each 500 feet or at the first bit change succeeding 500 feet. A tabulation of all deviation tests, sworn to and notarized, shall be filed with form G-105, geothermal resources well log. When the deviation averages more than five degrees in any 500-foot interval, the division director may require that a directional survey be run to establish the location of the producing interval(s).

B. The division director, at the request of an offset operator, may require any operator to make a directional survey of any well. Said directional survey and all associated costs shall be at the expense of the requesting party and shall be secured in advance by a $5,000.00 indemnity bond posted with and approved by the division. The requesting party may designate the well survey company, and said survey shall be witnessed by a representative of the division.

C. No well shall be intentionally deviated except toward the vertical without prior permission from the division. Permission to deviate a well other than toward the vertical shall be obtained on division form G-103 with copies of said form G-103 being furnished to all other operators owning leases offsetting the drilling tract, if any there be. Upon request of the division director any well which was intentionally deviated shall be directionally surveyed. The division may at its option witness such survey and the Santa Fe office shall be notified of the date and hour all directional surveys are to be conducted. All directional surveys run on any well which was intentionally deviated in any manner for any reason must be filed with the division upon completion of the well. Form G-104, certificate of compliance and authorization to produce geothermal resources, will not be approved until the operator has submitted an affidavit that all such directional surveys have been filed.
[Recompiled 12/31/01]

HISTORY OF 19.14.28 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-109, Deviation Tests and Directional Drilling, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-110.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 29 SHOOTING AND CHEMICAL TREATMENT OF WELLS

19.14.29.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.

[Recompiled 12/31/01]

19.14.29.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.29.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.29.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.29.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.29.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.29.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.29.8 SHOOTING AND CHEMICAL TREATMENT OF WELLS: If injury results to the producing formation, casing or casing seat from shooting or treating a well, the operator thereof shall proceed with diligence to use the appropriate method and means for rectifying such damage. If shooting or chemical treating results in irreparable injury to the well, the division may require the operator to properly plug and abandon the well.
[Recompiled 12/31/01]

HISTORY OF 19.14.29 NMAC
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-110, Shooting and Chemical Treatment of Wells, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-111.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 30 RIGHT OF ENTRY

19.14.30.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.30.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.30.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.30.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.30.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.30.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.30.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.30.8 RIGHT OF ENTRY: The division or its duly authorized representatives shall have the right of entry onto any geothermal resources site for the purpose of inspecting wells and equipment and for the purpose of determining whether compliance with or violation of these rules is occurring.
[Recompiled 12/31/01]

HISTORY OF 19.14.30 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-111, Right of Entry, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-112.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 31 NOISE ABATEMENT

19.14.31.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.31.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.31.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.31.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.31.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.31.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.31.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.31.8 NOISE ABATEMENT: Adequate noise abatement equipment shall be installed and maintained in good condition to reduce noise to a level approved by the division or its representative on any drilling or producing geothermal resources well located within 1,500 feet of a habitation, school or church.
[Recompiled 12/31/01]

HISTORY OF 19.14.31 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-112, Noise Abatement, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-113.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 32 SAFETY REGULATIONS

19.14.32.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.32.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.32.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.32.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.32.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.32.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.32.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.32.8 SAFETY REGULATIONS: The well site around any drilling or producing well shall be kept clear of any rubbish or debris or fuel which may constitute a fire hazard. In any area where there is any likelihood of encountering unexpected hydrocarbons, the drilling mud and cuttings shall be stored in a pit a safe distance from the drilling rig. All waste shall be burned or disposed of in such a manner as to avoid creating a fire hazard.
[Recompiled 12/31/01]

HISTORY OF 19.14.32 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-113, Safety Regulations, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-114.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 33 WELL HEADS AND PRODUCTION EQUIPMENT

19.14.33.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.33.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.33.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.33.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.33.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.33.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.33.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.33.8 WELL HEADS AND PRODUCTION EQUIPMENT:

A. Well heads and all fittings appurtenant thereto shall be installed and maintained in good condition so that all necessary pressure tests may be readily made on flowing wells. The well head and related parts and fittings shall have a test pressure equivalent to at least 150 percent of the calculated or known pressure in the reservoir from which production is obtained or expected.

B. Valves shall be installed and maintained in good order to permit pressures to be obtained on the production casing and the annulus between the casing strings.

C. Flow lines shall be of adequate pressure rating and capacity and shall be sufficiently equipped with expansion bends to prevent leakage or rupture.

D. All separators, pumps, mufflers, manifolds, flowlines, and other equipment used for the production of geothermal resources shall be of adequate pressure rating and capacity and shall be maintained in good condition in order to prevent loss of or damage to human life and health or to property or natural resources.
[Recompiled 12/31/01]

HISTORY OF 19.14.33 NMAC
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-114, Well Heads and Production Equipment, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-115.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 34 CORROSION

19.14.34.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.34.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.34.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.34.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.34.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.34.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.34.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.34.8 CORROSION: All well head equipment, surface production equipment, flowlines and pipelines and subsurface casing and tubing shall be subject to periodic surveillance to prevent leakage or rupture and to safeguard human life and health and property and natural resources.
[Recompiled 12/31/01]

HISTORY OF 19.14.34 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-115, Corrosion, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-116.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 35 DISPOSAL OF PRODUCED WATERS

19.14.35.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.35.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.35.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.35.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.35.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.35.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.35.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.35.8 DISPOSAL OF PRODUCED WATERS: The disposal of highly mineralized waters produced from geothermal resources wells shall be in such a manner as to not constitute a hazard to surface waters or underground supplies of useable water.
[Recompiled 12/31/01]

HISTORY OF 19.14.35 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-116, Disposal of Produced Waters, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-117.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 36 NOTIFICATION OF FIRE, BREAKS, LEAKS, SPILLS AND BLOWOUTS

19.14.36.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.36.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.36.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.36.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.36.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.36.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.36.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.36.8 NOTIFICATION OF FIRE, BREAKS, LEAKS, SPILLS AND BLOWOUTS:

A. The division shall be notified of any fire, break, leak, spill or blowout occurring at any geothermal drilling, producing, transporting, treating, disposal or utilization facility in the state of New Mexico by the person operating or controlling such facility.

B. "Facility", for the purpose of this rule, shall include any geothermal drilling, producing, injection or disposal well; any pipeline through which geothermal resources or the waste products thereof are gathered or transported; any tank or other storage unit into which geothermal products, waters or wastes are produced, received or stored; any treating plant in which geothermal resources are treated or processed; any electrical generating plant in which geothermal resources are utilized; and any drilling pit, slush pit or storage pit or pond associated with geothermal drilling, producing, treating or utilization processes in which hydrocarbons or hydrocarbon waste or residue, salt water, strong caustics or acids, or other deleterious chemicals or harmful substances are present.

C. Notification to the division of such fire, break, leak, spill or blowout shall be in accordance with the provisions set forth below:

(1) Well Blowouts. Notification of well blowouts and/or fires shall be "immediate notification" described below.

(2) "Major" breaks, spills or leaks. Notification of breaks, spills, or leaks of wellheads, pipelines, or tanks, or drilling pits, slush pits or storage pits or ponds, the result of which 50 barrels or more of liquids containing hydrocarbons or hydrocarbon wastes, salt water, strong caustics or strong acids or other deleterious substances reach a water course or enter a stream or lake, or in which noxious gases escape or any quantity of fluids are lost which may with reasonable probability endanger human health or result in substantial damage to property, shall be "immediate notification" described below.

(3) "Minor" breaks, spills or leaks. Notification of breaks, spills or leaks of wellheads, pipelines, or tanks, or drilling pits, slush pits or storage pits or ponds, the result of which 25 barrels or more but less than 50 barrels of liquids containing hydrocarbons or hydrocarbon wastes, salt water, strong caustics or strong acids or other deleterious substances are lost or in which noxious gases escape, but in which there is no danger of human health nor of substantial damage to property shall be "subsequent notice" described below.

(4) Fires. Notification of fires at geothermal installations in which there is reasonable probability of danger to human health or substantial damage to adjoining properties or substantial loss of geothermal resources shall be "immediate notice" described below. Notification of fires of lesser magnitude but of $500.00 or more of property damage or $500.00 or more geothermal resources loss shall be "subsequent notice" described below.
[Recompiled 12/31/01]

19.14.36.9 IMMEDIATE NOTIFICATION: "Immediate Notification" shall be as soon as possible after discovery and shall be in person or by telephone to the Santa Fe office of the nearest district office of the division if the incident occurs

during business hours. If the incident occurs after business hours, notification shall be in accordance with the latest division memorandum on the subject. A complete written report of the incident shall be submitted to the Santa Fe office of the division within ten days after discovery of the incident.
[Recompiled 12/31/01]

19.14.36.10 SUBSEQUENT NOTIFICATION: "Subsequent notification" shall be a complete written report of the incident and shall be submitted to the Santa Fe office of the division within ten days after discovery of the incident.
[Recompiled 12/31/01]

19.14.36.11 CONTENT OF NOTIFICATION: All reports of fires, breaks, spills, leaks or blowouts, whether verbal or written, shall identify the location of the incident by quarter-quarter, section, township and range, and by distance and direction from the nearest town or prominent landmark so that the exact site of the incident can be readily located on the ground. The report shall specify the nature and quantity of the loss and also the general condition prevailing in the area, including precipitation, temperature and soil conditions. The report shall also detail the measures that have been taken and are being taken to remedy the situation reported.
[Recompiled 12/31/01]

19.14.36.12 WATERCOURSE: For the purpose of this Rule, is defined as any lake-bed or gully, draw, streambed, wash, arroyo or natural or man-made channel through which water flows or has flowed.
[Recompiled 12/31/01]

HISTORY OF 19.14.36 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-117, Notification of Fire, Breaks, Leaks, Spills and Blowouts, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-118.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 37 MEASUREMENT OF PRODUCTION

19.14.37.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.37.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.37.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.37.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.37.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.37.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.37.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.37.8 MEASUREMENT OF PRODUCTION: All production from a completed geothermal resources well shall be accounted for by continuous metering or by other method approved by the division.
[Recompiled 12/31/01]

HISTORY OF 19.14.37 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-118, Measurement of Production, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-119.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 38 UTILIZATION OF GEOTHERMAL RESOURCES

19.14.38.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.38.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.38.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.38.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.38.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.38.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.38.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.38.8 UTILIZATION OF GEOTHERMAL RESOURCES: After the completion of a geothermal resources well, all production from said well shall be put to beneficial use. No production shall be permitted unless beneficial use is made thereof except for authorized periods of testing, in which case proper disposition of produced liquids shall be made.
[Recompiled 12/31/01]

HISTORY OF 19.14.38 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-119, Utilization of Geothermal Resources, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-200.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 51 GENERAL PROVISIONS

19.14.51.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.51.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.51.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.51.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.51.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.51.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.51.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.51.8 BOOKS AND RECORDS: All producers, transporters, purchasers or utilizers of geothermal resources within the state of New Mexico shall make and keep appropriate books and records for a period of not less than five years, covering their operations in this state, from which they may be able to substantiate the reports required by these rules.
[Recompiled 12/31/01]

19.14.51.9 WELL RECORDS: The owner or operator of any geothermal resources well shall keep, or cause to be kept, a careful and accurate well log and history of the drilling of any such well, including the lithologic characteristics and depth of formations encountered, and the depths, pressures and temperatures of water-bearing and steam-bearing strata. These data, as well as such other tests, surveys and logs which may be taken on the well including the temperatures, chemical compositions and physical characteristics of fluids encountered in the well, deviation, directional and temperature surveys, logs, including electrical logs, physical logs and core logs, and tests, including potential tests, shall be placed in the custody of the designated agent (see Rule G-100) [now 19.14.12.17 NMAC] of the owner or operator of the well and shall remain in such custody within the state of New Mexico until all required forms and attachments pertaining to the well have been filed with the division. These data shall be subject to inspection, during normal business hours, by the division or its representatives, and by the state engineer or his representatives.
[Recompiled 12/31/01]

19.14.51.10 WHERE TO FILE REPORTS: All forms and reports required by these rules shall be filed with the New Mexico oil conservation division, geothermal section, Post Office Box 2088, Santa Fe, New Mexico 87501.
[Recompiled 12/31/01]

19.14.51.11 ADDITIONAL DATA: These rules shall not be construed to limit or restrict the authority of the division to require the furnishing of such additional reports, data or other information relative to the production, transportation or utilization of geothermal resources in the state of New Mexico as may appear to be necessary or desirable, either generally or specifically, for the prevention of waste and the conservation of natural resources of the state of New Mexico.
[Recompiled 12/31/01]

HISTORY OF 19.14.51 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-200, General, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-201.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 52 APPLICATION FOR PERMIT TO DRILL, DEEPEN OR PLUG BACK-GEOTHERMAL RESOURCES WELL (FORM G-101)

19.14.52.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.52.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.52.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.52.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.52.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.52.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.52.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.52.8 APPLICATION FOR PERMIT TO DRILL, DEEPEN OR PLUG BACK-GEOTHERMAL RESOURCES WELL (FORM G-101): Before commencement of drilling or deepening operations of any geothermal resources well, or before plugging a well back ro another zone, the operator of the well shall obtain a permit to do so. To obtain such a permit the operator shall submit to the division four copies of form G-101, application for permit to drill, deepen or plug back-geothermal resources well, completely filled in. If the operator has an approved bond in accordance with Rule G-101 [now 19.14.20 NMAC] and has filed satisfactory "designation of agent" (Rule G-100) [now 19.14.1.17 NMAC], and the proposed well meets the spacing and well location requirements (Rule G-104) [now 19.14.23 NMAC] , one copy of the drilling permit will be returned to him on which will be noted the division's approval, with any modification deemed advisable. If the proposal cannot be approved for any reason, the forms G-101 will be returned with the cause for rejection stated thereon.

A. Each copy of form G-101 must be accompanied by one copy of form G-102, geothermal resources well location and acreage dedication plat. (See Rule G-202) [now 19.14.53 NMAC].

B. If the well is to be drilled on state land, five copies of forms G-101 and G-102 shall be submitted, the extra copy being for the state land office.
[Recompiled 12/31/01]

HISTORY OF 19.14.52 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-201, Application for Permit to Drill, Deepen or Plug Back-Geothermal Resources Well (Form G-101), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-202.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 53 GEOTHERMAL RESOURCES WELL LOCATION AND ACREAGE DEDICATION PLAT. (FORM G-102)

19.14.53.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.53.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.53.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.53.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.53.5 EFFECTIVE DATE: [Novemver 15, 1983]
[Recompiled 12/31/01]

19.14.53.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.53.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.53.8 GEOTHERMAL RESOURCES WELL LOCATION AND ACREAGE DEDICATION PLAT. (FORM G-102):

A. Form G-102 is a dual purpose form used to show the exact location of the well and the acreage dedicated thereto. The form is also used to show the ownership and status of each lease contained within the dedicated acreage. When there is more than one working interest or royalty owner on a given lease, designation of the majority owner et al. will be sufficient.

B. All information required on form G-102 shall be filled in and certified by the operator of the well except the well location on the plat. This is to be plotted from the outer boundaries of the section and certified by a registered professional engineer and/or land surveyor, registered in the state of New Mexico, or a surveyor approved by the Division. The surveyed location of thermal gradient wells is not required. Instead, an estimated location in a given quarter-quarter section will suffice.

C. Form G-102 shall be submitted in quadruplicate or quintuplicate as provided in Rule G-201 [now 19.14.52 NMAC].

D. Amended form G-102 (in quadruplicate or quintuplicate) shall be filed in the event there is a change in any of the information previously submitted. The well location need not be certified when filing amended form G-102.
[Recompiled 12/31/01]

HISTORY OF 19.14.53 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-202, Geothermal Resources Well Location and Acreage Dedication Plat (Form G-102), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-203.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 54 SUNDRY NOTICES AND REPORTS ON GEOTHERMAL RESOURCES WELL (FORM G-103)

19.14.54.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.54.2 SCOPE: [RESERVED]

19.14.54.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.54.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.54.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.54.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.54.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.54.8 SUNDRY NOTICES AND REPORTS ON GEOTHERMAL RESOURCES WELL (FORM G-103): Form G-103 is a dual purpose form to be filed with the Santa Fe office of the division to obtain approval prior to commencing certain operations and also to report various completed operations.

A. Form G-103 as a notice of intention: form G-103 shall be filed in duplicate by the operator and approval obtained from the division prior to:

(1) Effecting a change of plans from those previously approved on form G-101 or form G-103.

(2) Altering a drilling wells casing program or pulling casing or otherwise altering an existing well's casing installation.

(3) Temporarily abandoning a well. (See Rule G-303 B) [now 19.14.73.9 NMAC].

(4) Plugging and abandoning a well. (See Rules G-302 and G-303 A) [now 19.14.72 NMAC and 19.14.73.8 NMAC].

(5) Performing remedial work on a well which, when completed, will affect the original status of the well. (This shall include making new perforations in existing wells or squeezing old perforations in existing wells, but is not applicable to new wells in the process of being completed not to old wells being deepened or plugged back to another zone when such recompletion has been authorized by an approved form G-101, application for permit to drill, deepen, or plug back, nor to acidizing, fracturing or cleaning out previously completed wells.).

(6) In the case of well plugging operations, the notice of intention shall include a detailed statement of the proposed work, including plans for shooting and pulling casing, plans for mudding, including weight of mud, plans for cementing, including number of sacks of cement and depths of plugs and the time and date of the proposed plugging operations. (See Rules G-302 and G-303 A) [now 19.14.72 NMAC and 19.14.73.8 NMAC].

B. Form G-103 as a Subsequent Report. Form G-103 as a subsequent report of operations shall be filed in accordance with the section of this Rule applicable to the particular operation being reported. Form G-103 is to be used in reporting such completed operations as:

(1) Commencement of drilling operations
(2) Casing and cement test
(3) Altering a well's casing installation
(4) Temporary abandonment
(5) Plugging and Abandonment
(6) Plugging back or deepening
(7) Remedial work
(8) Change in ownership of a drilling well
(9) Such other operations which affect the original status of the well but which are not specifically covered herein.

C. Filing Form G-103 as a Subsequent Report. Information to be entered on form G-103, subsequent report, for a particular operation is as follows:

(1) Report of Commencement of Drilling Operations. Within ten days following the commencement of drilling operations, the operator of the well shall file a report thereof on form G-103 in duplicate. Such report shall indicate the hour and the date the well was spudded.

(2) Report of Results of Test of Casing and Cement Job; Report of Casing Alteration. A report of casing and cement test shall be filed by the operator of the well within ten days following the setting of each string of casing or liner. Said report shall be filed in duplicate on form G-103 and shall present a detailed description of the test method employed and the results obtained by such test, and any other pertinent information required by Rule G-108 B(5) [now Paragraph (5) of Subsection B of 19.14.27.8 NMAC]. The report shall also indicate the top of the cement and the means by which such top was determined. It shall also indicate any changes from the casing program previously authorized for the well.

(3) Report of Temporary Abandonment. A report of temporary abandonment of a well shall be filed by the operator of the well within ten days following completion of the work. The report shall be filed in duplicate and shall present a detailed account of the work done on the well, including location and type of plugs used, if any, type and status of surface and downhole equipment, and other pertinent information relative to the overall status of the well.

(4) Report on Plugging of Well.

(a) A report of plugging operations shall be filed by the operator of the well within 30 days following completion of plugging operations on any well. Said report shall be filed in triplicate on form G-103 and shall include the date the plugging operations were begun and the date the work was completed, a detailed account of the manner in which the work was performed including the depths and lengths of the various plugs set, the nature and quantities of materials employed in the plugging operations including the weight of the mud used, the size and depth of all casing left in the hole and any other pertinent information. (See Rules G-301 - G-303) [now 19.14.71 NMAC - 19.14.73 NMAC] regarding plugging operations.

(b) No plugging report will be approved by the division until all forms and reports on the well have been filed and the pits have been filled and the location levelled and cleared of junk. It shall be the responsibility of the operator to contact the Santa Fe office of the division when the location has been so restored in order to arrange for an inspection of the plugged well and the location by a division representative.

(5) Report of Remedial Work. A report of remedial work performed on a producing well or former producing well shall be filed by the operator of the well within 30 days following completion of such work. Said report shall be filed in duplicate on form G-103 and shall present a detailed account of the work done and the manner in which such work was performed; the daily production from the well both prior to and after the remedial operation; the size and depth of shots; the quantity of sand, acid, chemical or other materials employed in the operation and any other pertinent information. Among the types of remedial work to be reported on form G-103 are the following:

(a) Report on shooting, fluid fracturing or chemical treatment of a previously completed well
(b) Report on squeeze job
(c) Report on setting of liner or packer
(d) Report of any other remedial operations which are not specifically covered herein
(e) Report on deepening or plugging back

(6) Report of Change in Ownership of a Drilling Well. A report of change of ownership shall be filed by the new owner of any drilling well within ten days following actual transfer of ownership. Said report shall be filed in triplicate on form G-103 and shall include the name and address of both the new owner and the previous owner, the effective date of the change of ownership and any other pertinent information. No change in the ownership of a drilling well will be approved by the division unless the new owner has an approved bond in accordance with Rule G-101 [now 19.14.20 NMAC] and has filed satisfactory "Designation of Agent (Rule G-100) [now 19.14.1.17 NMAC]. The former owner of the well, to obtain release of his bond, shall follow the procedures set forth in Rule G-101(b) [now Subsection B of 19.14.20.8 NMAC]. (Form G-104 [now 19.14.23 NMAC] shall be used to report transfer of ownership of a completed well; see Rule G-204) [now 19.14.55 NMAC].

(7) Other Reports on Wells. Reports on any other operations which affect the original status of the well which are not specifically covered herein shall be submitted to the division on form G-103, in triplicate, by the operator of the well within ten days following the completion of such operation.

[Recompiled 12/31/01]

HISTORY OF 19.14.54 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

Rule G-203, Sundry Notices and Reports on Geothermal Resources Well (Form G-103), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-204.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 55 CERTIFICATE OF COMPLIANCE AND AUTHORIZATION TO PRODUCE GEOTHERMAL RESOURCES (FORM G-104)

19.14.55.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.55.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.55.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.55.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.55.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.55.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.55.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.55.8 CERTIFICATE OF COMPLIANCE AND AUTHORIZATION TO PRODUCE GEOTHERMAL RESOURCES (FORM G-104):

A. Prior to placing any geothermal resources well on production, injection or disposal, the owner or operator of said well shall file (in quintuplicate) with the division and receive approval thereof form G-104, certificate of compliance and authorization to produce geothermal resources, outlining thereon the information required and certifying that all division rules and regulations pertaining to the well have been complied with. Production of or injection into any well in violation of this rule shall result in the well being shut in by the division subject to the penalties provided by law for violation of the division's rules, orders and regulations. (In addition to form G-104 being approved, additional approval for injection or disposal must be obtained pursuant to Rules G-501- G-505) [now 19.14.91 NMAC - 19.14.95 NMAC]. Form G-104 must be accompanied by three copies of form G-105, geothermal resources well log outlining the data required and with the attachments required by Rule G-205 A [now 19.14.56.8 NMAC], three copies of form G-106, geothermal resources well summary report (See Rule G-206) [now 19.14.57 NMAC] completely filled in and three copies of rorm G-107, geothermal resources well history (See Rule G-207) [now 19.14.58 NMAC] completely filled in.

B. Form G-104 shall also be filed in quintuplicate when there is a change in purchaser from a well or when there is a change of ownership of a producing well, injection well or disposal well. No change of ownership will be approved by the division unless the new owner has an approved bond in accordance with Rule G-101 [now 19.14.20 NMAC] and has filed satisfactory "Designation of Agent" (Rule G-100) [now 19.14.1.17 NMAC]. The former owner of the well, to obtain release of his bond, shall follow the procedures set forth in Rule G-101(b) [now Subsection B or 19.14.20.8 NMAC] (Form G-103 shall be used to report change of ownership of a drilling well; see Rule G-203 C(6).) [now Paragraph (6) of Subsection C of 19.14.54.8 NMAC].

C. After approval of form G-104, distribution of forms G-104, G-105, G-106 and G-107 shall be made by the division as follows:

(1) one approved copy of form G-104 shall be returned to the operator;

(2) one approved copy of form G-104 shall be forwarded to the purchaser from the well (except, of course, in the case of a disposal or injection well);

(3) one approved copy of form G-104 and one copy of each of Forms G-105, G-106 and G-107 shall be forwarded to the New Mexico bureau of mines;

(4) one approved copy of form G-104 and one copy each of forms G-105, G-106 and G-107 shall be forwarded to the United States geological survey; and

(5) one approved copy of form G-104 and one copy each of form G-105, G-106 and G-107 shall be retained by the division.

[Recompiled 12/31/01]

HISTORY OF 19.14.55 NMAC

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

Rule G-204, Certificate of Compliance and Authorization to Produce Geothermal Resources (Form G-104), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-205.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 56 GEOTHERMAL RESOURCES WELL LOG (FORM G-105)

19.14.56.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.56.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.56.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.56.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.56.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.56.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.56.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.56.8 FOR PRODUCING, INJECTION, OR DISPOSAL WELLS: Form G-105, geothermal resources well log, shall be filed in triplicate with the form G-104 when it is desired to put any geothermal resources well on production or injection or disposal. It shall be accompanied by copies of such logs, surveys, and tests which may have been conducted on the well, including electric logs, deviation and directional surveys, physical or chemical logs, water analyses, tests, including potential tests and temperature surveys. Failure to include these data and materials with the form G-105 will result in withholding approval of the form G-104, certificate of compliance and authorization to produce geothermal resources. Distribution of form G-105 for producing, injection or disposal wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey, and one copy retained by the division.
[Recompiled 12/31/01]

19.14.56.9 FOR INACTIVE OR TEMPORARILY ABANDONED WELLS: Form G-105, geothermal resources well log, with the attachments described in Rule G-205 A [now 19.14.56.8 NMAC], shall be filed in triplicate for every geothermal resources well, except thermal gradient wells, not on active producing or injection or disposal status within six months after cessation of active drilling operations on the well unless a permit for temporary abandonment shall have been approved for the well in accordance with Rule G-303 B [now 19.14.73.9 NMAC]. In no event, even in the case of prolonged temporary abandonment approved by the division, shall the filing of form G-105 with required attachments be delayed for more than five years after cessation of active drilling operations. Distribution of form G-105 for inactive or temporarily abandoned wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey, and one copy retained by the division.
[Recompiled 12/31/01]

19.14.56.10 FOR PLUGGED AND ABANDONED WELLS: Form G-105, geothermal resources well log, together with all the attachments required by Rule G-205 A [now 19.14.56.8 NMAC] above, shall be filed in triplicate for all plugged and abandoned wells, except thermal gradient wells, within six months after abandonment. Distribution of form G-105 for abandoned wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey, and one copy retained by the division.
[Recompiled 12/31/01]

HISTORY OF 19.14.56 NMAC
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives: Rule G-205, Geothermal Resources Well Log (Form G-105), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-206.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 57 GEOTHERMAL RESOURCES WELL SUMMARY REPORT (FORM G-106)

19.14.57.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.57.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.57.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.57.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.57.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.57.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.57.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.57.8 FOR PRODUCING, INJECTION, OR DISPOSAL WELLS: Form G-106, geothermal resources well summary report, completely filled in, shall be filed in triplicate with the form G-104 when it is desired to put any geothermal resources well on production or injection or disposal. Failure to file a completed form G-106 will result in withholding approval of the form G-104, certificate of compliance and authorization to produce geothermal resources. Distribution of form G-106 for producing, injection, or disposal wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey and one copy retained by the division.
[Recompiled 12/31/01]

19.14.57.9 FOR INACTIVE OR TEMPORARILY ABANDONED WELLS: Form G-106, geothermal resources well summary report, shall be filed in triplicate for every geothermal resources well, except thermal gradient wells, not on active producing or injection or disposal status within 90 days after cessation of active drilling operations. The owner or operator of the well shall state on the form the general results of the well's condition, i.e., whether the well is capable of production of geothermal resources and will be retained for such purpose, whether the well will be used for injection or disposal purposes, whether the well has been or will be plugged and abandoned or what other disposition of the well is to be made. A summary of the well's casing and cementing program shall be shown on the form, and in case the well is to be retained for production, injection or disposal purposes, the total mass flow in pounds per hour, flowing temperature in degrees fahrenheit, and flowing pressure in pounds per square inch gauge. Distribution of form G-106 for inactive or temporarily abandoned wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey and one copy retained by the division. If form G-106 is filed for an inactive or temporarily abandoned well, and the well later goes on active production or injection, refiling of form G-106 completely filled in accordance with Rule G-206-A [now 19.14.57.8 NMAC] above is required.
[Recompiled 12/31/01]

19.14.57.10 FOR PLUGGING AND ABANDONED WELLS: Form G-106, geothermal resources well summary report, completely filled in, shall be filed in triplicate for plugged and abandoned wells, except thermal gradient wells, within six months after abandonment. Distribution of form G-106 for abandoned wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey, and one copy retained by the division.
[Recompiled 12/31/01]

HISTORY OF 19.14.57 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives: Rule G-206, Geothermal Resources Well Summary Report (Form G-106), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-207.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 58 GEOTHERMAL RESOURCES WELL HISTORY (FORM G-107)

19.14.58.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.58.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.58.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.58.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.58.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.58.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.58.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.58.8 FOR PRODUCING, INJECTION, OR DISPOSAL WELLS: Form G-107, geothermal resources well history, is a chronological history of the entire operation of drilling and completing the well and shall be filed in triplicate with the form G-104 when it is desirable to put any geothermal resources well on production or injection or disposal. Failure to file a completed form G-107 will result in witholding approval of form G-104, certificate of compliance and authorization to produce geothermal resources. Distribution of form G-107 for producing, injection or disposal wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey and one copy retained by the division.
[Recompiled 12/31/01]

19.14.58.9 FOR NON-PRODUCING OR TEMPORARILY ABANDONED WELLS OTHER THAN THERMAL GRADIENT WELLS: Form G-107, geothermal resources well history, shall be filed in triplicate for every geothermal resources well not on active producing or injection or disposal status within six months after cessation of active drilling operations on the well unless a permit for temporary abandonment shall have been approved for the well in accordance with Rule G-303 B [now 19.14.73.9 NMAC]. In no event, even in the case of prolonged temporary abandonment approved by the division, shall the filing of form G-107 be delayed for more than five years after cessation of active drilling operations. Distribution of form G-107 for inactive or temporarily abandoned wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey and one copy retained by the division.
[Recompiled 12/31/01]

19.14.58.10 FOR PLUGGED AND ABANDONED WELLS OTHER THAN THERMAL GRADIENT WELLS: Form G-107, geothermal resources well history, shall be filed in triplicate for plugged and abandoned wells within six months after abandonment. Distribution of form G-107 for abandoned wells shall be one copy to the New Mexico bureau of mines, one copy to the United States geological survey and one copy retained by the division.
[Recompiled 12/31/01]

HISTORY OF 19.14.58 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-207, Geothermal Resources Well History (Form G-107), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-208.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 59 MONTHLY GEOTHERMAL PRODUCTION REPORT (FORM G-108)

19.14.59.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.59.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.59.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.59.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.59.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.59.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.59.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.59.8 MONTHLY GEOTHERMAL PRODUCTION REPORT (FORM G-108): After placing any geothermal well on production, the owner or operator thereof shall file in duplicate a monthly production report, form G-108, which report shall be due in the Santa Fe office of the division by the 20th day of each month and shall show the production from each well and each lease during the preceding calendar month.
[Recompiled 12/31/01]

HISTORY OF 19.14.59 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-208, Monthly Geothermal Production Report (Form G-108), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-209.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 60 MONTHLY GEOTHERMAL PURCHASER'S REPORT (FORM G-109)

19.14.60.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.60.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.60.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.60.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.60.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.60.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.60.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.60.8 MONTHLY GEOTHERMAL PURCHASER'S REPORT (FORM G-109): The purchaser of production from any geothermal resource well shall file in duplicate a monthly purchaser's report, form G-109, which report shall be due in the Santa Fe office of the division by the 15th day of each month and shall show the purchases made from all leases and wells connected to the purchaser's facilities during the preceding calendar month.
[Recompiled 12/31/01]

HISTORY OF 19.14.60 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-209, Monthly Geothermal Purchaser's Report (Form G-109), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-210.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 61 MONTHLY GEOTHERMAL INJECTION REPORT (FORM G-110)

19.14.61.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.61.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.61.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.61.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.61.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.61.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.61.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.61.8 MONTHLY GEOTHERMAL INJECTION REPORT (FORM G-110): After placing any well on injection or disposal in a geothermal resources field or area, the owner or operator thereof shall file in duplicate a monthly injection report, form G-110, which report shall be due in the Santa Fe office of the division by the 20th day of each month and shall show the zone or formation into which injection is being made, the volume injected, the average temperature of the injected fluid and the average injection pressure at the wellhead.
[Recompiled 12/31/01]

HISTORY OF 19.14.61 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-210, Monthly Geothermal Injection Report (Form G-110), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-211.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 62 ANNUAL GEOTHERMAL TEMPERATURE AND PRESSURE TESTS (FORM G-111)

19.14.62.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.62.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.62.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.62.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.62.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.62.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.62.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.62.8 ANNUAL GEOTHERMAL TEMPERATURE AND PRESSURE TESTS (FORM G-111): Annual temperature and pressure tests shall be submitted by the owner or operator of each geothermal resource producing well in accordance with the annual testing schedule published by the division. Flowing temperatures and flowing pressure tests at the wellhead shall be recorded after at least 72 hours of continuous flow at normal producing rates. The well shall then be shut in for 24 hours and shut-in pressure at the wellhead recorded. Results of these tests shall be submitted in duplicate to the Santa Fe office of the division.
[Recompiled 12/31/01]

HISTORY OF 19.14.62 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-211, Annual Geothermal Temperature and Pressure Tests (Form G-111), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-212.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 63 APPLICATION TO PLACE WELL ON INJECTION-GEOTHERMAL RESOURCES AREA (FORM G-112)

19.14.63.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.63.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.63.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.63.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.63.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.63.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.63.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.63.8 APPLICATION TO PLACE WELL ON INJECTION-GEOTHERMAL RESOURCES AREA (FORM G-112): Before placing any well on injection in a geothermal resources area, whether for charge, recharge or disposal purposes, authority to do so shall be obtained on form G-112 which shall be filed in accordance with Rule G-503 [now 19.14.93 NMAC].
[Recompiled 12/31/01]

HISTORY OF 19.14.63 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-212, Application to Place Well on Injection-Geothermal Resources Area (Form G-112), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-301.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 71 LIABILITY

19.14.71.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.71.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.71.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.71.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.71.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.71.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.71.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.71.8 LIABILITY: The owner of any geothermal resources well or any seismic, core or other hole drilled for geothermal purposes shall be responsible for the plugging thereof.
[Recompiled 12/31/01]

HISTORY OF 19.14.71 NMAC
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-301, Liability, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-302.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 72 NOTICE

19.14.72.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.72.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.72.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.72.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.72.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.72.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.72.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.72.8 NOTICE: Prior to commencement of plugging operations, notice of intention to plug shall be filed with the division, and approval thereof obtained by the owner or operator of the well. This shall be accomplished by filing form G-103, sundry notices and reports on geothermal wells, which notice shall outline the casing and cementing program of the well, the casing which is to be pulled, the size of proposed cement plugs and their depth and such other information as may be pertinent. In the case of newly drilled wells which are to be plugged, verbal authority and instructions may be given by the division to plug the well provided written notice to plug shall be subsequently filed within 30 days and approval thereof obtained. Written approval or verbal approval of a plugging program shall be subsequently filed within 30 days and approval thereof obtained. Written approval or verbal approval of a plugging program shall be contingent upon evidence being furnished that the plugging program for the well is such as to prevent damage to any producing zone, migration of fluids from one zone to another, the waste or contamination of useable underground waters or other natural resources and the leakage of any substance at the surface, all as substantiated by the filing of form G-105, geothermal resources well log, and form G-106, geothermal well summary report, with the request for approval of the plugging program. Filing of these forms may be delayed as provided in Rule G-205 C [now 19.14.56.10 NMAC] and Rule G-206 C [now 19.14.57.10 NMAC] if a division representative has had access to and has inspected the data and materials described in Rule G-200 B [now 19.14.51.9 NMAC]. Also see Rule G-203 A [now Subsection A of 19.14.54.8 NMAC], Rule G-203 c (4) [now Paragraph (4) of Subsection C of 19.14.54.8 NMAC] and Rule G-303 A [now of 19.14.73.8 NMAC].
[Recompiled 12/31/01]

HISTORY OF 19.14.72 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-302, Notice, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-303.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 73 PLUGGING AND TEMPORARY ABANDONMENT

19.14.73.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.73.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.73.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.73.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.73.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.73.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.73.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.73.8 PLUGGING: Before any well is abandoned, it shall be plugged in a manner that will permanently confine all fluids in the separate strata originally containing them. This operation shall be accomplished by the use of mud-laden fluid, cement and plugs, used singly or in combination, as may be approved by the division. In addition, an adequate cement plug at the surface shall be installed to permanently prevent intrusion of any substance into the well. The exact location of abandoned wells shall be shown by a steel marker at least four inches in diameter set in concrete and extending at least four feet above mean ground level. The name and number of the well and its location (quarter-quarter, section, township and range) shall be welded, stamped, or otherwise permanently engraved into the metal of the marker. seismic, core, thermal gradient or other wells less than 500 feet deep and low-temperature thermal wells less than 500 feet deep shall be plugged in accordance with the applicable provisions recited above but permanent markers shall not be required on such wells.
[Recompiled 12/31/01]

19.14.73.9 TEMPORARY ABANDONMENT: No well shall be temporarily abandoned for a period in excess of six months unless a permit for such temporary abandonment has been approved by the division. Such permit shall be for a period not to exceed six months and shall be requested from the Santa Fe office of the division by filing form G-103 in duplicate. No such permit shall be approved unless evidence is furnished that the condition of the well is such as to prevent damage to any producing zone, migration of fluids from one zone to another, the waste or contamination of useable underground waters or other natural resources and the leakage of any substance at the surface, all as substantiated by the filing of form G-105, geothermal resources well log, and form G-106, geothermal resources well summary report, with the request for a temporary abandonment permit. Filing of these forms may be delayed as provided in Rule G-205 B [now 19.14.56.9 NMAC] and Rule G-206 B[now 19.14.57.9 NMAC] if a division representative has had access to and has inspected the data and materials described in Rule G-200 B [now 19.14.51.9 NMAC] . Also see Rule G-203 A [now subsection A of 19.14.54.8 NMAC] and Rule G-203 C(3) [now Paragraph (3) of Subsection C of 19.14.54.8 NMAC].

A. The Santa Fe office of the division shall have authority to grant one extention to the permit for temporary abandonment. Such extension shall not exceed one year and shall be requested in the same manner as the original permit for temporary abandonment. No extension shall be approved unless good cause therefor is shown, and evidence is furnished that the continued condition of the well is as described above.

B. Upon expiration of the permit for temporary abandonment and any extension thereto, the well shall be put to beneficial use or shall be permanently plugged and abandoned, unless it can be shown to the division after notice and hearing that good cause exists why the well should not be plugged and abandoned, and a permit for further temporary abandonment should be issued. No such permit for further temporary abandonment shall be approved by the division unless a one-well plugging bond for the well, in an amount satisfactory to the division, but not to exceed $10,000.00, is on file with the division to ensure future plugging of the well.

C. The requirements of the paragraph immediately above may be waived and additional extensions granted

for thermal gradient wells and in those cases where it can be shown that a contract exists for the construction of electric power plants and such plants are being designated, on order, or under construction, where facilities are being designed or are under construction for direct use of geothermal energy, or in the case where a geothermal reservoir has been discovered and there is an ongoing exploration program of the reservoir to determine its commercial feasibility.
[Recompiled 12/31/01]

19.14.73.10 DRILLING WELLS: When drilling operations on a well have been suspended for 60 days, the well shall be plugged and abandoned unless a permit for temporary abandonment has been obtained for the well in accordance with Section B [now 19.14.73.9 NMAC] above.
[Recompiled 12/31/01]

HISTORY OF 19.14.73 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-303, Plugging and Temporary Abandonment, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-304.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 74 WELLS TO BE USED FOR FRESH WATER

19.14.74.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.74.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.74.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.74.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.74.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.74.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.74.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.74.8 WELLS TO BE USED FOR FRESH WATER: When the well to be plugged may safely be used as a fresh water well and such utilization is desired by the land owner, the well need not be filled above a sealing plug set below the fresh water formation, provided that written agreement for such use by the owner of the well and by the land owner is filed with the division. Upon acceptance of the well by the land owner, the well's bond may be released.
[Recompiled 12/31/01]

HISTORY OF 19.14.74 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-304, Wells to be Used for Fresh Water, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-401.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 81 ILLEGAL SALE PROHIBITED

19.14.81.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.81.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.81.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.81.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.81.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.81.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.81.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.81.8 ILLEGAL SALE PROHIBITED: The sale or purchase or acquisition or the transporting or utilization of geothermal resources produced in violation of the laws of this state, or of these rules, is prohibited.
[Recompiled 12/31/01]

HISTORY OF 19.14.81 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-401, Illegal Sale Prohibited, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-402.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 82 RATABLE TAKE

19.14.82.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.82.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.82.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.82.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.82.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.82.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.82.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.82.8 RATABLE TAKE:

A. Any person now or hereafter engaged in purchasing geothermal resources from one or more producers within a single geothermal reservoir shall be a common purchaser within that geothermal reservoir, and shall purchase geothermal resources of like quality, quantity and pressure lawfully produced from that geothermal reservoir and tendered to such common purchaser at a reasonable point. Such purchase shall be made without reasonable discrimination in favor of one producer against another in the price paid, quantities taken, the bases of measurement or the facilities offered.

B. In the event such purchaser is also a producer, he is prohibited to the same extent from discriminating in favor of himself with respect to geothermal resource wells in which he has an interest, direct or indirect, as against other geothermal resource wells in the same geothermal reservoir.

C. For the purposes of this rule, reasonable differences in prices paid or facilities afforded, or both, shall not constitute unreasonable discrimination if such differences bear a fair relationship to difference in quality, quantity, or pressure of the geothermal resource available or to the relative lengths of time during which such geothermal resources will be available to the purchaser.

D. Any common purchaser taking geothermal resources produced from wells within a geothermal reservoir shall take ratably under such rules, regulations and orders, concerning quantity, as may be promulgated by the division after due notice and public hearing. The division, in promulgating such rules, regulations and orders may consider the quality and the quantity of the geothermal resources available, the pressure and temperature of the product at the point of delivery, acreage attributable to the well, market requirements and other pertinent factors.

E. Nothing in this Rule shall be construed or applied to require, directly or indirectly, any person to purchase geothermal resources of a quality or under a pressure or under any other condition by reason of which such geothermal resource cannot be economically and satisfactorily used by such purchaser by means of his geothermal utilization facilities then in service.
[Recompiled 12/31/01]

HISTORY OF 19.14.82 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-402, Ratable Intake, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-403.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 83 REGULATION OF GEOTHERMAL RESOURCES PRODUCTION

19.14.83.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.83.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.83.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.83.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.83.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.83.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.83.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.83.8 REGULATION OF GEOTHERMAL RESOURCES PRODUCTION: Upon determination by the division that geothermal resources production in the state of New Mexico, or in a particular geothermal resources area, is causing waste, the division shall limit and allocate among the producing wells the total amount of geothermal resources which may be produced in the state, or in a particular geothermal area.
[Recompiled 12/31/01]

HISTORY OF 19.14.83 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-403, Regulation of Geothermal Resources Production, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-501.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 91 GEOTHERMAL INJECTION WELLS

19.14.91.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.91.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.91.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.91.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.91.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.91.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.91.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.91.8 GEOTHERMAL INJECTION WELLS: Geothermal injection wells are those wells used for the purpose of injecting fluids into a dry geothermal formation, or into a geothermal reservoir for the purpose of augmenting the natural supply of fluids in the reservoir, pressure maintenance of the reservoir, or such other purpose as authorized by the division. No well shall be utilized as a geothermal injection well until authority for such use has been obtained on an approved form G-112, application to place well on injection-geothermal resources area. Form G-112 shall be filed in accordance with Rule G-503 [now 19.14.93 NMAC] below.
[Recompiled 12/31/01]

HISTORY OF 19.14.91 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-501, Geothermal Injection Wells, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-502.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 92 GEOTHERMAL DISPOSAL WELLS

19.14.92.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.92.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.92.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.92.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.92.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.92.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.92.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.92.8 GEOTHERMAL DISPOSAL WELLS: Geothermal disposal wells are those wells used for the purpose of disposing of waters produced from a geothermal reservoir when disposal is into a zone or formation not classified as a geothermal reservoir. No well shall be utilized as a geothermal disposal well until authority for such use has been obtained on an approved form G-112, application to place well on injection-geothermal resources area. Form G-112 shall be filed in accordance with Rule G-503 [now 19.14.93 NMAC] below.
[Recompiled 12/31/01]

HISTORY OF 19.14.92 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-502, Geothermal Disposal Wells, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-503.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 93 METHOD OF MAKING APPLICATION

19.14.93.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.93.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.93.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.93.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.93.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.93.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.93.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.93.8 METHOD OF MAKING APPLICATION:

A. Application for authority to inject fluids into a geothermal reservoir or to dispose of geothermal waters into a zone or formation not classified as a geothermal reservoir shall be made in duplicate on division form G-112, application to place well on injection-feothermal resources area, and shall be accompanied by one copy of each of the following:

(1) A plat showing the location of the proposed injection/disposal well and the location of all other wells within a radius of one mile from said well, and indicating the perforated or open-hole interval in each of said wells. The plat shall also indicate the ownership of all geothermal leases within said one-mile radius;

(2) The log of the proposed injection well, if available;

(3) A diagrammatic sketch of the proposed injection well showing casing strings, including diameters and setting depths, quantities used and tops of cement, perforated or open-hole interval, tubing strings, including diameters and setting depths, and the type and location of packers, if any.

B. Copies of the form G-112 (without the above attachments) shall be sent to all other geothermal lease owners, if any there be, within a one-half mile radius of the proposed injection/disposal well.

C. If no objection is received within 20 days from the date of receipt of the application, and the division director is satisfied that all of the above requirements have been complied with, that the proposal is in the interest of conservation and will prevent waste and protect correlative rights, and that the well is cased, cemented, and equipped in such a manner that there will be no danger to any natural resource, including geothermal resources, useable underground water supplies, and surface resources, form G-112 will be approved. In the event the form is not approved because of objection from an affected geothermal lease owner or for other reason, the application will be set for public hearing, if the applicant so requests.

D. The division director may dispense with the 20-day waiting period if waivers of objection are received from all geothermal lease owners within a one-half mile radius of the proposed injection/disposal well.
[Recompiled 12/31/01]

HISTORY OF 19.14.93 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-503, Method of Making Application, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-504.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 94 INJECTION REPORTS

19.14.94.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.94.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.94.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.94.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.94.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.94.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.94.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.94.8 INJECTION REPORTS: Monthly injection reports shall be filed for injection/disposal wells in accordance with Rule G-210 [now 19.14.61 NMAC] of these rules and regulations.
[Recompiled 12/31/01]

HISTORY OF 19.14.94 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-504, Injection Reports, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-505.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 95 SURVEILLANCE

19.14.95.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.95.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.95.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.95.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.95.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.95.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.95.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.95.8 SURVEILLANCE:

A. Surveillance of waste water disposal or injection projects is necessary on a continuing basis in order to establish to the satisfaction of the division that all water is confined to the intended zone of injection.

B. When an operator proposes to drill an injection well, convert a producing or inactive well to an injection well or rework an injection well and return it to injection service, he shall be required to demonstrate to the division by means of such tests as the division may deem necessary the integrity of the well's casing.

C. To establish the integrity of the annular cement above the shoe of the casing, the operator shall make sufficient surveys, within 30 days after injection is started into a well, to demonstrate that all the injected fluid is confined to the intended zone of injection. Thereafter, such surveys shall be made at least every two years, or more often if ordered by the division. All such surveys may be witnessed by a representative of the division.

D. After the well has been placed on injection, a division representative shall visit the wellsite periodically. At these times, surface conditions shall be noted and if any unsatisfactory conditions exist, the operator shall be notified of needed remedial work. If this required work is no performed within 90 days, the approval issued by the division may be rescinded. If it is determined that damage is occurring at a rapid rate, the division may order that the repair work be done immediately. Injection pressures shall be recorded by the division representative and compared with the pressure reported on the appropriate forms. Any discrepancies shall be rectified immediately by the operator. A graph of daily injection rates and pressures versus time shall be maintained by the operator. Reasons for anomalies shall be promptly ascertained. If these reasons are such that it appears damage is being done, approval by the division may be rescinded, and injection shall cease.

E. When an injection well has been left idle for six months, the operator shall be informed by letter that approval for use of the well for injection purposes has been rescinded, and that he should proceed in accordance with the provisions of Rule G-302 [now 19.14.72 NMAC] and Rule G-303 A [now 19.14.73.8 NMAC] or Rule G-303 B [now 19.14.73.9 NMAC]. In the event the operator intends to again use the well for injection purposes, he shall be required to demonstrate by means of surveys that the injected water will be confined to the intended zone of injection.
[Recompiled 12/31/01]

HISTORY OF 19.14.95 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-505, Surveillance, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-506.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 96 ABANDONMENT

19.14.96.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.96.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.96.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.96.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.96.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.96.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.96.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.96.8 ABANDONMENT: Injection or disposal wells are required to be abandoned in the same manner as other wells. (See Sec. E, Abandonment, Temporary Abandonment, and Plugging of Wells).
[Recompiled 12/31/01]

HISTORY OF 19.14.96 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-506, Abandonment, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-601.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 101 GENERAL PROVISIONS

19.14.101.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.101.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.101.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.101.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.101.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.101.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.101.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.101.8 GENERAL:

A. In areas where high subsurface pressures are known to exist, or where there is a history of lost circulation and/or blowouts, or in areas where subsurface pressures are not known, all proper and usual precautions shall be taken for keeping the well under control, including the use of blowout preventers and high pressure fittings attached to properly cemented casing strings.

B. The division geothermal supervisor shall have the authority to waive the requirement for casing and/or blowout preventers for holes less than 500 feet deep.
[Recompiled 12/31/01]

HISTORY OF 19.14.101 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-601, General, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-602.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 102 BLOWOUT PREVENTION EQUIPMENT (BOPE)

19.14.102.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.102.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.102.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.102.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.102.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.102.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.102.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.102.8 BLOWOUT PREVENTION EQUIPMENT (BOPE) The following standards are not given as final blowout prevention equipment requirements for the drilling of any geothermal resources well but are given as guidelines for the preparation of a minimum blowout prevention program for certain categories of wells.

A. Using Mud as the Drilling Fluid.

(1) API Class 2M-A or 2M-RR. For wells in geothermal resources areas known to contain geothermal fluids at a temperature greater than 212 degrees F. at depths less than 2,000 feet, and geothermal exploratory wells in areas where subsurface temperatures and pressures are unknown and the proposed depth of the well is less than 2,000 feet.

(a) An annular BOPE and a spool, fitted with a low-pressure safety pop-off and blow-down line, installed on the conductor pipe may be required for wells in the above categories to ensure against possible gas blowouts during the drilling of the surface casing hole.

(b) Annular BOPE or pipe-ram/blind-ram BOPE with minimum working-pressure ratings of 2,000 psi shall be installed on the surface casing so that the well can be shut in at any time.

(c) Hydraulic actuating system.

(d) Kelly cock.

(e) A fill-up line installed above the BOPE.

(f) A kill line installed below the BOPE, leading directly to the mud pumps and fitted with a valve through which cement could be pumped if necessary.

(g) A blow-down line fitted with two valves installed below the BOPE. The blow-down line shall be directed in such a manner so as to permit containment of produced fluids and to minimize any safety hazard to personnel.

(h) All lines and fittings shall be steel and have a minimum working-pressure rating of 1,000 psi.

(i) Return mud temperatures shall be entered into the log book after each joint of pipe is drilled down. See Rule G-106(b) [now Subsection B of 19.14.25.8 NMAC].

(2) API Class 2M-RSRA or Eqivalent. For wells in geothermal resources areas known to contain geothermal fluids at temperatures greater than 212 degrees F. at depths more than 2,000 feet, and geothermal exploratory wells in areas where subsurface temperatures and pressures are unknown and the proposed depth of the well is more than 2,000 feet.

(a) An annular BOPE and a spool, fitted with a low-pressure safety pop-off and blow-down line, installed on the conductor pipe may be required to ensure against possible gas blowouts during the drilling of the surface casing hole.

(b) Annular BOPE and pipe-ram/blind-ram BOPE with a minimum working-pressure rating of 2,000 psi shall be installed so that the well can be shut in at any time. The double-ram preventer shall have a mechanical locking device.

(c) A hydraulic actuating system utilizing an accumulator of sufficient capacity and a high pressure auxiliary backup system. This total system shall be equipped with dual controls; one at the driller's station and one at least 50

feet away from the wellhead.

(d) Kelly cock and standpipe valve.

(e) A fill-up line installed above the BOPE.

(f) A kill line installed below the BOPE, leading directly to the mud pumps and fitted with a valve through which cement could be pumped if necessary.

(g) A blow-down line fitted with two valves installed below the BOPE. The blow-down line shall be directed in such a manner so as to permit containment of produced fluids and to minimize any safety hazard to personnel.

(h) All lines and fittings shall be steel and have a minimum working-pressure rating of at least that of the BOPE.

(i) Return mud temperatures shall be entered into the log book after each joint of pipe is drilled down. (See Rule G-106(b).) [now Subsection B of 19.14.25.8 NMAC].

B. Using Air as the Drilling Fluid. API Class 2M RSRdG (with Banjo Box). For wells in geothermal resources areas where it is known that dry steam exists at depth and/or formation pressures are known to be less than hydrostatic:

(1) A rotating head installed at the top of the BOPE stack.

(2) A pipe-ram/blind-ram BOPE, with a minimum working-pressure rating of 2,000 psi installed below the rotating head so that the well can be shut in at any time.

(3) A banjo box steam diversion unit installed below the double-ram BOPE fitted with an approved muffler in good working condition.

(4) A blind-ram BOPE, with a minimum working-pressure rating of 2,000 psi installed below the banjo box so that the well can be shut in while removing the rotating head during bit changes.

(5) A gate valve, with a suitable minimum working-pressure rating installed below the blind ram so that the well can be shut in after the well has been completed, prior to removal of the BOPE stack.

(6) All ram-type BOPE shall have a hydraulic actuating system utilizing an accumulator of sufficient capacity and a high-pressure backup system.

(7) Dual control stations for hydraulic backup system: one at the driller's station and the other at least 50 feet away from the wellhead.

(8) Float and standpipe valves.

(9) A kill line installed below the BOPE, leading directly to the mud pumps and fitted with a valve through which cement could be pumped if necessary.

(10) All lines and fittings must be steel and have a minimum working-pressure rating of 1,000 psi. Note: If any portion of a well is drilled using mud, Class 2M BOPE shall be installed on the surface casing so that the well can be shut-in at any time.

[Recompiled 12/31/01]

HISTORY OF 19.14.102 NMAC:

Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:

Rule G-602, Blowout Prevention Equipment (BOPE), 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-603.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 103 AREAS WITH HISTORY OF BLOWOUTS

19.14.103.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.103.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.103.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.103.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.103.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.103.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.103.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.103.8 AREAS WITH HISTORY OF BLOWOUTS: Notwithstanding any of the provisions of Rule G-602 [now 19.14.102 NMAC], above, when drilling in any geothermal resources area which has a history of lost circulation and/or blowouts, the operator shall equip the well with adequate blowout prevention equipment to contain such pressures as may have previously been encountered in the other well(s).
[Recompiled 12/31/01]

HISTORY OF 19.14.103 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-603, Areas With History of Blowouts, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-604.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 104 TESTING OF BLOWOUT PREVENTION EQUIPMENT

19.14.104.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.104.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.104.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.104.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.104.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.104.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.104.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.104.8 TESTING OF BLOWOUT PREVENTION EQUIPMENT:

A. Upon installation, ram-type blowout preventers, bag-type blowout preventers, valves and manifolds shall be tested to a minimum of 750 psi pressure. Tests may be witnessed by a division representative on all wells prior to drilling out the shoe of the surface casing, and the division shall be notified of the date and hour any such test is to be conducted sufficiently in advance of the test to allow a division representative to travel to the well to witness the test.

B. Ram-type preventers shall be operated at least once each 24 hours and bag-type preventers closed on the drill pipe at least once each week, provided however, that an exception to this provision may be granted by the division's geothermal section to prevent undue wear and tear on the preventer rubbers when drilling drysteam wells.
[Recompiled 12/31/01]

HISTORY OF 19.14.104 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-604, Testing of Blowout Prevention Equipment, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-701.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 110 NECESSITY FOR HEARING

19.14.110.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.110.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.110.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.110.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.110.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.110.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.110.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.110.8 NECESSITY FOR HEARING: Except as provided in some general rule herein, before any rule, regulation or order, including revocation, changes, renewal or extension thereof, shall be made by the division, a public hearing before the commission or a legally appointed division examiner shall be held at such time and place as may be prescribed by the division.
[Recompiled 12/31/01]

HISTORY OF 19.14.110 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-701, Necessity for Hearing, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-702.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 111 EMERGENCY ORDERS

19.14.111.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.111.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.111.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.111.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.111.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.111.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.111.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.111.8 EMERGENCY ORDERS: Notwithstanding any other provision of these rules, in case an emergency is found to exist by the division, which, in its judgment, requires the making of a rule, regulation or order without a hearing having first been had or concluded, such emergency rule, regulation or order when made by the division shall have the same validity as if a hearing with respect to the same had been held before the division after due notice. Such emergency rule, regulation or order shall remain in force no longer than 15 days from its effective date, and in any event, it shall expire when the rule, regulation or order made after due notice and hearing with respect to the subject matter of such emergency rule, regulation or order becomes effective.
[Recompiled 12/31/01]

HISTORY OF 19.14.111 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-702, Emergency Orders, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-703.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 112 METHOD OF INITIATING A HEARING

19.14.112.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.112.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.112.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.112.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.112.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.112.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.112.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.112.8 METHOD OF INITIATING A HEARING:

A. The division upon its own motion, the attorney general on behalf of the state, and any operator or producer, or any other person having a property interest may institute proceedings for a hearing. If the hearing is sought by the division it shall be on motion of the division and if by any other person it shall be by application. The application shall be in triplicate and shall state:

(1) the name of the applicant;

(2) the name or general description of the common source or sources of supply or the area affected by the order sought;

(3) briefly the general nature of the order, rule or regulation sought; and

(4) any other matter required by a particular rule or rules, or order of the division.

B. The application shall be signed by the person seeking the hearing or by his attorney.

C. When conditions are such as to require verbal application to place a matter for hearing on a given docket, the division will accept such verbal application in order to meet publishing deadlines. However, if written application, filed in accordance with the procedures outlined above, has not been received by the division's Santa Fe office at least ten days before the date of the hearing, the case will be dismissed.
[Recompiled 12/31/01]

HISTORY OF 19.14.112 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-703, Method of Initiating a Hearing, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-704.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 113 METHOD OF GIVING LEGAL NOTICE FOR HEARING

19.14.113.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.113.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.113.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.113.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.113.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.113.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.113.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.113.8 METHOD OF GIVING LEGAL NOTICE FOR HEARING: Notice of each hearing before the commission and notice of each hearing before a division examiner shall be given by personal service on the person affected or by publication once in a newspaper of general circulation published at Santa Fe, New Mexico, and once in a newspaper of general circulation published in the county or each of the counties, if there be more than one, in which any geothermal resource or other property which may be affected is situated.
[Recompiled 12/31/01]

HISTORY OF 19.14.113 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-704, Method of Giving Legal Notice for Hearing, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-705.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 114 CONTENTS OF NOTICE OF HEARING

19.14.114.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.114.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.114.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.114.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.114.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.114.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.114.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.114.8 CONTENTS OF NOTICE OF HEARING:

A. Such notice shall be issued in the name of "the state of New Mexico" and shall be signed by the director of the division, and the seal of the commission shall be impressed thereon.

B. The notice shall specify whether the case is set for hearing before the commission or before a division examiner and shall state the number and style of the case and the time and place of hearing and shall briefly state the general nature of the order or orders, rule or rules, regulation or regulations to be promulgated or effected. The notice shall also state the name of the petitioner or applicant, if any, and unless the contemplated order, rule or regulation is intended to apply to and affect the entire state, it shall specify or generally describe the common source or sources of supply which may be affected by such order, rule or regulation.
[Recompiled 12/31/01]

HISTORY OF 19.14.114 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-705, Contents of Notice of Hearing, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-706.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 115 PERSONAL SERVICE OF NOTICE

19.14.115.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.115.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.115.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.115.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.115.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.115.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.115.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.115.8 PERSONAL SERVICE OF NOTICE: Personal service of the notice of hearing may be made by any agent of the division or by any person over the age of 18 years in the same manner as is provided by law for the service of summons in civil actions in the district courts of this state. Such service shall be complete at the time of such personal service or on the date of publication, as the case may be. Proof of service shall be by the affidavit of the person making personal service or of the publisher of the newspaper in which publication is had. Service of the notice shall be made at least 10 days before the hearing.
[Recompiled 12/31/01]

HISTORY OF 19.14.115 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-706, Personal Service of Notice, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-707.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 116 PREPARATION OF NOTICES

19.14.116.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.116.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.116.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.116.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.116.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.116.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.116.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.116.8 PREPARATION OF NOTICES: After a motion or application is filed with the division the notice or notices required shall be prepared by the division and service and publication thereof shall be taken care of by the division without cost to the applicant.
[Recompiled 12/31/01]

HISTORY OF 19.14.116 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-707, Preparation of Notices 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-708.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 117 FILING PLEADINGS: COPY DELIVERED TO ADVERSE PARTY OR PARTIES

19.14.117.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.117.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.117.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.117.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.117.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.117.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.117.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.117.8 FILING PLEADINGS: When any party to a hearing files any pleading, plea, or motion of any character (other than application for hearing) which is not by law or by these rules required to be served upon the adverse party or parties, he shall at the same time either deliver or mail to the adverse party or parties who have entered their appearance therein, or their respective attorneys of record, a copy of such pleading, plea, or motion. For the purposes of these rules, an appearance of any interested party shall be made either by letter addressed to the division or in person at any proceeding before the commission or before an examiner, with notice of such appearance to the parties from whom such pleadings, pleas, or motions are desired.
[Recompiled 12/31/01]

HISTORY OF 19.14.117 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-708, Filing Pleadings: Copy Delivered to Adverse Party or Parties, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-709.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 118 CONTINUANCE OF HEARING WITHOUT NEW SERVICE

19.14.118.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.118.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.118.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.118.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.118.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.118.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.118.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.118.8 CONTINUANCE OF HEARING WITHOUT NEW SERVICE: Any hearing before the commission or an examiner held after due notice may be continued by the person presiding at such hearing to a specified time and place without the necessity of notice of the same being again served or published. In the event of any continuance, a statement thereof shall be made in the record of the hearing which is continued.
[Recompiled 12/31/01]

HISTORY OF 19.14.118 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-709, Continuance of Hearing Without New Service, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-710.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 119 CONDUCT OF HEARINGS

19.14.119.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.119.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.119.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.119.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.119.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.119.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.119.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.119.8 CONDUCT OF HEARINGS: Hearings before the commission or any examiner shall be conducted without rigid formality. A transcript of testimony shall be taken and preserved as a part of the permanent record of the division. Any person testifying in response to a subpoena issued by the commission or any member thereof, or the authorized representative of the division director, and any person seeking to testify in support of an application or motion or in opposition thereto shall be required to do so under oath. However, relevant unsworn comments and observations by any interested party will be designated as such and included in the record. Comments and observations by representatives of operators' committees, the United States geological survey, the United States bureau of mines, the New Mexico bureau of mines, and other competent persons are welcomed. Any examiner legally appointed by the division director may conduct such hearings as may be referred to such examiner by the director.
[Recompiled 12/31/01]

HISTORY OF 19.14.119 NMAC
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-710, Conduct of Hearings, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-711.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 120 POWER TO REQUIRE ATTENDANCE OF WITNESSES AND PRODUCTION OF EVIDENCE

19.14.120.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.120.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.120.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.120.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.120.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.120.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.120.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.120.8 POWER TO REQUIRE ATTENDANCE OF WITNESSES AND PRODUCTION OF EVIDENCE: The commission or any member thereof, or the authorized representative of the division director has statutory power to subpoena witnesses and to require the production of books, papers and records in any proceeding before the commission or division. A subpoena will be issued for attendance at a hearing upon the written request of any person interested in the subject matter of the hearing. In case of the failure of a person or comply with the subpoena issued, an attachment of the person may be issued by the district court of any district in the state, and such court has powers to punish for contempt. Any person found guilty of swearing falsely at any hearing may be punished for contempt.
[Recompiled 12/31/01]

HISTORY OF 19.14.120 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-711, Power to Require Attendance of Witness and Production of Evidence, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-712.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 121 RULES OF EVIDENCE

19.14.121.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.121.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.121.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.121.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.121.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.121.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.121.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.121.8 RULES OF EVIDENCE: Full opportunity shall be afforded all interested parties at a hearing to present evidence and to cross-examine witnesses. In general, the rules of evidence applicable in a trial before a court without a jury shall be applicable, provided that such rules may be relaxed, where, by so doing, the ends of justice will be better served. No order shall be made which is not supported by competent legal evidence.
[Recompiled 12/31/01]

HISTORY OF 19.14.121 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-712, Rules of Evidence, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-713.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 122 EXAMINERS' QUALIFICATIONS AND APPOINTMENT

19.14.122.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.122.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.122.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.122.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.122.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.122.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.122.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.122.8 EXAMINERS' QUALIFICATIONS AND APPOINTMENT: The division director shall, by ex parte order, designate and appoint not more than four individuals to be examiners. Each examiner so appointed shall be a member of the staff of the division, but no examiner need be a full time employee of the division. The director may, by ex parte order, designate and appoint a successor to any person whose status as an dxaminer is terminated for any reason. Each individual designated and appointed as an examiner must have at least six years practical experience as a geologist, petroleum engineer or licensed lawyer, or at least two years of such experience and a college degree in geology, engineering or law; provided however, that nothing herein contained shall prevent any member of the commission from being designated as, or serving as, an examiner.
[Recompiled 12/31/01]

HISTORY OF 19.14.122 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-713, Examiner's Qualifications and Appointment, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-714.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 123 REFERRAL OF CASES TO EXAMINERS

19.14.123.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.123.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.123.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.123.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.123.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.123.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.123.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.123.8 REFERRAL OF CASES TO EXAMINERS: The division director may refer any matter or proceeding to any legally designated and appointed examiner for hearing in accordance with these rules. The examiner appointed to hear any specific case shall be designated by name.
[Recompiled 12/31/01]

HISTORY OF 19.14.123 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-714, Referral of Cases to Examiners, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-715.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 124 EXAMINER'S POWER AND AUTHORITY

19.14.124.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.124.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.124.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.124.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.124.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.124.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.124.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.124.8 EXAMINER'S POWER AND AUTHORITY: The division director may, by ex parte order, limit the powers and duties of the examiner in any particular case to such issues or to the performance of such acts as the director deems expedient; however, subject only to such limitations as may be ordered by the director, the examiner to whom any matter or proceeding is referred under these rules shall have full authority to hold hearings on such matter or proceeding in accordance with and pursuant to these rules. The examiner shall have the power to regulate all proceedings before him and to perform all acts and take all measures necessary or proper for the efficient and orderly conduct of such hearing, including the swearing of witnesses, receiving of testimony and exhibits offered in evidence, subject to such objections as may be imposed, and shall cause a complete record of the proceedings to be made and transcribed and shall certify same to the director as hereinafter provided.
[Recompiled 12/31/01]

HISTORY OF 19.14.124 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-715, Examiner's Power and Authority, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-716.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 125 HEARINGS WHICH MUST BE HELD BEFORE COMMISSION

19.14.125.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.125.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.125.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.125.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.125.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.125.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.125.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.125.8 HEARINGS WHICH MUST BE HELD BEFORE COMMISSION: Notwithstanding any other provisions, of these rules, the hearing on any matter shall be held before the commission (1) if it is a hearing de novo, or (2) if the division director in his discretion desires the commission to hear the matter.
[Recompiled 12/31/01]

HISTORY OF 19.14.125 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-716, Hearings Which Must Be Held Before Commission, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-717.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 126 EXAMINER'S MANNER OF CONDUCTING HEARING

19.14.126.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.126.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.126.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.126.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.126.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.126.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.126.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.126.8 EXAMINER'S MANNER OF CONDUCTING HEARING: An examiner conducting a hearing under these rules shall conduct himself as a disinterested umpire.
[Recompiled 12/31/01]

HISTORY OF 19.14.126 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-717, Examiner's Manner of Conducting Hearing, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-718.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 127 REPORT AND RECOMMENDATIONS, EXAMINER'S HEARINGS

19.14.127.1 ***ISSUING AGENCY:*** Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.127.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.127.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.127.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.127.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.127.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.127.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.127.8 REPORT AND RECOMMENDATIONS, EXAMINER'S HEARINGS: Upon the conclusion of any hearing before an examiner, the examiner shall promptly consider the proceedings in such hearing, and based upon the record of such hearing the examiner shall prepare his written report and recommendations for the disposition of the matter of proceeding by the division. Such report and recommendation shall either be accompanied by a proposed order or shall be in the form of a proposed order, and shall be submitted to the division director with the certified record of the hearing.
[Recompiled 12/31/01]

HISTORY OF 19.14.127 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-718, Report and Recommendations, Examiner's Hearings, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-719.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 128 DISPOSITION OF CASES HEARD BY EXAMINERS

19.14.128.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.128.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.128.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.128.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.128.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.128.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.128.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.128.8 DISPOSITION OF CASES HEARD BY EXAMINERS: After receipt of the report and recommendations of the examiner, the division director shall enter the division's order disposing of the matter or proceeding.
[Recompiled 12/31/01]

HISTORY OF 19.14.128 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-719, Disposition of Cases Heard by Examiners, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-720.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 129 DE NOVO HEARING BEFORE COMMISSION

19.14.129.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.129.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.129.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.129.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.129.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.129.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.129.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.129.8 DE NOVO HEARING BEFORE COMMISSION: When any order has been entered by the division pursuant to any hearing held by an examiner, any party adversely affected by such order shall have the right to have such matter or proceeding heard de novo before the commission, provided that within 30 days from the date such order is rendered such party files with the division a written application for such hearing before the commission. If such application is filed, the matter or proceeding shall be set for hearing before the commission at the first available hearing date following the expiration of fifteen days from the date such application is filed with the division. Any person affected by the order or decision rendered by the commission after hearing before the commission may apply for rehearing pursuant to and in accordance with the provisions of Rule G-722 [now 19.14.131 NMAC], and said Rule G-722 [now 19.14.131 NMAC] together with the law applicable to rehearing and appeals in matters and proceedings before the commission shall thereafter apply to such matter or proceeding.
[Recompiled 12/31/01]

HISTORY OF 19.14.129 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-720, De Novo Hearing Before Commission, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-720.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 129 DE NOVO HEARING BEFORE COMMISSION

19.14.129.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.129.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.129.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.129.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.129.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.129.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.129.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.129.8 DE NOVO HEARING BEFORE COMMISSION: When any order has been entered by the division pursuant to any hearing held by an examiner, any party adversely affected by such order shall have the right to have such matter or proceeding heard de novo before the commission, provided that within 30 days from the date such order is rendered such party files with the division a written application for such hearing before the commission. If such application is filed, the matter or proceeding shall be set for hearing before the commission at the first available hearing date following the expiration of fifteen days from the date such application is filed with the division. Any person affected by the order or decision rendered by the commission after hearing before the commission may apply for rehearing pursuant to and in accordance with the provisions of Rule G-722 [now 19.14.131 NMAC], and said Rule G-722 [now 19.14.131 NMAC] together with the law applicable to rehearing and appeals in matters and proceedings before the commission shall thereafter apply to such matter or proceeding.
[Recompiled 12/31/01]

HISTORY OF 19.14.129 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-720, De Novo Hearing Before Commission, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-721.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 130 NOTICE OF COMMISSION AND DIVISION ORDERS

19.14.130.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.130.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.130.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.130.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.130.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.130.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.130.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.130.8 NOTICE OF COMMISSION AND DIVISION ORDERS: Within ten days after any order, including any order granting or refusing rehearing, or order following rehearing, has been rendered, a copy of such order shall be mailed by the division to each person or his attorney of record who has entered his appearance of record in the matter of proceeding pursuant to which such order is rendered.
[Recompiled 12/31/01]

HISTORY OF 19.14.130 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-721, Notice of Commission and Division Orders, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-722.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 131 REHEARINGS

19.14.131.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.131.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.131.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.131.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.131.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.131.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.131.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.131.8 REHEARINGS: Within 20 days after entry of any order or decision of the commission any person affected thereby may file with the division an application for rehearing in respect of any matter determined by such order or decision, setting forth the respect in which such order or decision is believed to be erroneous. The commission shall grant or refuse any such application in whole or in part within 10 days after the same is filed and failure to act thereon within such period shall be deemed a refusal thereof and a final disposition of such application. In the event the rehearing is granted, the commission may enter such new order or decision after rehearing as may be required under the circumstances.
[Recompiled 12/31/01]

HISTORY OF 19.14.131 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-722, Rehearings, 11/1/83.

History of Repealed Material: [RESERVED]

This rule was filed as Rule G-723.

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 14 GEOTHERMAL POWER
PART 132 CHANGES IN FORMS AND REPORTS

19.14.132.1 ISSUING AGENCY: Energy and Minerals Department, Oil Conservation Division, P.O. Box 2088, Santa Fe, New Mexico.
[Recompiled 12/31/01]

19.14.132.2 SCOPE: [RESERVED]
[Recompiled 12/31/01]

19.14.132.3 STATUTORY AUTHORITY: [RESERVED]
[Recompiled 12/31/01]

19.14.132.4 DURATION: [RESERVED]
[Recompiled 12/31/01]

19.14.132.5 EFFECTIVE DATE: [November 15, 1983]
[Recompiled 12/31/01]

19.14.132.6 OBJECTIVE: [RESERVED]
[Recompiled 12/31/01]

19.14.132.7 DEFINITIONS: [RESERVED]
[Recompiled 12/31/01]

19.14.132.8 CHANGES IN FORMS AND REPORTS: Any change in the forms and reports or rules relating to such forms and reports shall be made only by order of the commission or division issued after due notice and hearing.
[Recompiled 12/31/01]

HISTORY OF 19.14.132 NMAC:
Pre-NMAC History: The material in this Part was derived from that previously filed with the State Records Center and Archives:
Rule G-723, Changes in Forms and Reports, 11/1/83.

History of Repealed Material: [RESERVED]

OCD Permitting

An Unexpected Error Has Occurred

Please restart your browser and try to complete this action again. If you continue to experience this issue please contact an OCD representative.

Thank you.

1220 South St. Francis Drive | Santa Fe, NM 87505 | P: (505) 476-3200 | F: (505) 476-3220

OCD Permitting

An Unexpected Error Has Occurred

Please restart your browser and try to complete this action again. If you continue to experience this issue please contact an OCD representative.

Thank you.

1220 South St. Francis Drive | Santa Fe, NM 87505 | P: (505) 476-3200 | F: (505) 476-3220