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GEO THERMAL REGULATIONS

Chapter 71: Energy &

Minerals

Article 5: Geothermal

Resources Conservation Act

Chapter 71, Article 5

NMSA 1978

Sections 1-24

West's New Mexico Statutes Annotated Currentness

■ Chapter 71. Energy and Minerals

➔ Article 5. Geothermal Resources Conservation Act (Refs & Annos)

§ 71-5-1. Short title

Chapter 71, Article 5 NMSA 1978 may be cited as the "Geothermal Resources Conservation Act".

§ 71-5-2. Purpose of act

A. It is hereby found and determined that the people of the state of New Mexico have a direct and primary interest in the development of geothermal resources, and that this state should exercise its power and jurisdiction through its oil conservation commission and division to require that wells drilled in search of, development of, or incident to the production of geothermal resources be drilled, operated, maintained and abandoned in such a manner as to safeguard life, health, property, natural resources and the public welfare, and to encourage maximum economic recovery.

B. To these ends, it is the intent of the legislature that the power and jurisdiction of the commission and the division as given by the Geothermal Resources Conservation Act shall be supplemental to the other powers and jurisdiction given the commission and the division by the statutes of this state.

§ 71-5-2.1. Exclusion; incidental loss or extraction of heat

When the application of potable water to a beneficial use involves the ~~incidental loss or extraction of heat~~ and the water is 250 degrees Fahrenheit or less, then that heat is not a geothermal resource for which a royalty is due. In such a case, the use is not governed by laws related to geothermal resources but is simply governed by Chapter 72 NMSA 1978.

§ 71-5-3. Definitions

As used in the Geothermal Resources Conservation Act:

A. "geothermal resources" means 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;

B. "commission" means the oil conservation commission;

C. "correlative rights" means the opportunity afforded, insofar as is practicable to do so, to 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 recoverable geothermal resources under such property bear 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. "division" means the oil conservation division of the energy, minerals and natural resources

department;

E. "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;

F. "geothermal field" means the general area which is underlaid or reasonably appears to be underlaid by at least one geothermal reservoir;

G. "low-temperature thermal reservoir" means a geothermal reservoir containing low-temperature thermal water, which is defined as naturally heated water, the temperature of which is less than boiling at the altitude of occurrence, which has additional value by virtue of the heat contained therein and is found below the surface of the earth or in warm springs at the surface;

H. "person" means:

- (1) any individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, joint venture, syndicate or other entity; or
- (2) the United States or any agency or instrumentality thereof or the state of New Mexico or any political subdivision thereof;

I. "well" means any well dug or drilled for the discovery or development of geothermal resources or incident to the discovery or development of geothermal resources or for the purpose of injecting or reinjecting geothermal resources or the residue thereof or other fluids into a geothermal reservoir or any well dug or drilled for any other purpose and reactivated or converted to any of the aforesaid uses; and

J. "potash" means the naturally occurring bedded deposits of the salts of the element potassium.

§ 71-5-4. Waste prohibited

The production or handling of geothermal resources of any type or in any form, or the handling of products thereof, in such manner or under such conditions or in such amounts as to constitute waste is each hereby prohibited.

§ 71-5-5. Waste definitions

As used in this act, the term "waste," in addition to its ordinary meaning, shall include:

A. "underground waste" as those words are generally understood in the geothermal business, and in any event to embrace the inefficient, excessive or improper use or dissipation of the reservoir fluids or energy, including the natural energy of the heated fluids or the natural heat of the earth, and the locating, spacing, drilling, equipping, operating or producing of any well or wells in a manner that would reduce or tend to reduce the total quantity of geothermal resources ultimately recovered from any geothermal reservoir;

B. "surface waste" as those words are generally understood in the geothermal business, and in any event to embrace the unnecessary or excessive surface loss or destruction without beneficial use, however caused, of geothermal resources of any type or in any form, or any product thereof, and including the loss or destruction of geothermal resources resulting from leakage, evaporation or seepage, especially incident to or resulting from the manner of spacing, equipping, operating or producing of any well or wells, or incident to or resulting from the inefficient transportation, use or storage of geothermal resources;

C. the production from any well or wells in this state of geothermal resources in excess of the reasonable market demand therefor, in excess of the capacity of the geothermal transportation facility connected thereto to efficiently receive and transport such geothermal resources, or in excess of the capacity of a geothermal utilization facility to efficiently receive and utilize such geothermal resources;

D. the nonratable purchase or taking of geothermal resources within a geothermal reservoir in this state. Such nonratable taking or purchasing causes or results in excessive or improper dissipation of reservoir energy and results in waste, as defined in Subsection A of this section, and is in

violation of Section 14 of the Geothermal Resources Conservation Act; and
 E. drilling or producing operations for geothermal resources within any area containing commercial deposits of potash where such operations would have the effect unduly to reduce the total quantity of such commercial deposits of potash which may reasonably be recovered in commercial quantities or where such operations would interfere unduly with the orderly development of such potash deposits.

§ 71-5-6. Commission's and division's powers and duties

A. In addition to its other powers and duties, the division shall have, and is hereby given, jurisdiction over all matters relating to the conservation of geothermal resources and the prevention of waste of potash as a result of geothermal operations in this state. It shall have jurisdiction, authority and control of and over all persons, matters or things necessary or proper to enforce effectively the provisions of the Geothermal Resources Conservation Act or any other law of this state relating to the conservation of geothermal resources and the prevention of waste of potash as a result of geothermal operations. Provided, however, nothing in this section 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 or resources under its jurisdiction.

B. The commission shall have concurrent jurisdiction and authority with the division to the extent necessary for the commission to perform its duties as required by the Geothermal Resources Conservation Act. In addition, any hearing on any matter may be held before the commission if the ~~division director~~ in his discretion, determines that the commission shall hear the matter.

§ 71-5-7. Power of commission and division to prevent waste and protect correlative rights

The commission and division are hereby empowered, and it is their duty, to prevent the waste prohibited by the Geothermal Resources Conservation Act and to protect correlative rights, as in that act provided. To that end, the commission and division may make and enforce rules, regulations and orders relating to geothermal resources, and to do whatever may be reasonably necessary to carry out the purposes of that act whether or not indicated or specified in any section thereof.

§ 71-5-8. Enumeration of powers

Included in the power given to the division is the authority to collect data; to make investigations and inspections; to examine properties, leases, papers, books and records; to examine, check, test and gauge geothermal resources wells and geothermal resources transportation, storage and utilization facilities; to limit and allocate production of geothermal resources as provided in the Geothermal Resources Conservation Act; and to require certificates of clearance for the production or transportation of geothermal resources.

Apart from any authority, express or implied, elsewhere given to or existing in the division by virtue of the Geothermal Resources Conservation Act or the statutes of this state, the division may make rules, regulations and orders for the purposes and with respect to the subject matter stated herein, viz.:

All orders effecting such pooling shall be made after notice and hearing, and shall be upon such terms and conditions as are just and reasonable and will afford to the owner or owners of each tract or interest in the unit the opportunity to recover or receive without unnecessary expense his just and fair share of the geothermal resources. Each order shall describe the lands included in the unit designated thereby, identify the reservoir or reservoirs to which it applies and designate an operator for the unit. All operations for the pooled geothermal resources which are conducted on any portion of the unit shall be deemed for all purposes to have been conducted upon each tract within the unit by the owner or owners of such tract. For the purpose of determining the portions of production owned by the persons owning interests in the pooled geothermal resources, such production shall be allocated to the respective tracts within the unit in the proportion that the number of surface acres included within each tract bears to the number of surface acres included in the entire unit. The portion of the production allocated to the owner or owners of each tract or interest included in a well spacing unit formed by a pooling order shall, when produced, be considered as if produced from the separately owned tract or interest by a well drilled thereon. Such pooling order of the division shall make definite provision as to any owner or owners, who elects not to pay his proportionate share in advance for the pro rata reimbursement solely out of production to the parties advancing the costs of development and operation which shall be limited to the actual expenditures required for such purpose not in excess of what are reasonable, but which shall include a reasonable charge for supervision and may include a charge for the risk involved in the drilling of such well, which charge for risk shall not exceed two hundred percent of the nonconsenting working interest owner's or owners' pro rata share of the cost of drilling and completing the well.

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In the event of any dispute relative to such costs, the division shall determine the proper costs after due notice to interested parties and a hearing thereon. The division is specifically authorized to provide that the owner or owners drilling or paying for the drilling, or for the operation of a well for the benefit of all shall be entitled to all production from such well which would be received by the owner, or owners, for whose benefit the well was drilled or operated, after payment of royalty as provided in the lease, if any, applicable to each tract or interest, and obligations payable out of production, until the owner or owners drilling or operating the well or both have been paid the amount due under the terms of the pooling order or order settling such dispute. No part of the production or proceeds accruing to any owner or owners of a separate interest in such unit shall be applied toward the payment of any cost properly chargeable to any other interest in said unit.

If the interest of any owner or owners of any unleased mineral interest is pooled by virtue of the Geothermal Resources Conservation Act, seven-eighths of such interest shall be considered as a working interest and one-eighth shall be considered a royalty interest, and he shall in all events be paid one-eighth of all production from the unit and creditable to his interest.

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D. Whenever it appears that the owners in any geothermal reservoir have agreed upon a plan for the spacing of wells, or upon a plan or method of distribution of production from the reservoir, or upon any other plan for the development or operation of such reservoir, which plan, in the judgment of the division, has the effect of preventing waste as prohibited by the Geothermal Resources Conservation Act and is fair to the royalty owners in such reservoir, then such plan shall be adopted by the division with respect to the reservoir; however, the division, upon hearing and after notice, may subsequently modify any such plan to the extent necessary to prevent waste as prohibited by the Geothermal Resources Conservation Act.

§ 71-5-12. Court may authorize pooling or unitization by fiduciaries

A. When an existing geothermal resources lease upon property owned by a decedent at the time of his death, by a minor or by an incompetent, does not authorize pooling or unitization thereof with other lands in the vicinity, the district court for the county in which any portion of the lands subject to said lease is situated can authorize the executor or administrator of the estate of the decedent, or the guardian of the minor or incompetent, to execute appropriate instruments authorizing or effectuating such pooling or unitization, or both, if the court finds it to be in the interest of the owners of such property.

B. An executor, administrator or guardian desiring authorization to execute such instruments shall file a verified petition in the appropriate district court setting forth a description of the lease, the lands subject thereto and the reason that the proposed action is in the interest of the owners of the affected real estate. A copy of the instrument by which such pooling or unitization is proposed to be authorized or effectuated shall be attached to the petition.

Verified
Petition
by
Executor

C. No notice of the hearing upon the petition shall be required; provided, however, that the court in its discretion may require such notice as it may direct to be given to affected parties.

D. Upon entry of an order of the court authorizing execution of the proposed instrument in the form attached to the petition, or with such modification as the court may direct, and execution thereof by the executor, administrator or guardian, the interest in the property owned by the decedent at the time of death, or by the ward, shall be subject in all respects to the terms of said instrument and the executor, administrator or guardian, without further order of the court, shall be authorized to execute division orders, transfer orders, correction instruments, receipts and other instruments made necessary or desirable by the pooling or unitization so effected.

§ 71-5-13. Spacing unit with divided mineral ownership

A. Whenever the operator of any geothermal resources well shall dedicate lands comprising a standard spacing unit to a geothermal resources well, it shall be the obligation of the operator, if two or more separately owned tracts of land are embraced within the spacing unit, or where there are owners or royalty interests or undivided interests in the geothermal resources which are separately owned or any combination thereof, embraced within such spacing unit, to obtain voluntary agreements pooling said lands or interests or an order of the division pooling said lands, which agreement or order shall be effective from the first production. Any division order that increases the size of a standard spacing unit for a geothermal reservoir, or extends the boundaries of such a reservoir, shall require dedication of acreage to existing wells in the reservoir in accordance with the acreage dedication requirements for said reservoir, and all interests in the spacing units that are dedicated to the affected wells shall share in production from the effective date of the said order.

B. Any operator failing to obtain voluntary pooling agreements, or failing to apply for an order of the division pooling the lands dedicated to the spacing unit as required by this section, shall nevertheless be liable to account to and pay each owner of geothermal interests, including owners of overriding royalty interests and other payments out of production, either the amount to which each interest would be entitled if pooling had occurred or the amount to which each interest is entitled in the absence of pooling, whichever is greater.

C. Nonstandard spacing units may be established by the division and all geothermal interests in any such nonstandard unit shall share in production from that unit from the date of the order establishing the said nonstandard unit.

permitted by this section shall remain in force no longer than fifteen 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.

§ 71-5-17.1. Rules of procedure in hearings; manner of giving notice; record of rules, regulations and orders

The division shall prescribe its rules of order or procedure in hearings or other proceedings before it under the Geothermal Resources Conservation Act. Any notice required to be given under that act or under any rule, regulation or order prescribed by the commission or division shall be by personal service on the person affected, or by publication once in a newspaper of general circulation published at Santa Fe and once in a newspaper of general circulation published in the county, or each of the counties if there is more than one, in which any land, geothermal resources or other property which may be affected shall be situated. The notice shall issue 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, and it shall specify the number and style of the case, and the time and place of hearing, shall briefly state the general nature of the order or regulation contemplated by the division: on its own motion or sought in a proceeding brought before the commission or division, the name of the petitioner or applicant and, unless the 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 that may be affected by such order, rule or regulation. Personal service thereof may be made by any agent of the division or by any person over the age of eighteen 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 such publication, as the case may be. Proof of service shall be the affidavit of the person making personal service or of the publisher of the newspaper in which publication is had, as the case may be. All rules, regulations and orders made by the commission or division shall be entered in full by the director thereof in a book to be kept for such purpose by the division, which shall be a public record and open to inspection at all times during reasonable office hours. A copy of any rule, regulation or order, certified by the director of the division under the seal of the commission, shall be received in evidence in all courts of the state with the same effect as the original.

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§ 71-5-17.2. Subpoena power; immunity of natural persons required to testify

The commission or any member thereof, or the director of the division or his authorized representative, may subpoena witnesses, require their attendance and giving of testimony before it and require the production of books, papers and records in any proceeding before the commission or the division. No person shall be excused from attending and testifying or from producing books, papers and records before the commission or the division, or from complying with a subpoena, in any hearing, investigation or proceeding held by or before the commission or division or in any cause or proceeding in any court by or against the commission or division, relative to matters within the jurisdiction of the commission or division, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; provided that nothing herein contained shall be construed as requiring any person to produce any books, papers or records, or to testify in response to any inquiry, not pertinent to some question lawfully before the commission or division or court for determination. No natural person shall be subjected to criminal prosecution or to any penalty or forfeiture for any transaction, matter or thing concerning which he may be required to testify or produce evidence, documentary or otherwise, before the commission or division, or in compliance with a subpoena or in any cause or proceeding; provided, that no person testifying shall be

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exempted from prosecution and punishment for perjury committed in so testifying.

§ 71-5-17.3. Failure or refusal to comply with subpoena; refusal to testify; contempt

In case of failure or refusal on the part of any person to comply with any subpoena issued by the commission or any member thereof, or the director of the division or his authorized representative, or on the refusal of any witness to testify or answer as to any matters regarding which he may be lawfully interrogated, any district court, on the application of the commission or division, may issue an order and compel the person to comply with the subpoena and to attend before the commission or division and produce such documents and give his testimony upon such matters as may be lawfully required.

§ 71-5-17.4. Perjury; punishment

If any person of whom an oath shall be required under the provisions of the Geothermal Resources Conservation Act, or by any rule, regulation or order of the commission or division, shall willfully swear falsely in regard to any matter or thing respecting which such oath is required, or shall willfully make any false report or affidavit required or authorized by the provisions of the Geothermal Resources Conservation Act or by any rule, regulation or order of the commission or division, such person shall be guilty of a felony and, upon conviction, shall be imprisoned for not more than five years nor less than six months.

§ 71-5-17.5. Additional powers of commission or division; hearings before examiner; hearings de novo

In addition to the powers and authority, either express or implied, granted to the oil conservation commission or division, the division may, in prescribing its rules of order or procedure in connection with hearings or other proceedings before the division, provide for the appointment of one or more examiners to be members of the staff of the division to conduct hearings with respect to matters properly coming before the division and to make reports and recommendations to the director of the division with respect thereto. Any member of the commission or the director of the division or his authorized representative may serve as an examiner. The division shall promulgate rules and regulations with regard to hearings to be conducted before examiners, and the powers and duties of the examiners in any particular case may be limited by order of the division to particular issues or to the performance of particular acts. In the absence of any limiting order, an examiner appointed to hear any particular case may regulate all proceedings before him and perform all acts and take all measures necessary or proper for the efficient and orderly conduct of the hearing, including the swearing of witnesses, receiving of testimony and exhibits offered in evidence subject to objections as may be imposed, and shall cause a complete record of the proceeding to be made and transcribed and shall certify the same to the director of the division for consideration together with the report of the examiner and his recommendations in connection therewith. The director of the division shall base the decision rendered in any matter or proceeding heard by an examiner upon the transcript of testimony and record made by or under the supervision of the examiner in connection with the proceeding, and the decision shall have the same force and effect as if the hearing had been conducted before the director of the division. When any matter or proceeding is referred to an examiner and a decision is rendered thereon, any party of record adversely affected may have the matter heard de novo before the commission upon application filed with the division within thirty days from the time the decision is rendered.

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who may suffer damage by reason of the violation pendente lite by the complaining party of the statute or the provisions of the Geothermal Resources Conservation Act or of any rule, regulation or order complained of. Any person so suffering damage may bring suit thereon before the expiration of six months after the statute, provision, rule, regulation or order complained of shall be finally held to be valid, in whole or in part, or such suit against the commission, or the members thereof, or the division, shall be finally dismissed. Such bond shall be approved by the judge of the court in which the suit is pending, and shall be for the use and benefit of all persons who may suffer damage by reason of the violation pendente lite of the statute, provision, rule, regulation or order complained of in such suit, and who may bring suit within the time prescribed by this section; and such bond shall be so conditioned. From time to time, on motion and with notice to the parties, the court may increase or decrease the amount of the bond and may require new or additional sureties, as the facts may warrant.

§ 71-5-20. Actions for violations

Whenever it shall appear that any person is violating, or threatening to violate, any statute of this state with respect to the conservation of geothermal resources, or any provision of the Geothermal Resources Conservation Act, or any rule, regulation or order made thereunder, the division through the attorney general, shall bring suit against such person in the county of the residence of the defendant, or in the county of the residence of any defendant if there be more than one defendant, or in the county where the violation is alleged to have occurred, for penalties, if any are applicable, and to restrain such person from continuing such violation or from carrying out the threat of violation. In such suit the division may obtain injunction, prohibitory and mandatory, including temporary restraining orders and temporary injunctions, as the facts may warrant, including, when appropriate, an injunction restraining any person from moving or disposing of illegal geothermal resources, or illegal geothermal resources product, and any or all such commodities, or funds derived from the sale thereof, may be ordered to be impounded or placed under the control of an agent appointed by the court if, in the judgment of the court, such action is advisable.

§ 71-5-21. Actions for damages; institution of actions for injunctions by private parties

Nothing in the Geothermal Resources Conservation Act, contained or authorized, and no suit by or against the division, and no penalties imposed or claimed against any person for violating any statute of this state with respect to conservation of geothermal resources, or any provision of that act, or any rule, regulation or order issued hereunder, shall impair or abridge or delay any cause of action for damages which any person may have or assert against any person violating any statute of this state with respect to conservation of geothermal resources, or any provision of the Geothermal Resources Conservation Act, or any rule, regulation or order issued hereunder. Any person so damaged by the violation may sue for and recover such damages as he may be entitled to receive. In the event the division should fail to bring suit to enjoin any actual or threatened violation of any statute of this state with respect to the conservation of geothermal resources, or of any provision of this act, or of any rule, regulation or order made hereunder, then any person or party in interest adversely affected by such violation, and who has notified the division in writing of such violation or threat thereof and has requested the division to sue, may, to prevent any or further violation, bring suit for that purpose in the district court of any county in which the division could have brought suit. If, in such suit, the court holds that injunctive relief should be granted, then the division shall be made a party and shall be substituted for the person who brought the suit, and the injunction shall be issued as if the division had at all times been the complaining party.

§ 71-5-22. Violation of court order grounds for appointment of receiver

The violation by any person of an order of the court relating to the operation of any geothermal resources well or wells, or of any geothermal transportation, storage or utilization facility, shall be sufficient ground for the appointment of a receiver with power to conduct operations in accordance with the order of the court.

§ 71-5-23. Violations of the Geothermal Resources Conservation Act; penalties

A. Any person who knowingly and willfully violates any provision of the Geothermal Resources Conservation Act or any provision of any rule or order issued pursuant to that act shall be subject to a civil penalty of not more than two thousand five hundred dollars (\$2,500) for each violation. For purposes of this subsection, in the case of a continuing violation, each day of violation shall constitute a separate violation. The penalties provided in this subsection shall be recoverable by a civil suit filed by the attorney general in the name and on behalf of the commission or the division in the district court of the county in which the defendant resides or in which any defendant resides if there be more than one defendant or in the district court of any county in which the violation occurred. The payment to [FN1] such penalty shall not operate to legalize any illegal geothermal resources or illegal product involved in the violation for which the penalty is imposed or relieve a person on whom the penalty is imposed from liability to any other person for damages arising out of such violation.

B. It is unlawful, subject to a criminal penalty of a fine of not more than five thousand dollars (\$5,000) or imprisonment for a term not exceeding three years or both such fine and imprisonment, for any person to knowingly and willfully:

- (1) violate any provision of the Geothermal Resources Conservation Act or any rule, regulation or order of the commission or the division issued pursuant to that act; or
- (2) do any of the following for the purpose of evading or violating the Geothermal Resources Conservation Act or any rule, regulation or order of the commission or the division issued pursuant to that act:
 - (a) make any false entry or statement in a report required by the Geothermal Resources Conservation Act or by any rule, regulation or order of the commission or division issued pursuant to that act;
 - (b) make or cause to be made any false entry in any record, account or memorandum required by the Geothermal Resources Conservation Act or by any rule, regulation or order of the commission or division issued pursuant to that act;
 - (c) omit or cause to be omitted from any such record, account or memorandum full, true and correct entries; or
 - (d) remove from this state or destroy, mutilate, alter or falsify any such record, account or memorandum.

C. For the purposes of Subsection B of this section, each day of violation shall constitute a separate offense.

D. Any person who knowingly and willfully procures, counsels, aids or abets the commission of any act described in Subsection A or B of this section shall be subject to the same penalties as are prescribed therein.

[FN1] So in original; probably should read "of".

§ 71-5-24. Seizure and sale of illegal geothermal resources or illegal geothermal resources product; procedure

A. Apart from, and in addition to, any other remedy or procedure which may be available to the division, or any penalty which may be sought against or imposed upon any person; with respect to violations relating to illegal geothermal resources or illegal geothermal resources product, shall, except under such circumstances as are stated herein, be contraband and shall be seized and sold, and the proceeds applied as herein provided. Such sale shall not take place unless the court shall find in the proceeding provided in this section that the owner of such illegal geothermal resources or illegal geothermal resources product is liable, or in some proceeding authorized by the Geothermal Resources Conservation Act such owner has already been held to be liable, for penalty for having produced such illegal geothermal resources, or for having purchased or acquired such illegal geothermal resources or illegal geothermal resources product. Whenever the division believes that illegal geothermal resources or illegal geothermal resources product is subject to seizure and sale, as provided herein, it shall, through the attorney general, bring a civil action in rem for that purpose in the district court of the county where the commodity is found, or the action may be maintained in connection with any suit or cross-action for injunction or for penalty relating to any prohibited transaction involving such illegal geothermal resources or illegal geothermal resources product. Notice of the action in rem shall be given in conformity with the law or rule applicable to such proceeding. Any person or party in interest who may show himself to be adversely affected by any such seizure and sale shall have the right to intervene in said suit to protect his rights.

B. Whenever the pleading with respect to the forfeiture of illegal geothermal resources or illegal geothermal resources product shows ground for seizure and sale, and such pleading is verified or is supported by affidavit or affidavits, or by testimony under oath, the court shall order such commodity to be impounded or placed under the control, actual or constructive, of the court through an agent appointed by the court.

C. The judgment effecting the forfeiture shall provide that the commodity be seized, if not already under the control of the court, and that a sale be had in similar manner and with similar notice as provided by law or rule with respect to the sale of personal property under execution; provided, however, the court may order that the commodity be sold in specified lots or portions, and at specified intervals, instead of being sold at one time. Title to the amount sold shall pass as of the date of the seizure. The judgment shall provide for payment of the proceeds of the sale into the common school fund, after first deducting the costs in connection with the proceedings and the sale. The amount sold shall be treated as legal geothermal resources or legal geothermal resources product, as the case may be, in the hands of the purchaser, but the purchaser and the commodity shall be subject to all applicable laws and rules, regulations and orders with respect to further sale or purchase or acquisition, and with respect to the transportation, refining, processing or handling in any other way, of the commodity purchased.

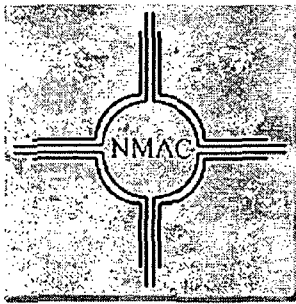
D. Nothing in this section shall deny or abridge any cause of action a royalty owner, or any lien holder, or any other claimant, may have, because of the forfeiture of the illegal geothermal resources or illegal geothermal resources product, against the person whose act resulted in such forfeiture.

Title 19: Natural Resources & Wildlife

Chapter 14: Geothermal Power

Title 19, Chapter 14 NMAC
(11-15-83- Recompiled 12-31-01)

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TITLE 19 - NATURAL RESOURCES AND WILDLIFE

CHAPTER 14 GEOTHERMAL POWER

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



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 posted 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]
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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]
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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 encountered.

(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]
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19.14.28.5 EFFECTIVE DATE: [November 15, 1983]
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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]

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

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[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.
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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,
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19.14.32.4 DURATION: [RESERVED]
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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
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Rule G-113, Safety Regulations, 11/1/83.

History of Repealed Material: [RESERVED]

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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,
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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 to 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: [November 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 form 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 withholding 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 extension 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-geothermal 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 not 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 Equivalent. 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 examiner 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-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]