

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

**IN THE MATTER OF THE HEARING CALLED BY THE  
OIL CONSERVATION DIVISION FOR THE PURPOSES  
OF CONSIDERING:**

**CASE NO. 14246**

**APPLICATION OF RASER POWER SYSTEM, LLC  
FOR APPROVAL OF A DISCHARGE PLAN PURSUANT  
TO THE NEW MEXICO WATER QUALITY ACT,  
HIDALGO COUNTY, NEW MEXICO.**

**PRE-HEARING STATEMENT**

This Pre-Hearing Statement is submitted by Holland & Hart LLP, as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

Raser Power System, LLC  
5152 N. Edgewood Dr.  
Provo, Utah 84604

**ATTORNEY**

Ocean Munds-Dry  
Holland & Hart LLP  
110 N. Guadalupe St. Suite 1  
Santa Fe, NM 87501  
(505) 988-4421  
(505) 983-6043 (Fax)

**OPPONENT**

Damon E. Seawright, Ph.D  
Americulture, Inc.  
25 Tilapia Trail  
Animas, New Mexico 88020  
505-548-2328  
505-548-2631 FAX

**ATTORNEY**

**INTERESTED PARTIES**

Oil Conservation Division

**ATTORNEY**

Mikal Altomare  
Oil Conservation Division

2009 APR 2 PM 3 44  
RECEIVED

1220 S. St. Francis Drive  
Santa Fe, NM 87505  
(505) 476-3451  
(505) 476-3480 FAX

## STATEMENT OF CASE

### APPLICANT

Applicant in the above-styled cause seeks an order approving a discharge plan pursuant to the New Mexico Water Quality Act for its proposed Lightning Dock Geothermal No. 1 geothermal power plant, to be located in the NW/4 SW/4 of Section 7, Township 25 South, Range 19 West, Hidalgo County, New Mexico. The plant will be within the Animas River Valley approximately 10 miles south of Interstate Highway 10 on CR 3387 (east side of Geothermal Road). Development wells are located within the SW/4; NW/4; and NE/4 of Section 7. Class V injection wells will be located within the NE/4 and NW/4 of Section 18. The discharge plan addresses well construction, operation, monitoring, testing of the wells, associated surface facilities, and provides a contingency plan in the event of accidental spills, leaks and other accidental discharges in order to protect fresh water.

Applicant plans to provide an update to the Hearing Examiner of its activities since the initial public hearing on this matter.

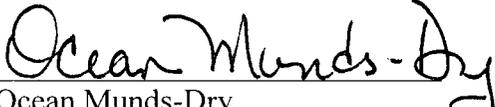
## PROPOSED EVIDENCE

### APPLICANT

WITNESSES	ESTIMATED TIME	EXHIBITS
Michael Hayter, Director of Geothermal Resources	15 minutes	Approx. 5
John Shomaker, Senior Hydrogeologist John Shomaker & Associates, Inc. <b>(May Call for Rebuttal)</b>	15 minutes	Approx. 5
Jennifer Wright, Nalco Co. Representative <b>(May Call for Rebuttal)</b>	15 minutes	Approx. 5

**PROCEDURAL MATTERS**

Raser has none at this time.

  
Ocean Munds-Dry  
Attorney for Raser Power System, LLC

**CERTIFICATE OF SERVICE**

I certify that on April 2, 2009 I served a copy of the foregoing document to the following by:

U.S. Mail & Facsimile  
Damon E. Seawright, Ph.D  
Americulture, Inc.  
25 Tilapia Trail  
Animas, New Mexico 88020  
505-548-2631 FAX

Hand-Delivery  
Mikal Altomare, Esq.  
New Mexico Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, New Mexico 87505

  
Ocean Munds-Dry