

GTHT - _____001_____

**GENERAL
CORRESPONDENCE**

YEAR:

2015

Chavez, Carl J, EMNRD

From: dseawright@gmail.com
Sent: Wednesday, July 15, 2015 5:44 PM
To: Chavez, Carl J, EMNRD; Griswold, Jim, EMNRD; Davidson, Florene, EMNRD
Cc: 'Charles Lakins'
Subject: LDG 63A-7 Request for Hearing
Attachments: AmeriCulture Objection and Request for Hearing LDG Well 63A-7.pdf

Dear Jim, Carl and Florene,

Please find attached AmeriCulture, Inc.'s Notice of Objection and Request for Hearing pertaining to Lightning Dock Geothermal HI-01, LLC's recent G-112 application for proposed well 63A-7.

Out of an overabundance of caution, since we were not certain if an application for hearing was required of us contemporaneously with our notice of objection, the attached letter also includes an application for hearing. Given that our June 20, 2015 request for hearing was recognized as a valid request for hearing, we are submitting the attached in the same manner and format. Should you find any deficiencies, please let me know immediately and we will remedy the situation.

Please confirm receipt.

Kind Regards,

Damon Seawright
(505)670-5220



July 15, 2015

Mr. Carl Chavez
Oil Conservation Division
New Mexico Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

RE: LIGHTNING DOCK GEOTHERMAL HI-01, LLC APPLICATIONS TO PLACE WELL ON INJECTION-GEOTHERMAL RESOURCES AREA, WELL NO. 63A-7 IN HIDALGO COUNTY, NEW MEXICO

Dear Carl:

The Oil Conservation Division (OCD) received a G-112 Application to Place Well on Injection-Geothermal Resources Area forms from Lightning Dock Geothermal HI-01, LLC corresponding to proposed well 63A-7.

AmeriCulture, Inc. is a long-standing geothermal lease holder and user in the vicinity of the proposed well and is thus an affected geothermal lease owner. AmeriCulture hereby objects to the aforementioned application and requests that the Oil Conservation Division deny the permit sought by Lightning Dock Geothermal HI-01 LLC for proposed well 63A-7.

Owing partially to the potential for endangerment of the regional geothermal resource, underground water supplies, and businesses that rely upon the regional geothermal resource, we believe that the application should be denied. If the OCD concurred with this position and were to deny all three applications, then there would be no need for AmeriCulture, Inc. to request a corresponding hearing on the matter.

The OCD's Geothermal Rules and Regulations are procedurally ambiguous as to whether an objecting party must also request a hearing according to the application guidelines set forth in Rule G-703. Thus, out of an overabundance of caution, and in conformance with Rule G-703, AmeriCulture, Inc. hereby makes application for hearing by stating (1) Applicant, Lightning Dock Geothermal, HI-01, LLC, (2) Common Source, Lightning Dock Known Geothermal Resource Area, and (3) Order, Rule or Regulation Sought: Denial of G-112 application corresponding to proposed well 63A-7. In the event the OCD were to deny said G-112 applications prior to a hearing, no hearing would be required. Since our recent request for hearing submitted to the OCD via email on June 20, 2015 was accepted as a valid request for hearing, we trust this letter will in like manner constitute a valid request for hearing.

Should the OCD determine that a hearing on the matter is appropriate, and that this letter is deficient in any way as an application for hearing, please notify me immediately by telephone or email with further instructions to insure our regulatory compliance.

Sincerely Yours,

Damon E. Seawright
President

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Please confirm receipt.

Kind Regards,

Damon Seawright
(505)670-5220



July 15, 2015

Mr. Carl Chavez
Oil Conservation Division
New Mexico Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

RE: LIGHTNING DOCK GEOTHERMAL HI-01, LLC APPLICATIONS TO PLACE WELL ON INJECTION-GEOTHERMAL RESOURCES AREA, WELL NO. 63A-7 IN HIDALGO COUNTY, NEW MEXICO

Dear Carl:

The Oil Conservation Division (OCD) received a G-112 Application to Place Well on Injection-Geothermal Resources Area forms from Lightning Dock Geothermal HI-01, LLC corresponding to proposed well 63A-7.

AmeriCulture, Inc. is a long-standing geothermal lease holder and user in the vicinity of the proposed well and is thus an affected geothermal lease owner. AmeriCulture hereby objects to the aforementioned application and requests that the Oil Conservation Division deny the permit sought by Lightning Dock Geothermal HI-01 LLC for proposed well 63A-7.

Owing partially to the potential for endangerment of the regional geothermal resource, underground water supplies, and businesses that rely upon the regional geothermal resource, we believe that the application should be denied. If the OCD concurred with this position and were to deny all three applications, then there would be no need for AmeriCulture, Inc. to request a corresponding hearing on the matter.

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Should the OCD determine that a hearing on the matter is appropriate, and that this letter is deficient in any way as an application for hearing, please notify me immediately by telephone or email with further instructions to insure our regulatory compliance.

Sincerely Yours,

Damon E. Seawright
President

Chavez, Carl J, EMNRD

From: dseawright@gmail.com
Sent: Saturday, June 20, 2015 4:27 PM
To: Chavez, Carl J, EMNRD; Griswold, Jim, EMNRD
Cc: Charles Lakins
Subject: RE: LDG 15-8 and LDG 76-7 G-101, 102, 104 (preliminary) and 112 (preliminary) Forms
Attachments: AmeriCulture Objection and Application Proposed LDG Wells 15-8, 76-7 and 13-7.pdf

Dear Carl and Jim,

Please find attached AmeriCulture, Inc.'s Notice of Objection to Lightning Dock Geothermal HI-01, LLC's recent G-112 applications for proposed wells 15-8, 76-7 and 13-7.

Out of an overabundance of caution, since we were not certain if an application for hearing was required of us contemporaneously with our notice of objection, the attached letter also includes an application for hearing. Since 10 days still remain within the 20-day waiting period, we have sufficient time to modify the attached should the OCD find any deficiencies. Should you find any deficiencies, please let me know immediately and we will remedy the situation. Specifically, please let us know whether or not triplicate copies of the application must still be delivered to OCD's Santa Fe office.

Please confirm receipt.

Kind Regards,

Damon Seawright
(505)670-5220

From: Chavez, Carl J, EMNRD [mailto:CarlJ.Chavez@state.nm.us]
Sent: Wednesday, June 10, 2015 4:47 PM
To: dseawright@gmail.com
Subject: LDG 15-8 and LDG 76-7 G-101, 102, 104 (preliminary) and 112 (preliminary) Forms

Mr. Seawright:

FYI: Per your phone call today and request for a return call from OCD, OCD has received the above applications today.

Carl J. Chavez, CHMM

New Mexico Energy, Minerals & Natural Resources Department
Oil Conservation Division, Environmental Bureau
1220 South St. Francis Drive, Santa Fe, New Mexico 87505
O: (505) 476-3490

E-mail: CarlJ.Chavez@State.NM.US

Web: <http://www.emnrd.state.nm.us/ocd/>

“Why Not Prevent Pollution; Minimize Waste; Reduce the Cost of Operations; & Move Forward With the Rest of the Nation?” To see how, please go to: “Pollution Prevention & Waste Minimization” at

<http://www.emnrd.state.nm.us/ocd/environmental.htm#environmental>



June 20, 2015

Mr. Carl Chavez
Oil Conservation Division
New Mexico Energy, Minerals and Natural Resources Department
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

RE: LIGHTNING DOCK GEOTHERMAL HI-01, LLC APPLICATIONS TO PLACE WELL ON INJECTION-GEOTHERMAL RESOURCES AREA, WELL NOS. 15-8, 76-7 AND 13-7 IN HIDALGO COUNTY, NEW MEXICO

Dear Carl:

On June 10, 2015, the Oil Conservation Division (OCD) received two G-112 Application to Place Well on Injection-Geothermal Resources Area forms from Lightning Dock Geothermal HI-01, LLC corresponding to proposed wells 15-8 and 76-7. At a later date, the OCD received an additional G-112 form, dated June 15, 2015, corresponding to a third proposed well 13-7.

AmeriCulture, Inc. is a long-standing geothermal lease holder and user in the vicinity of all three proposed wells and is thus an affected geothermal lease owner. AmeriCulture hereby objects to the aforementioned applications and requests that the Oil Conservation Division deny the permits sought by Lightning Dock Geothermal HI-01 LLC for proposed wells 15-8, 76-7, and 13-7.

Although the G-112 forms corresponding to wells 15-8 and 76-7 were dated June 1, 2015 by the applicant, they were not received by the OCD until June 10, 2015. Thus, the 20-day waiting period set forth in Rule G-103 and listed on form G-112, ends June 30, 2015, ten days from the date of this letter.

Owing partially to the potential for endangerment of the regional geothermal resource, underground water supplies, and businesses that rely upon the regional geothermal resource, we believe that all three applications should be denied. If the OCD concurred with this position and were to deny all three applications, then there would be no need for AmeriCulture, Inc. to request a corresponding hearing on the matter.

The OCD's Geothermal Rules and Regulations are procedurally ambiguous as to whether an objecting party must also request a hearing according to the application guidelines set forth in Rule G-703. Thus, out of an overabundance of caution, and in conformance with Rule G-703, AmeriCulture, Inc. hereby makes application for hearing by stating (1) Applicant, Lightning Dock Geothermal, HI-01, LLC, (2) Common Source, Lightning Dock Known Geothermal Resource Area, and (3) Order, Rule or Regulation Sought: Denial of G-112 applications corresponding to proposed wells 15-8, 76-7, and 13-7. In the event the OCD were to deny said G-112 applications prior to a hearing, no hearing would be required.

• 25 Tilapia Trail, Animas, NM 88020 • Ph: 505.670.5220 • Fax: 815.301.8809

• e-mail: dseawright@gmail.com • www.americulture.com

June 20, 2015
Mr. Carl Chavez
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Since ten days remain within the 20-day waiting period, sufficient time exists for OCD to provide AmeriCulture, Inc. guidance with respect to the sufficiency of this letter as both a notice of objection to the three aforementioned G-112 applications, and as to its sufficiency as an application for hearing, without further delivery of triplicate copies to the OCD according to the guidance provided in Rule 703. AmeriCulture, Inc. reserves the right to modify or supplement its objection and application within the 20-day waiting period.

Should the OCD determine that a hearing on the matter is appropriate, and that this letter is deficient in any way as an application for hearing, please notify me immediately by telephone or email with further instructions to insure our regulatory compliance.

Sincerely Yours,

Damon E. Seawright
President