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3. Concise Statement of the Case:

Los Lobos Renewable Power, LLC (Applicant), filed administrative applications (Forms G-112) pursuant to 19.14.93.8 NMAC to place two proposed geothermal injection wells (Wells Nos. 53-7 and 55-7) on injection for well testing and potential future re-injection of geothermal waters, at the Lightning Dock Geothermal Power Facility. These applications have been protested by Damon E. Seawright on behalf of AmeriCulture, Inc (Protestant). This hearing is being conducted pursuant to the Geothermal Resources Conservation Act, NMSA 1978 Sections 71-5-1 through 71-5-24, as amended, and Rules set forth in 19.14 NMAC, especially 19.14.93.8 NMAC, concerning permitting of geothermal injection and disposal wells. The hearing will be conducted by a Division-appointed hearing officer. The issues to be addressed concern whether the proposed injection will contaminate any underground source of drinking water or otherwise cause waters of the State of New Mexico to exceed applicable water quality standards; reservoir capacity; and whether such injection will cause waste of geothermal resources or impair correlative rights of geothermal users, as defined in 19.14.1.7.C NMAC.

4. Witnesses:

Carl Chavez, OCD environmental engineer and geothermal permit writer will present proposed Conditions of Approval for the permits requested by Applicant. Additionally, the Division reserves the right to call Mr. Chavez as a rebuttal witness.

5. Time to Present Case:

30 minutes

6. Procedural Matters to be Resolved Prior to the Hearing:

The Division anticipates that the Applicant and possibly the Protestant may request to submit some exhibits under seal, and to close portions of the hearing. These issues, if raised, need to be resolved before the beginning of the hearing of testimony.

7. Intervenor, Division's Position:

The Division does not oppose the Application.

Respectfully Submitted



David K. Brooks
Attorney for The New Mexico Oil Conservation
Division

CERTIFICATE OF SERVICE

Copies of this Amended Pre-Hearing Statement were served on Ms. Henrie and Mr. Larkin by email on February 12, 2013.



David K. Brooks