

**GTHT - 1**

**OFFICE OF THE  
STATE ENGINEER**

**Chavez, Carl J, EMNRD**

---

**From:** Phillips, Haddy L., OSE  
**Sent:** Friday, August 03, 2012 4:01 PM  
**To:** Michelle Henrie; Janney, David  
**Cc:** Smith, Michael A; Chavez, Carl J, EMNRD  
**Subject:** OSE approved 63-7 permit  
**Attachments:** A-758-POD9\_63-7\_EXPL\_PERMIT.pdf

Attached is a PDF of the approved OSE Exploratory permit for A-758-POD9 (63-7).

Haddy Phillips

*Water Resource Specialist  
Office of State Engineer  
District 3 Office  
P.O. Box 844  
Deming, NM 88031  
phone :575-546-2851 Fax: 575-546-2290  
[haddy.phillips@state.nm.us](mailto:haddy.phillips@state.nm.us)*



STATE OF NEW MEXICO  
OFFICE OF THE STATE ENGINEER  
District 3 Office, Deming, NM

Scott A. Verhines, P.E.,  
State Engineer

P.O. Box 844  
301 S. Tin Street  
Deming, New Mexico 88031  
PHONE: (575) 546-2851  
FAX: (575) 546-2290

August 2, 2012

FILE: A-758

Lightning Dock Geothermal, HI-01, LLC  
c/o Mike Hayter  
136 S. Main Street, Suite 600  
Salt Lake City, New Mexico 84101

Greetings:

Enclosed is your copy of Exploratory Well Permit A-758-POD9, which has been approved.

Your attention is called to the Conditions of Approval under permit A-758-EXPL, which states as follows:

This application is approved provided it is not exercised to the impairment of any others having existing rights prior to this application for permit for Exploratory well; further provided that all rules and regulations of the State Engineer pertaining to the drilling of shallow wells be complied with; and is not detrimental to the public welfare or contrary to the conservation of water within the state, subject to the following conditions:

- 1.) New Mexico water well drilling and well drilling activities, including well plugging, are regulated under 19.27.4 NMAC. These regulations apply, and provide specific and general direction regarding the drilling of water wells in New Mexico. Due to the geothermal nature of the project and drilling location, project drilling and design appear to also fall under the jurisdiction of the New Mexico Oil Conservation Division and the United States Bureau of Land Management. In the event NMOSE drilling regulations are less stringent than those of other involved regulatory agencies, the more stringent requirements shall be upheld. The following permit conditions provide further specific well construction guidance related to the subject well(s).
- 2.) This permit is also subject to Approved Artesian Well Plan of Operations and Conditions of Approval for A-758-POD9.
- 3.) Well A-758-POD9 shall be constructed by a driller licensed in the State of New Mexico in accordance with N.M. Stat. Ann. §72-12-12(1998 Repl.) NMAC 19.27.4 requires any person engaged in the business of well drilling or plugging a well within New Mexico to obtain a Well Driller License issued by the New Mexico Office of the State Engineer (NMOSE). Therefore, the firm of a New Mexico licensed Well Driller shall drill and/or plug the subject well. On-site supervision of well drilling by the holder of a New Mexico Well Driller License or a NMOSE-registered Drill Rig Supervisor is required.
- 4.) Well A-758-POD9 shall be drilled to a depth not to exceed 3,400 feet and shall be constructed with casing not to exceed 13.375 inch outside diameter.

File A-758

Lightning Dock Geothermal, HI-01

- 5.) NMOSE well record itemizing as-built well design and materials used shall be filed with the State Engineer (NMOSE, PO Box 844 (301 S. Tin Street), Deming, NM 88031-0844), within 20 days after completion of the well. Please attach a copy of artesian plan conditions. Aquifer/pump test data shall be filed not later than ten (10) days after completion of the aquifer/pump test(s).
- 6.) NMOSE pre-installation inspection of artesian / production well casing, witnessing of the grouting of the artesian / production well casing, and testing of the artesian / production casing is required, and shall be facilitated when a NMOSE observer is onsite. NMOSE inspection / witnessing shall be requested during normal work hours by calling the District 3 NMOSE Office at 575-546-2851, at least 48-hours in advance. NMOSE inspection of the artesian / production casing should be requested upon local availability of the casing to quickly address compliance with specifications. It may be necessary to coordinate inspections with other regulatory agencies, specific to their jurisdictions.
- 7.) No water shall be appropriated and beneficially used under this permit.
- 8.) Diversion of water under this exploratory well permit shall be limited to determining aquifer characteristics which shall not exceed ten (10) cumulative days, any testing from exploratory well A-758-POD9 that will exceed ten days must be approved by OSE District III Office. Well A-758-POD9 shall be equipped with a totalizing meter of a type approved by and installed in a manner and at a location approved by the State Engineer and records of the amount of water diverted from the well shall be submitted to the District Manager, P.O. Box 844, Deming, New Mexico 88031 The well shall be plugged in accordance with Subsection C of 19.27.4.31.K NMAC, unless a permit to appropriate water from this well is acquired from the Office of the State Engineer.
- 9.) Well A-758-POD9 shall be plugged as per an approved plugging plan in accordance with Subsection C of 19.27.4.31.K NMAC on or before January 31, 2013, unless the applicant has received an approved permit from the State Engineer for additional use.
- 10.) The State Engineer retains jurisdiction to administer the conditions of this permit.

This permit shall automatically expire July 31, 2013.

Sincerely,

Charles L. Jackson, MPA  
District 3 Manager

By:   
Haddy Phillips  
Assistant Manager  
Gila-San Francisco Basin

cc: State Engineer

File No. A-758

# NEW MEXICO OFFICE OF THE STATE ENGINEER



## APPLICATION FOR PERMIT TO DRILL A WELL WITH NO CONSUMPTIVE USE OF WATER



(check applicable box):

For fees, see State Engineer website: <http://www.ose.state.nm.us/>

3-19118 \$5<sup>00</sup>

Purpose:	<input type="checkbox"/> Pollution Control And / Or Recovery	<input type="checkbox"/> Geo-Thermal
<input checked="" type="checkbox"/> Exploratory	<input type="checkbox"/> Construction Site De-Watering	<input type="checkbox"/> Other (Describe):
<input type="checkbox"/> Monitoring	<input type="checkbox"/> Mineral De-Watering	
A separate permit will be required to apply water to beneficial use.		
<input type="checkbox"/> Temporary Request - Requested Start Date:		Requested End Date:
Plugging Plan of Operations Submitted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

OFFICE OF THE STATE ENGINEER  
DENVER, NM  
2012 APR -9 PM 4:21

### 1. APPLICANT(S)

Name: <b>Lightning Dock Geothermal HI-01, LLC</b>	Name:
Contact or Agent: <b>Mike Hayter</b> <input type="checkbox"/> check here if Agent	Contact or Agent: <b>David Janney</b> <input checked="" type="checkbox"/> check here if Agent
Mailing Address: <b>136 S. Main Street, Suite 600</b>	Mailing Address: <b>8519 Jefferson Street, NE</b>
City: <b>Salt Lake City</b>	City: <b>Albuquerque</b>
State: <b>UT</b> Zip Code: <b>84101</b>	State: <b>NM</b> Zip Code: <b>87113</b>
Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work): <b>(801) 875-4200</b>	Phone: <input type="checkbox"/> Home <input type="checkbox"/> Cell Phone (Work): <b>(505) 821-1801</b>
E-mail (optional): <b>mike.hayter@cyrqenergy.com</b>	E-mail (optional): <b>david.janney@amec.com</b>

FOR OSE INTERNAL USE

Application for Permit, Form wr-07, Rev 8/25/11

File Number: <u>A-758-POD9</u>	Trn Number:
Trans Description (optional):	
Sub-Basin:	
PCW/LOG Due Date:	

2. WELL(S) Describe the well(s) applicable to this application.

Location Required: Coordinate location must be reported in NM State Plane (NAD 83), UTM (NAD 83), or Latitude/Longitude (Lat/Long - WGS84)			
<input type="checkbox"/> NM State Plane (NAD83) (Feet)		<input type="checkbox"/> UTM (NAD83) (Meters)	
<input type="checkbox"/> NM West Zone		<input type="checkbox"/> Zone 12N	
<input type="checkbox"/> NM East Zone		<input type="checkbox"/> Zone 13N	
<input checked="" type="checkbox"/> Lat/Long (WGS84) (to the nearest 1/10 <sup>th</sup> of second)			
Well Number (if known):	X or Easting or Latitude:	Y or Northing or Longitude:	Optional: Complete boxes labeled "Other" below with PLSS (Public Land Survey System, i.e. Quarters, Section, Township, Range); Hydrographic Survey Map & Tract; Lot, Block & Subdivision; OR Land Grant Name if known.
LDG 63-7	32° 8' 54.4346"	-108° 49' 57.7501"	
NOTE: If more well locations need to be described, complete form WR-08 (Attachment 1 – POD Descriptions)			
Additional well descriptions are attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many _____			
Other description relating well to common landmarks, streets, or other:			
Well is on land owned by: Rosette Inc.			
Well Information: NOTE: If more than one (1) well needs to be described, provide attachment. Attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, how many _____			
Approximate depth of well (feet): 3400.00		Outside diameter of well casing (inches): 13.375	
Driller Name: Trinity Exploration, L.L.P.		Driller License Number: 1687	

3. ADDITIONAL STATEMENTS OR EXPLANATIONS

The LDG 63-7 exploratory well will be used to evaluate the northern extent of the deep, bedrock-hosted geothermal resource in an area of known shallow, alluvial-hosted low temperature geothermal water. Please see attached map.
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OFFICE OF THE STATE ENGINEER  
 DEMING, NM

2012 APR -9 PM 4: 24

FOR OSE INTERNAL USE	Application for Permit, Form wr-07
File Number:	Trn Number:

**4. SPECIFIC REQUIREMENTS:** The applicant must include the following, as applicable to each well type. Please check the appropriate boxes, to indicate the information has been included and/or attached to this application:

<p><b>Exploratory:</b>  <input checked="" type="checkbox"/> Include a description of any proposed pump test, if applicable.</p>	<p><b>Pollution Control and/or Recovery:</b>  <input type="checkbox"/> Include a plan for pollution control/recovery, that includes the following:  <input type="checkbox"/> A description of the need for the pollution control or recovery operation.  <input type="checkbox"/> The estimated maximum period of time for completion of the operation.  <input type="checkbox"/> The annual diversion amount.  <input type="checkbox"/> The annual consumptive use amount.  <input type="checkbox"/> The maximum amount of water to be diverted and injected for the duration of the operation.  <input type="checkbox"/> The method and place of discharge.</p>	<p><b>Construction De-Watering:</b>  <input type="checkbox"/> Include a description of the proposed dewatering operation,  <input type="checkbox"/> The estimated duration of the operation,  <input type="checkbox"/> The maximum amount of water to be diverted,  <input type="checkbox"/> A description of the need for the dewatering operation, and,  <input type="checkbox"/> A description of how the diverted water will be disposed of.</p>	<p><b>Mine De-Watering:</b>  <input type="checkbox"/> Include a plan for pollution control/recovery, that includes the following:  <input type="checkbox"/> A description of the need for mine dewatering.  <input type="checkbox"/> The estimated maximum period of time for completion of the operation.  <input type="checkbox"/> The source(s) of the water to be diverted.  <input type="checkbox"/> The geohydrologic characteristics of the aquifer(s).  <input type="checkbox"/> The maximum amount of water to be diverted per annum.  <input type="checkbox"/> The maximum amount of water to be diverted for the duration of the operation.  <input type="checkbox"/> The quality of the water.</p>
<p><b>Monitoring:</b>  <input type="checkbox"/> Include the reason for the monitoring well, and,  <input type="checkbox"/> The duration of the planned monitoring.</p>	<p><input type="checkbox"/> The method of measurement of water produced and discharged.  <input type="checkbox"/> The source of water to be injected.  <input type="checkbox"/> The method of measurement of water injected.  <input type="checkbox"/> The characteristics of the aquifer.  <input type="checkbox"/> The method of determining the resulting annual consumptive use of water and depletion from any related stream system.  <input type="checkbox"/> Proof of any permit required from the New Mexico Environment Department.  <input type="checkbox"/> An access agreement if the applicant is not the owner of the land on which the pollution plume control or recovery well is to be located.</p>	<p><b>Geo-Thermal:</b>  <input type="checkbox"/> Include a description of the geothermal heat exchange project,  <input type="checkbox"/> The amount of water to be diverted and re-injected for the project,  <input type="checkbox"/> The time frame for constructing the geothermal heat exchange project, and,  <input type="checkbox"/> The duration of the project.  <input type="checkbox"/> Preliminary surveys, design data, and additional information shall be included to provide all essential facts relating to the request.</p>	<p><input type="checkbox"/> The method of measurement of water diverted.  <input type="checkbox"/> The recharge of water to the aquifer.  <input type="checkbox"/> Description of the estimated area of hydrologic effect of the project.  <input type="checkbox"/> The method and place of discharge.  <input type="checkbox"/> An estimation of the effects on surface water rights and underground water rights from the mine dewatering project.  <input type="checkbox"/> A description of the methods employed to estimate effects on surface water rights and underground water rights.  <input type="checkbox"/> Information on existing wells, rivers, springs, and wetlands within the area of hydrologic effect.</p>

**ACKNOWLEDGEMENT**

I, We (name of applicant(s)), David Janney, Agent for Lightning Dock Geothermal HI-01, LLC  
 Print Name(s)

affirm that the foregoing statements are true to the best of (my, our) knowledge and belief.

David Janney, P.G., Agent for LDG HI-01, LLC  
 Applicant Signature

\_\_\_\_\_  
 Applicant Signature

OFFICE OF THE STATE ENGINEER DENVER, NM

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**ACTION OF THE STATE ENGINEER**

This application is:

approved       partially approved       denied

provided it is not exercised to the detriment of any others having existing rights, and is not contrary to the conservation of water in New Mexico nor detrimental to the public welfare and further subject to the attached conditions of approval.

Witness my hand and seal this 2nd day of August 20 12, for the State Engineer,

Scott A. Verhones, P.E., State Engineer

By: [Signature] Charles L. Jackson, MPA  
 Signature Print

Title: District 3 Manager  
 Print

FOR OSE INTERNAL USE

Application for Permit, Form wr-07

File Number:	Trn Number:
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**ATTACHMENT**  
**STATE ENGINEER CONDITIONS OF APPROVAL**

**FILE:** A-758

**APPLICATION:** A-758-EXPL

**APPLICANTS:** Lightning Dock Geothermal HI-01, LLC

- 1.) New Mexico water well drilling and well drilling activities, including well plugging, are regulated under 19.27.4 NMAC. These regulations apply, and provide specific and general direction regarding the drilling of water wells in New Mexico. Due to the geothermal nature of the project and drilling location, project drilling and design appear to also fall under the jurisdiction of the New Mexico Oil Conservation Division and the United States Bureau of Land Management. In the event NMOSE drilling regulations are less stringent than those of other involved regulatory agencies, the more stringent requirements shall be upheld. The following permit conditions provide further specific well construction guidance related to the subject well(s).
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File: A-758

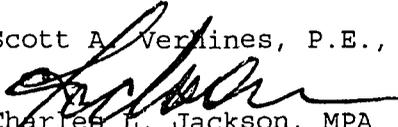
Lightning Dock Geothermal, HI-01, LLC

- 9.) Well A-758-POD9 shall be plugged as per an approved plugging plan in accordance with Subsection C of 19.27.4.31.K NMAC on or before January 31, 2013, unless the applicant has received an approved permit from the State Engineer for additional use.
- 10.) The State Engineer retains jurisdiction to administer the conditions of this permit.

This permit shall automatically expire July 31, 2013.

Witness my hand and seal this 2<sup>nd</sup> day of August, 2012.

Scott A. Verhines, P.E., State Engineer



Charles L. Jackson, MPA.  
District 3 Manager



# ARTESIAN WELL PLAN OF OPERATIONS

(for new well construction)



An Artesian Well Plan of Operations shall be filed with and approved by the Office of the State Engineer prior to commencing the drilling of an artesian well.

A detailed diagram of the proposed artesian well shall be attached to this plan.

**I. FILING FEE:** There is no filing fee for this form.

**II. GENERAL / WELL OWNERSHIP:**

Office of the State Engineer POD Number (Well Number) for well (if known): LDG-63-7  
 Name of well owner: Lightning Dock Geothermal HI-01, LLC  
 Mailing address: 136 South Main Street, Suite 600  
 City: Salt Lake City State: Utah Zip code: 84101  
 Phone number: 801-875-4200 E-mail: mike.hayter@cyrgenergy.com

**III. WELL DRILLER INFORMATION:**

Well Driller contracted to provide drilling services: Trinity Exploration, LLP, PO Box 1688 Gillette, WY 82717  
(307) 682-1153 New Mexico Well Driller License No.: 1687 Expiration Date: 12/31/2012

**IV. WELL INFORMATION:**

- 1) Will this well be used for any type of monitoring program? No If yes, please describe in section V; applicant should familiarize themselves with the need for specialty materials or design required for the monitoring program.
- 2) Will the well tap or penetrate brackish, saline, or otherwise poor quality water? No If yes, please provide additional detail in section V.
- 3) Depth of top of the anticipated artesian aquifer: 1200 feet below ground level (bgl)
- 4) Is a flowing artesian head anticipated? No
- 5) Will a pitless adapter be installed in the well? No
- 6) GPS Well Location: Latitude: 32 deg, 8 min, 54.4346 sec  
 Longitude: -108 deg, 49 min, 57.7501 sec
- 7) Will permanent surface casing be installed? Yes (Note: surface casing is optional and is shallow casing generally set above the confining unit overlying the artesian aquifer). If yes, provide the following detail:  
 \* 35' of 30" CONDUCTOR Casing HAS BEEN ADDED TO DESIGN PER 7/23/2012 EMAIL FROM DAVID JAWORSKI/AMTC.  
 a) Diameter of borehole to be drilled for the surface casing: 26 inches.  
 b) Proposed surface casing depth: 150 feet below ground level.  
 c) Surface casing material, grade: J-55

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 OFFICE OF THE STATE ENGINEER DENNING, NM 884

ANNUAL GRANT IS REQUIRED/DML

- d) Inside diameter (ID): 19.124 inches.
  - e) Outside diameter (OD): 20 inches.
  - f) Wall thickness: 0.438 inches.
  - g) Casing joint connection type (note whether coupled, welded, glued, etc.): Welded
- 
- h) Interval of proposed surface casing annular sanitary seal: 0 to 150 feet below ground level.
  - i) Surface casing sanitary seal material: Portland Type III (5.2-6 gallons of water per sack)

8) Artesian casing ( Note: artesian casing shall be set adequately into the confining unit overlying the artesian aquifer, in some designs this may also be the production casing; NMOSE inspection requirements apply to installing, grouting and testing the artesian casing):

- a) Diameter of borehole to be drilled for the artesian casing: 17.5 inches.
- b) Proposed artesian casing depth: Surface to 1,500 feet below ground level.
- c) Artesian casing material, grade: J-55
- d) Inside diameter (ID): 12.615 inches.
- e) Outside diameter (OD): 13.375 inches.
- f) Wall thickness: 0.38 inches.
- g) Casing joint connection type (note whether coupled, welded, glued, etc.): Buttress thread and coupling
- h) Type and spacing of artesian casing centralizers: Box, every third casing joint
- i) Manufacturer and model of float shoe: Halliburton 101242325-13-3/8 8rd
- j) Method of annular grout placement (pressure grout or tremie pipe): Pressure grout
- k) Interval of proposed annular grout: 0 to 1,500 feet below ground level.
- l) Proposed annular grout mix: ~~124~~ gallons of water per 94 pound sack of Class G cement for lead and ~~571~~ gallons of water per 94 pound sack of Class G cement for tail.
- m) Cement type proposed: Lead and tail cement is Class G cement with 40% silica and additives.
- n) Theoretical volume of annular grout required: 15283 gallons (2115 cubic feet) with 100% excess
- o) Will the grout be: dry batch-mixed and delivered to the site  
wet mixed on site
- p) Grout additives requested, and percent by dry weight relative to cement: (See AWWA Standard A100-06 or Halliburton red book; common additives: calcium chloride, bentonite solution, pozzolan ash):  
Class G cement with 40% silica flour for lead and tail

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 DENNIS, TM

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\*\*  
 \*\*

\*\* SEE PROPOSED LEAD/TAI CEMENT MIXES AS DETAILED IN 7/20/2012 THERMASOL  
 CEMENTING, INC., CEMENTING PROGRAM AND COST ESTIMATE

q) Additional notes and calculations: \_\_\_\_\_  
\_\_\_\_\_ All cement jobs will have 100% excess flow-back to surface. If no cement returns to surface a top job will be performed with Class G cement. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9) Production casing (set through the artesian casing and into the artesian aquifer; may not be necessary if the artesian casing is used as the production casing):

- a) Will you be using a production casing within the artesian casing? No If yes, please provide a description of the following in section V:
- i. Diameter of borehole to be drilled for production casing; casing joint connection type - note whether coupled, welded, glued, etc.; proposed production casing depth; and inside diameter, outside diameter, wall thickness, casing material, and casing material grade of production casing.
  - ii. List the proposed screened/ perforated interval(s) if you plan to use well screen or perforated casing.
  - iii. List the vertical intervals and seal or fill material if the annulus between the production casing and artesian casing/borehole is to be sealed/ filled.

**Y. ADDITIONAL INFORMATION:** List additional information below, or on separate sheet(s):

\_\_\_\_\_ Please see Proposed Well Diagram attached. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Please feel free to contact David Janney with AMEC at 505.821.1801 or david.janney@amec.com with questions \_\_\_\_\_  
\_\_\_\_\_ about this plan. \_\_\_\_\_

**VI. SIGNATURE:**

I, David W. Janney, Agent for Lightning Dock Geothermal HI-01, LLC, say that I have carefully read the foregoing Artesian Well Plan of Operations and any attachments, which are a part hereof; that I am familiar with the rules and regulations of the State Engineer pertaining to the plugging of wells and will comply with them, and that each and all of the statements in the Artesian Well Plan of Operations and attachments are true to the best of my knowledge and belief.

\_\_\_\_\_  
*David W. Janney*  
Signature of Applicant

June 4, 2012  
Date

OFFICE OF THE  
STATE ENGINEER  
DENVER, NM

2012 JUN -5 PM 1:07

**VII. ACTION OF THE STATE ENGINEER:**

This Artesian Well Plan of Operations is:

- Approved subject to the attached conditions.  
 Not approved for the reasons provided on the attached letter.

Witness my hand and official seal this 25<sup>th</sup> day of JULY, 2012

Scott A. Verhines, State Engineer

By: [Signature]  
Douglas H. RABALA  
Hydrology Engineer

2012 JUN -5 PM 1:07

OFFICE OF THE  
STATE ENGINEER  
DENVER, NM

**PROPOSED WELL DIAGRAM**  
for  
**Lightning Dock Geothermal, HI-91, LLC**  
Lightning Dock Geothermal LOG 63-7

**HOLE INFORMATION**

**SURFACE CASING HOLE**  
28' to 187'

**ARTESIAN HOLE**  
17-127' to 180'

**ARTESIAN HOLE 1**  
12-147' to 340'

**CASING INFORMATION**

\*\*\*

**Surfaca Casing**  
28' to 187' J-55, BTC

Top of Artesian Layer 1 at 1400

**ARTESIAN CASING**  
13-316' to 345' J-55, BTC

**ARTESIAN Layer 1 (if Necessary)**  
9-56' to 35' J-55, BTC

\*\*\* PER 7/20/2012 TELEPHONE CALLS  
GENERATING PROGRAM: COST ESTIMATE, AND  
7/23/2012 DAVID JANNEY (AEGEE)  
E-MAIL, APPROX  
36' of 30" DIAMETER  
CONDUIT CASING,  
W/IN B1 INCORPORATED  
INTO THE FINAL  
WELL DESIGN.  
ANNULAR GRANT ENCHASING  
THE CONDUIT CASING IS REQUIRED

2012 JUN -5 PM 1:07

OFFICE OF THE  
STATE ENGINEER  
DEMING, NM

DJR

**NEW MEXICO OFFICE OF THE STATE ENGINEER  
ARTESIAN WELL PLAN OF OPERATIONS  
CONDITIONS OF APPROVAL**

1. This application is approved provided it is not exercised to the detriment of any others having existing rights, and is not contrary to the conservation of water in New Mexico nor detrimental to the public welfare of the state; and further subject to the following conditions of approval:

**Permittee:** Lightning Dock Geothermal HI-01, LLC  
c/o Michael Hayter  
136 South Main Street, Suite 600  
Salt Lake City, UT 84101

**Permit Number:** A-758-POD9

**Application File Date:** June 5, 2012

**Priority:** N/A

**Source:** Ground water

**Point of Diversion:** A-758-POD9 located at a point described by  $NE\frac{1}{4}$   $SW\frac{1}{4}NE\frac{1}{4}$ , Section 7, Township 25 South, Range 19 West, N.M.P.M , on land owned by Rosette Inc., Hidalgo County, New Mexico.

**Purpose of Use:** Exploration of groundwater resources

**Place of Use:** N/A

**Amount of Water:** None

2. No water shall be appropriated and beneficially used under this permit.
3. A-758-POD9 shall not exceed a depth of 3,400 feet.
4. No water shall be diverted from this exploratory well except for testing purposes, which shall not exceed ten (10) cumulative days, and the well shall be plugged in accordance with Subsection C of 19.27.4.31.K NMAC, unless a permit to appropriate water from this well is acquired from the Office of the State Engineer.
5. New Mexico water well drilling and well drilling activities, including well plugging, are regulated under 19.27.4 NMAC. These regulations apply, and provide specific and general direction regarding the drilling of water wells in New Mexico. Due to the geothermal nature of the project and drilling location, project drilling and design appear to also fall under the jurisdiction of the New Mexico Oil Conservation Division and the United States Bureau of Land Management. In the event NMOSE drilling regulations are less stringent than those of other involved regulatory agencies, the more stringent requirements shall be upheld. The following permit conditions provide further specific well construction guidance related to the subject well(s).

**NEW MEXICO OFFICE OF THE STATE ENGINEER  
ARTESIAN WELL PLAN OF OPERATIONS  
CONDITIONS OF APPROVAL**

6. NMAC 19.27.4 requires any person engaged in the business of well drilling within New Mexico to obtain a Well Driller License issued by the New Mexico Office of the State Engineer (NMOSE). Therefore, the firm of a New Mexico licensed Well Driller shall drill and/or plug the subject well. On-site supervision of well drilling by the holder of a New Mexico Well Driller License or a NMOSE-registered Drill Rig Supervisor is required.
7. The NMOSE requests geologic formation samples from A-758-POD9 well drilled under this permit, per NMAC 19.27.4.29.L., unless samples from a comparably deep or deeper project well have already been submitted.
8. NMOSE pre-installation inspection of artesian / production well casing, witnessing of the grouting of the artesian / production well casing, and testing of the artesian / production casing is required, and shall be facilitated when a NMOSE observer is onsite. NMOSE inspection / witnessing shall be requested during normal work hours by calling the District 3 NMOSE Office at 575-546-2851, at least 48-hours in advance. NMOSE inspection of the artesian / production casing should be requested upon local availability of the casing to quickly address compliance with specifications. It may be necessary to coordinate inspections with other regulatory agencies, specific to their jurisdictions.
9. NMOSE regulations prohibit the construction of wells that allow groundwater to flow uncontrolled at land surface or move appreciably between geologic units through design of the open hole, perforated interval(s), or annular space. Due to the exploratory nature of this well, final artesian / production casing depth setting shall be reviewed with the NMOSE upon adequate drilling and logging of the well bore.
10. Downhole pressure differentials created by the placement of fluid sealants may collapse casing pipe and related tubes. The NMOSE shall not be held responsible for improper balancing of fluids and/or interval grouting that results in damage to the well. An appropriate schedule of cementing lifts should be reviewed with the casing manufacturer prior to initiation of grouting.
11. The A cementing proposal specific to this well has been tendered 7/23/2012, and approved, indicating Class G, silica flour-enriched cement and lightweight cement grouts will be used for the annular seal encompassing the artesian / production casing string. When used, allowable lightweight cement mixes shall rely on the incorporation of appropriate additives to achieve acceptable lightweight formulation and disallow free water separation from the mix. Use of mix water increment in excess of fundamental demand results in a thinned mix of cement prone to shrinkage that may disrupt effective sealing and hydraulic separation, and lead to annular seal failure.

Production zone groundwater analysis tendered indicates the artesian / production casing annular cement shall be required to provide a minimum of moderate sulfate resistance. In the event the cemented annulus extends through bedded gypsum/anhydrite, or occupies

**NEW MEXICO OFFICE OF THE STATE ENGINEER  
ARTESIAN WELL PLAN OF OPERATIONS  
CONDITIONS OF APPROVAL**

portions of the aquifer system characterized by groundwater concentrations of sulfate in excess of 1,500 mg/l, additional sulfate resistance shall be added in the grout formulation.

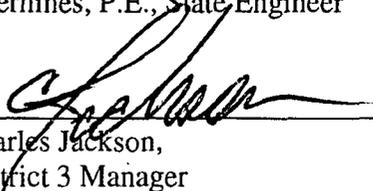
- 12.
13. Given the diameters of the proposed grouted casings, it is recommended that cementing plugs be run both before and after pumping the cement interval during grouting, or that a stab-in cementing pipe and float shoe / collar assembly be utilized.
14. The NMOSE requires mechanical integrity testing of the 13.375" OD artesian / production casing string before drilling-out into an underlying stratum. Should the results of the testing prove inconclusive, cement bond log will be required to verify adequate placement and bonding of the annular seal (remedial perforation and cementing may be required). In the event additional regulatory agencies share jurisdiction of mechanical integrity testing, the more stringent requirements shall be upheld.
15. A NMOSE Well Record itemizing as-built well design and materials used shall be filed with the State Engineer (NMOSE, PO Box 844 (301 S. Tin Street), Deming, NM 88031-0844), within 20 days after completion of the well. Please attach a copy of these artesian plan conditions. Aquifer/pump test data shall be filed not later than ten (10) days after completion of the aquifer/pump test(s).
16. The Permit to Drill an Exploratory Well is valid for 1 year after the date of approval.

The NMOSE Artesian Well Plan of Operations, as annotated, is hereby approved with the aforesaid conditions applied, when signed by an authorized designee of the State Engineer:

Witness my hand and seal this 25<sup>th</sup> day of July, A.D. 2012.

Scott A. Verhines, P.E., State Engineer

By: \_\_\_\_\_

  
Charles Jackson,  
District 3 Manager

## Chavez, Carl J, EMNRD

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**From:** Rappuhn, Doug H., OSE  
**Sent:** Wednesday, June 27, 2012 7:38 AM  
**To:** Janney, David  
**Cc:** Phillips, Haddy L., OSE; Jackson, Charles L., OSE; Chavez, Carl J, EMNRD; Michael Smith (Mike\_Smith@blm.gov); Michelle Henrie (michelle@mhenrie.com); mike.hayter@cyrqenergy.com  
**Subject:** RE: LDG 63-7 Approved OCD Form G-101  
**Attachments:** OCD G-112 LDG 63-7 FINAL COA 6-22-2012.pdf

Hi David -

I'll be finalizing artesian plan approval this morning and forwarding the document by e-mail to our Deming Water Rights Division for permitting. Attached is a copy of the NMOCD Conditions of Approval for OCD Form G-112, received 6/22/2012, recognizing proposed status of the well as a potential Class V Injection Well. As such, the NMOCD has conditioned approval of the well construction based upon installation of a minimum 2200' of annular-grouted production (surface) casing. This will be noted as part of the OSE-approvable design for applicant well number 63-7.

You noted in previous response that since no finalized cementing proposal has been commissioned, applicant's plan is to annular-cement the conductor and production/surface casing strings with the same cement mixes that have been approved for recent project wells. Be advised, the approval of the NMOSE artesian plan will reflect that sufficient tail cement formulation shall be pumped from set-depth of the 13.375" casing to extend upwards to a minimum of 100' above the top of the uppermost (volcanic) bedrock interval. The LDG - 63-7 Drilling Handbook provided notes the top of the volcanic rocks at a depth of approximately 1200' to 1500'bgl, which would then require the tail cement column to extend respectively upwards to approximately 1100' to 1400'bgl, based ultimately on site-specific information.

Since the added density of the lengthened tail mix interval will increase the bottom-hole pressure of the cement column until set, please review the collapse resistance of the 13.375" casing for concerns prior to installation. Thanks; let me know of the need for further discussion.

Douglas H. Rappuhn  
Hydrology Bureau / New Mexico Office of the State Engineer  
5550 San Antonio Drive NE  
Albuquerque, NM 87109-4127  
Phone: 505-383-4000; Fax: 505-383-4030  
e-mail: doug.rappuhn@state.nm.us

-----Original Message-----

**From:** Janney, David [mailto:david.janney@amec.com]  
**Sent:** Monday, June 25, 2012 11:03 AM  
**To:** Rappuhn, Doug H., OSE; Michelle Henrie (michelle@mhenrie.com); mike.hayter@cyrqenergy.com  
**Cc:** Phillips, Haddy L., OSE  
**Subject:** RE: LDG 63-7 Approved OCD Form G-101

Greetings Doug:

Can you or Haddy please provide to Mike Hayter, Michelle Henrie and me an update on the 63-7 application?

We are anxious to schedule a rig to drill this well. The other agencies have approved this well design.

We believe we have provided all of the information you need to approve this well design.

Regards,

David Janney  
AMEC

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From: Rappuhn, Doug H., OSE [doug.rappuhn@state.nm.us]  
Sent: Monday, June 11, 2012 12:30 PM  
To: Janney, David; Leciii@capuanoengineering.com  
Cc: Phillips, Haddy L., OSE  
Subject: FW: LDG 63-7 Approved OCD Form G-101

Hi David and Louis –

Our Deming office has forwarded me the NMOSE Artesian Well Plan of Operations filed for Cyrq Energy well 63-7. It looks like a fairly routine well for the project, but I'll need further information about the exact cement formulations proposed. On earlier wells, this was provided by means of a set of Halliburton Cement Recommendations for the job, after Cyrq selected Halliburton for the cement job, and I had a chance to further discuss my cement questions with the Halliburton engineer.

If Cyrq will be using some other cementing service, I would expect they would also be able to provide similar information on the proposed mix, as the OSE checks water demand of the slurry components and appropriateness of the proposed mix for intended well design. The artesian plan notes distinct lead and tail slurries are proposed but doesn't offer detail regarding the significant difference in water demand for the mixes, which are otherwise stated to be Class G cement with 40% silica flour. The water demand listed on the artesian plan doesn't seem to match that submitted for earlier project wells either.

My artesian plan review would also benefit from looking over the "LDG 63-7 Drilling Handbook by Capauno Engineering Consultants", referenced on the USBLM Form 3260-2 filed with the Las Cruces BLM Office, so I ask that that document be provided (e-mail to me is fine).

One last question – A review of the application packet materials submitted to our Deming OSE Office finds LDG-63-7 listed variably on administrative submittals as an exploratory well (NMOSE), geothermal injection well (USBLM), and geothermal producer (NMOCD, so I would benefit by knowing how Cyrq proposes to use this well; that is, what is/are the function(s) the well will be used for? Given the location and nature of the general project, it appears a given the well is being designed to tap a geothermal reservoir, but it would be appropriate to clarify if the well will be used for injection, production, both or some other stated purpose. There may be some benefit to filing with the OSE as a proposed exploratory well, but further filings would be required to appropriate water from the well.

Thanks,

Douglas H. Rappuhn  
Hydrology Bureau / New Mexico Office of the State Engineer  
5550 San Antonio Drive NE  
Albuquerque, NM 87109-4127  
Phone: 505-383-4000; Fax: 505-383-4030  
e-mail: doug.rappuhn@state.nm.us<mailto:doug.rappuhn@state.nm.us>

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From: Michelle Henrie [mailto:michelle@mhenrie.com]  
Sent: Thursday, June 07, 2012 4:51 PM  
To: Phillips, Haddy L., OSE  
Subject: RE: LDG 63-7 Approved OCD Form G-101

Good question!

Louis Capuano is the best person to talk with Doug. He prepared the drilling handbook and well design. His contact information is below:

Louis Capuano III  
Capuano Engineering Consultants  
Leciii@capuanoengineering.com<mailto:Leciii@capuanoengineering.com>  
(707) 291-3930<tel:7072913930>

If Louis is unavailable or Doug has any other questions, he is welcome to call me and I will get him to the right person. Alternatively, David's office has assigned us one of David's colleagues, Jeff Cotter, jeff.cotter@amec.com<mailto:jeff.cotter@amec.com>, (505) 821-1801.

From: Phillips, Haddy L., OSE [mailto:haddy.phillips@state.nm.us]  
Sent: Thursday, June 07, 2012 4:23 PM  
To: Michelle Henrie  
Subject: RE: LDG 63-7 Approved OCD Form G-101

Michelle,

David got the BLM permit to me. The Permit has been sent to Hydrology for the Artesian Plan of Operations review and approval. Is David still going to be available in case Doug has any questions on the plan? If not whom would he contact?

Thanks  
Haddy

The information contained in this e-mail is intended only for the individual or entity to whom it is addressed. Its contents (including any attachments) may contain confidential and/or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you receive this e-mail in error, please notify the sender by reply e-mail and delete and destroy the message.

**Lightning Dock Geothermal (HI-01) LLC Project  
Class V Injection Well 63-07 (GTHT-001)**

**G-112 Form  
OCD Santa Fe Office Conditions of  
Approval (6/22/2012)**

- 1) The operator shall comply with the OCD Artesia District Office G-101 approval for this well.
- 2) The operator shall construct the well with casing and cement to a minimum depth of 2,200 feet to comply with the OCD Discharge Permit requirement(s).
- 3) The operator shall submit a G-104 Form with all other associated G-Forms to the OCD for approval within 30 days of well completion and before injection may be allowed into the well.
- 4) The operator shall have adequate environmental monitoring with physical capability during well drilling operations to implement contingency measures and/or corrective action(s) to protect the fresh water aquifer system(s) (< 10,000 ppm TDS) based on the well completion and construction method. A water quality sample (EPA QA/QC and DQOs) shall be collected, analyzed and the results submitted to the OCD Santa Fe and Artesia Offices within 30-days of well completion to assess water quality conditions. The OCD may require corrective action(s) to be implemented in the event a water quality problem is identified. The above condition is more critical for production/extraction wells, but also important for injection wells that must demonstrate and meet the greater of background and/or WQCC water quality standards before injection into a fresh water aquifer system(s) under operational conditions.
- 5) The operator shall comply with the terms and conditions of the discharge permit and associated Geothermal Regulations (Chapter 71, Article 5 NMSA 1978 and Title 19, Chapter 14 NMAC). All Underground Injection Control (UIC) Class V Geothermal Injection Wells must comply with the applicable sections of Water Quality Control Commission Regulations (20.6.2.5000 – 5006, et seq. NMAC). All geothermal field activities must comply with 20.6.2 et seq. NMAC and 20.6.4 et seq. NMAC).

*Please be advised that OCD approval does not relieve Los Lobos Renewable Power, L.L.C. from responsibility should their operations pose a threat to ground water, subsurface trespass, water supply/diversion, surface water, human health or the environment. In such event, a well may be ordered plugged and abandoned and/or used in accordance with the geothermal regulations. In addition, OCD approval does not relieve Los Lobos Renewable Power, L.L.C. of responsibility for compliance with any other federal, state, or local laws and/or regulations.*

**Chavez, Carl J, EMNRD**

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**From:** Phillips, Haddy L., OSE  
**Sent:** Friday, June 22, 2012 10:04 AM  
**To:** Chavez, Carl J, EMNRD; Jackson, Charles L., OSE  
**Cc:** Brooks, David K., EMNRD; dseawright@gmail.com  
**Subject:** RE: AmeriCulture State Well No. 2 Total Depth (TD) Verification Request  
**Attachments:** A-45-A-S2\_WELL\_LOG.pdf

Carl,

Attached is the OSE date stamped and accepted well log for A-45-A-S2.

Let me know if you have any questions.

Thanks  
Haddy Phillips

*Water Resource Specialist  
Office of State Engineer  
District 3 Office  
P.O. Box 844  
Deming, NM 88031  
phone :575-546-2851 Fax: 575-546-2290  
[haddy.phillips@state.nm.us](mailto:haddy.phillips@state.nm.us)*

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**From:** Chavez, Carl J, EMNRD  
**Sent:** Thursday, June 21, 2012 11:05 AM  
**To:** Phillips, Haddy L., OSE; Jackson, Charles L., OSE  
**Cc:** Brooks, David K., EMNRD; dseawright@gmail.com  
**Subject:** AmeriCulture State Well No. 2 Total Depth (TD) Verification Request

Haddy and Tink:

I spoke with Mr. Damon Seawright today at around 10:45 a.m. He is on the road today, but will be back in his office tomorrow and will check his well records for the final well completion report that should help to verify his 2,100 ft. well TD claim.

He is aware that OSE is checking files or records for any subject well misfiled well completion reports and he recommended that OSE check for the following drillers: Lang Drilling (Subsidiary of Boart Longyear) and or Boart Longyear for the final well completion record submitted by well drillers. He knows that McBee Drilling drilled to the 910 ft TD, but did not perform the well deepening to 2,100 ft. final well work.

He recalls coring the well to 2,000 ft.; then drilling to 2,000 ft. to set casing; and then drilling open hole to 2,100 ft. for final well completion, which the driller should have filed with the agencies. He was involved in all aspects of drilling of AmeriCulture's water supply wells in the area.

~~He requested until 3:00 p.m. tomorrow 6/22/2012 to provide a pdf of the final well completion report via e-mail to the OCD and OSE. The OCD approved.~~

Please contact me if you have questions. Thanks in advance for your assistance in this matter.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Department  
Oil Conservation Division, Environmental Bureau  
1220 South St. Francis Drive, Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
E-mail: [CarlJ.Chavez@State.NM.US](mailto:CarlJ.Chavez@State.NM.US)  
Website: <http://www.emnrd.state.nm.us/ocd/>

“Why Not Prevent Pollution; Minimize Waste; Reduce the Cost of Operations; & Move Forward With the Rest of the Nation?” To see how, please go to: “Pollution Prevention & Waste Minimization” at <http://www.emnrd.state.nm.us/ocd/environmental.htm#environmental>

**NEW MEXICO OFFICE OF THE STATE ENGINEER  
WELL RECORD**

**1. OWNER OF WELL**

Name: AmeriCulture Work Phone: 505-548-2328  
Contact: Damon Seawright Home Phone: \_\_\_\_\_  
Address: HC 65 Box 260C  
City: Animas State: NM Zip: 88020

**2. LOCATION OF WELL (A, B, C, or D required, E or F if known)**

A. ~~NW~~ 1/4 NE 1/4 NE 1/4 Section: 7 Township: 25S Range: 19W N.M.P.M.  
in Hidalgo County.  
B. X = \_\_\_\_\_ feet, Y = \_\_\_\_\_ feet, N.M. Coordinate System  
\_\_\_\_\_ Zone in the \_\_\_\_\_ Grant.  
U.S.G.S. Quad Map SWALLOW FORK PEAK 7.5 MIN.  
C. Latitude: 32 d 9 m 4.6 s Longitude: 108 d 49 m 48.4 s  
D. East 704650 (m), North 3559080 (m), UTM Zone 12, NAD 27 (27 or 83)  
E. Tract No. \_\_\_\_\_, Map No. \_\_\_\_\_ of the \_\_\_\_\_ Hydrographic Survey  
F. Lot No. \_\_\_\_\_, Block No. \_\_\_\_\_ of Unit/Tract \_\_\_\_\_ of the  
\_\_\_\_\_ Subdivision recorded in \_\_\_\_\_ County.  
G. Other: approximately 420 ft NSL and 825 ft ESL and 4217 ft elevation  
H. Give State Engineer File Number if existing well: A-45-S-2  
I. On land owned by (required): AmeriCulture

**3. DRILLING CONTRACTOR**

License Number: WD-1161  
Name: LANG EXPLORATORY DRILLING Work Phone: 801-973-6667  
Agent: Alan F. Lang Home Phone: \_\_\_\_\_  
Mailing Address: 2745 W. California Ave  
City: Salt Lake City State: UT Zip: 84104

**4. DRILLING RECORD**

Drilling began: 10/20/2001; Completed: 9/30/2003; Type tools: rotary  
Size of hole: 7 7/8 in.; Total depth of well: 2,100 ft.;  
Completed well is: geothermal exploration (shallow, artesian);  
Depth to water upon completion of well: 54 ft.

OFFICE OF THE  
STATE ENGINEER  
DENVER, NM

2012 JUN 22 AM 9:59

25S. 19W. 07. 22

①

Damon

**NEW MEXICO OFFICE OF THE STATE ENGINEER**

**WELL RECORD**

**5. PRINCIPAL WATER-BEARING STRATA**

Depth in Feet From	Thickness To	Thickness in feet	Description of water-bearing formation	Estimated Yield (GPM)
<u>280</u>	<u>420</u>	<u>140</u>	<u>fractured conglomerate</u>	<u>&gt;1000 gpm airlift</u>

**6. RECORD OF CASING**

Diameter (inches)	Pounds per ft.	Threads per in.	Depth in Feet Top	Depth in Feet Bottom	Length (feet)	Type of Shoe	Perforations From To
<u>16</u>	<u>42</u>	<u>welded</u>	<u>0</u>	<u>280</u>	<u>280</u>	<u>casing</u>	<u>N/A</u>
<u>12 3/4</u>	<u>36</u>	<u>welded</u>	<u>0</u>	<u>580</u>	<u>580</u>	<u>casing</u>	<u>N/A</u>
<u>8 5/8</u>	<u>29</u>	<u>welded</u>	<u>470</u>	<u>1455</u>	<u>985</u>	<u>cement float</u>	<u>N/A</u>

**7. RECORD OF MUDDING AND CEMENTING**

Depth in Feet From	Depth in Feet To	Hole Diameter	Sacks of mud	Cubic Feet of Cement	Method of Placement
<u>0</u>	<u>280</u>	<u>20 in</u>	<u>N/A</u>	<u>192</u>	<u>through casing, cement head</u>
<u>520</u>	<u>580</u>	<u>14 3/4 in</u>	<u>N/A</u>	<u>33</u>	<u>through casing, Haliburton</u>
<u>1355</u>	<u>1355</u>	<u>10 5/8 in</u>	<u>N/A</u>	<u>40</u>	<u>through casing, tremie stab</u>
<u>492</u>	<u>753</u>	<u>10 5/8 in</u>	<u>N/A</u>	<u>134</u>	<u>annulus, tremie cement basket</u>

**8. PLUGGING RECORD**

Plugging Contractor: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Plugging Method: \_\_\_\_\_  
 Date Well Plugged: \_\_\_\_\_  
 Plugging approved by: \_\_\_\_\_  
 State Engineer Representative

No.	Depth in Feet Top	Depth in Feet Bottom	Cubic Feet of Cement
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____



NEW MEXICO OFFICE OF THE STATE ENGINEER  
WELL RECORD

10. ADDITIONAL STATEMENTS OR EXPLANATIONS:

OCD NAME - AmeriCulture State #2 Well  
NM State Geothermal Lease GTR-304-1

Under NMSEO permit A-601-EXPL this hole was drilled from 0-910 ft by  
Ken McBee, McBee Drilling  
P.O Box 1153  
Willcox, AZ 85644  
520-384-4570  
NMSEO License WD-3

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The undersigned hereby certifies that, to the best of his knowledge and belief, the foregoing is a true and correct record of the above described hole.

Alan J. J...  
Driller

5/28/04  
(mm/dd/year)

=====

**FOR STATE ENGINEER USE ONLY**

Quad \_\_\_\_\_; FWL \_\_\_\_\_; FSL \_\_\_\_\_; Use \_\_\_\_\_; Location No. \_\_\_\_\_

## Chavez, Carl J, EMNRD

---

**From:** Chavez, Carl J, EMNRD  
**Sent:** Friday, June 22, 2012 9:46 AM  
**To:** 'Damon Seawright'  
**Cc:** Phillips, Haddy L., OSE; Brooks, David K., EMNRD; Shapard, Craig, EMNRD; Sanchez, Daniel J., EMNRD; VonGonten, Glenn, EMNRD  
**Subject:** RE: AmeriCulture State Well No. 2 Total Depth (TD) Verification Request

Damon:

Good morning. Yes, I just spoke with Ms. Phillips to confirm OSE's acceptance of the final well completion record. She indicated that it would be stamped by the OSE for acceptance into their filing system today and she will resend the OSE stamped version of the well completion record to the OCD today. You also requested that OSE send you a copy for your records.

Therefore, the OCD will need to ensure that any injection wells within ½ mile of your AmeriCulture State Well No. 2 has casing and cement set to at least 2,200 ft.

Please contact me if you have questions. Thank you.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Department  
Oil Conservation Division, Environmental Bureau  
1220 South St. Francis Drive, Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
E-mail: [CarlJ.Chavez@State.NM.US](mailto:CarlJ.Chavez@State.NM.US)

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

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---

**From:** Damon Seawright [<mailto:dseawright@gmail.com>]  
**Sent:** Friday, June 22, 2012 9:19 AM  
**To:** Chavez, Carl J, EMNRD  
**Subject:** FW: AmeriCulture State Well No. 2 Total Depth (TD) Verification Request

Dear Carl,

Please verify that the attached Well Log satisfies your request for documentation for depth of well A-45-A-S-2.

Regards,

Damon Seawright  
AmeriCulture, Inc.

---

**From:** Phillips, Haddy L., OSE [<mailto:haddy.phillips@state.nm.us>]  
**Sent:** Friday, June 22, 2012 8:43 AM  
**To:** Chavez, Carl J, EMNRD; Jackson, Charles L., OSE  
**Cc:** Brooks, David K., EMNRD; [dseawright@gmail.com](mailto:dseawright@gmail.com)  
**Subject:** RE: AmeriCulture State Well No. 2 Total Depth (TD) Verification Request

Carl,

Our office obtained the well log for OSE well A-45-A-S2. See attached

Haddy Phillips

*Water Resource Specialist*

*Office of State Engineer*

*District 3 Office*

*P.O. Box 844*

*Deming, NM 88031*

*phone :575-546-2851 Fax: 575-546-2290*

[haddy.phillips@state.nm.us](mailto:haddy.phillips@state.nm.us)

---

**From:** Chavez, Carl J, EMNRD

**Sent:** Thursday, June 21, 2012 11:05 AM

**To:** Phillips, Haddy L., OSE; Jackson, Charles L., OSE

**Cc:** Brooks, David K., EMNRD; [dseawright@gmail.com](mailto:dseawright@gmail.com)

**Subject:** AmeriCulture State Well No. 2 Total Depth (TD) Verification Request

Haddy and Tink:

I spoke with Mr. Damon Seawright today at around 10:45 a.m. He is on the road today, but will be back in his office tomorrow and will check his well records for the final well completion report that should help to verify his 2,100 ft. well TD claim.

He is aware that OSE is checking files or records for any subject well misfiled well completion reports and he recommended that OSE check for the following drillers: Lang Drilling (Subsidiary of Boart Longyear) and or Boart Longyear for the final well completion record submitted by well drillers. He knows that McBee Drilling drilled to the 910 ft TD, but did not perform the well deepening to 2,100 ft. final well work.

He recalls coring the well to 2,000 ft.; then drilling to 2,000 ft. to set casing; and then drilling open hole to 2,100 ft. for final well completion, which the driller should have filed with the agencies. He was involved in all aspects of drilling of AmeriCulture's water supply wells in the area.

~~He requested until 3:00 p.m. tomorrow 6/22/2012 to provide a pdf of the final well completion report via e-mail to the OCD and OSE. The OCD approved.~~

Please contact me if you have questions. Thanks in advance for your assistance in this matter.

Carl J. Chavez, CHMM

New Mexico Energy, Minerals & Natural Resources Department

Oil Conservation Division, Environmental Bureau

1220 South St. Francis Drive, Santa Fe, New Mexico 87505

Office: (505) 476-3490

E-mail: [CarlJ.Chavez@State.NM.US](mailto:CarlJ.Chavez@State.NM.US)

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

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

## Chavez, Carl J, EMNRD

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**From:** Michael Hayter [Michael.Hayter@rasertech.com]  
**Sent:** Wednesday, September 30, 2009 4:25 PM  
**To:** Chavez, Carl J, EMNRD  
**Cc:** Steve Brown; Brooks, David K., EMNRD; Fesmire, Mark, EMNRD; VonGonten, Glenn, EMNRD; Dick Clayton; Sean McBride; Ben Barker; Layne Ashton; Jay Hamilton  
**Subject:** RE: Request for Status of Final Signed OCD Discharge Permit (GTHT-1)

Mr. Chavez,

In response to your request for an update on our plans to sign the OCD's document and commence with drilling, please

1. Project Status: Los Lobos / Raser has not commenced with drilling on our project due to further delays caused by protests from Americulture, Inc. and Mr. Thomas McCants to our application for water permits (we require water for cooling the plant and have options to purchase or lease existing water rights which require a permit to change the point of diversion and type of use of the water rights). We understand that once we sign the OCD discharge permit document and place the bonds, the OCD will process the geothermal well APD's (and updates), and the OSE will provide their drilling permits allowing us to proceed with drilling and testing. However, the protest of water permits presents a project risk that is not acceptable to project finance lenders and, therefore creates a project risk for us should we begin drilling but not have the water available for the plant cooling.

We are very near the completion of the initial permitting phase. The final permit(s) required for us to have a project that is ready to proceed to the drilling phase are the aforementioned water permits and a diversion permit from the OSE (to divert the geothermal, non-consumptive water from production wells to injection wells). We received several letters from OSE in late May and early June informing us of the protests from Americulture, Inc. and Mr. McCants; and stating that the OSE would schedule a "Pre-hearing Conference". As of today, we have not received any notification that this conference has been scheduled. In fact, we are extremely anxious to begin the process and therefore sent a letter in the past two weeks to OSE requesting that they proceed with scheduling the conference as soon as possible. This will enable us to understand the hearing process and timing, determine where we stand, and calculate what risks we face.

The Lightning Dock project is of the highest priority for Raser / Los Lobos and we are hopeful that we may begin soon this year to meet our goals.

2. Discharge Permit / Signature: Los Lobos / Raser will sign the document issued on July 1, 2009 by this Friday, October 2, 2009 and send you an electronic copy with the original to follow.
3. Bond(s): It is our intent to complete the bonding (requiring a total of \$65,000) as soon as we are ready to begin drilling. However, we need to resolve the pending issues (described above) with the NMOSE and/or have a better understanding of the associated risk before we provide the bond(s). We will complete the bonding within the specified time required by the permit to begin drilling activities; and hope that we can do so before the end of 2009.

Thank you for your attention to this matter. We look forward to moving forward on the Lightning Dock geothermal project.

Kind regards,  
Michael Hayter

Director - Geothermal Business Development  
Raser Technologies, Inc.  
5152 North Edgewood Drive

Provo, Utah 84003  
Office: +1.801.765.1200 x216  
Mobile: +1.801.589.1872  
[www.rasertech.com](http://www.rasertech.com)

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**From:** Chavez, Carl J, EMNRD [mailto:CarlJ.Chavez@state.nm.us]  
**Sent:** Wednesday, September 30, 2009 12:53 PM  
**To:** Jay Hamilton  
**Cc:** Steve Brown; Michael Hayter; Brooks, David K., EMNRD; Fesmire, Mark, EMNRD; VonGonten, Glenn, EMNRD  
**Subject:** Request for Status of Final Signed OCD Discharge Permit (GTHT-1)

Mr. Hamilton, et al.:

The New Mexico Oil Conservation Division (OCD) is writing to request a status update on the applicant's plans to sign the OCD's document by COB this Friday, October 2, 2009. A signed discharge permit means that you have a discharge permit and an unsigned discharge permit cannot be called a discharge permit until signed.

The OCD is currently considering rescinding the document that was issued on July 1, 2009.

Please contact me if you have questions or need to discuss the above. Thank you.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Dept.  
Oil Conservation Division, Environmental Bureau  
1220 South St. Francis Dr., Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
Fax: (505) 476-3462  
E-mail: [CarlJ.Chavez@state.nm.us](mailto:CarlJ.Chavez@state.nm.us)  
Website: <http://www.emnrd.state.nm.us/oed/index.htm>  
(Pollution Prevention Guidance is under "Publications")

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**From:** Jay Hamilton [mailto:hamiltonenviro@yahoo.com]  
**Sent:** Wednesday, September 23, 2009 12:20 PM  
**To:** Chavez, Carl J, EMNRD  
**Cc:** Steve Brown; Michael Hayter  
**Subject:** Re: Lightning Dock Geothermal Project (GTHT-1) Final Signed Permit

Carl,

I will look into it and get back to you shortly.

Thanks,

Jay

---

**From:** "Chavez, Carl J, EMNRD" <CarlJ.Chavez@state.nm.us>  
**To:** Jay Hamilton <hamiltonenviro@yahoo.com>  
**Cc:** Steve Brown <steve.brown@rasertech.com>; Michael Hayter <Michael.Hayter@rasertech.com>  
**Sent:** Wednesday, September 23, 2009 11:07:26 AM  
**Subject:** RE: Lightning Dock Geothermal Project (GTHT-1) Final Signed Permit

Jay, et al.:

Do you know the status of the bonding and when the OCD will receive a signed discharge permit from Los Lobos or Raser? Thank you.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Dept.  
Oil Conservation Division, Environmental Bureau  
1220 South St. Francis Dr., Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
Fax: (505) 476-3462  
E-mail: [CarlJ.Chavez@state.nm.us](mailto:CarlJ.Chavez@state.nm.us)  
Website: <http://www.emnrd.state.nm.us/ocd/index.htm>  
(Pollution Prevention Guidance is under "Publications")

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**From:** Jay Hamilton [mailto:hamiltonenviro@yahoo.com]  
**Sent:** Thursday, August 06, 2009 12:51 PM  
**To:** Chavez, Carl J, EMNRD  
**Cc:** Steve Brown; Michael Hayter  
**Subject:** Re: Lightning Dock Geothermal Project (GTHT-1) Final Signed Permit

Carl,

Thanks, I will get that to you shortly.

Jay

---

**From:** "Chavez, Carl J, EMNRD" <CarlJ.Chavez@state.nm.us>  
**To:** Jay Hamilton <hamiltonenviro@yahoo.com>  
**Cc:** Michael Hayter <Michael.Hayter@rasertech.com>; "Reeves, Jacqueta, EMNRD" <Jacqueta.Reeves@state.nm.us>  
**Sent:** Thursday, August 6, 2009 12:45:03 PM  
**Subject:** Lightning Dock Geothermal Project (GTHT-1) Final Signed Permit

Jay:

FYI, the OCD has not received the signed version of the OCD discharge permit (GTHT-001) issued on July 1, 2009. The OCD needs the signed discharge permit from Mr. Brown (the applicant) I believe. Also, Los Lobos has already paid the \$100 filing fee and permit fee, so we just need the signed version of permit that was mailed out on July 1, 2009. Thank you.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Dept.  
Oil Conservation Division, Environmental Bureau  
1220 South St. Francis Dr., Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
Fax: (505) 476-3462  
E-mail: [CarlJ.Chavez@state.nm.us](mailto:CarlJ.Chavez@state.nm.us)  
Website: <http://www.emnrd.state.nm.us/ocd/index.htm>  
(Pollution Prevention Guidance is under "Publications")

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**From:** Jay Hamilton [mailto:hamiltonenviro@yahoo.com]  
**Sent:** Tuesday, August 04, 2009 4:37 PM  
**To:** Chavez, Carl J, EMNRD  
**Subject:** Re: Fw: Lightning Dock - Move Well 47-07

Carl,

thanks,

Jay

---

**From:** "Chavez, Carl J, EMNRD" <CarlJ.Chavez@state.nm.us>  
**To:** Jay Hamilton <hamiltonenviro@yahoo.com>  
**Cc:** Steve Brown <steve.brown@rasertech.com>; Michael Hayter <Michael.Hayter@rasertech.com>; "Reeves, Jacqueta, EMNRD" <Jacqueta.Reeves@state.nm.us>  
**Sent:** Tuesday, August 4, 2009 4:32:50 PM  
**Subject:** RE: Fw: Lightning Dock - Move Well 47-07

Jay:

I would complete a C-103 change of location for Well 47-07 and attach the C-101 and 102 forms to it. Thanks.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Dept.  
Oil Conservation Division, Environmental Bureau  
1220 South St. Francis Dr., Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
Fax: (505) 476-3462  
E-mail: [CarlJ.Chavez@state.nm.us](mailto:CarlJ.Chavez@state.nm.us)  
Website: <http://www.emnrd.state.nm.us/ocd/index.htm>  
(Pollution Prevention Guidance is under "Publications")

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**From:** Jay Hamilton [mailto:hamiltonenviro@yahoo.com]  
**Sent:** Tuesday, August 04, 2009 4:23 PM  
**To:** Chavez, Carl J, EMNRD  
**Cc:** Steve Brown; Michael Hayter  
**Subject:** Re: Fw: Lightning Dock - Move Well 47-07

Carl,

Thanks, I will have you the C-101 and C102 as soon as they give me a new location for 47-07.

Jay

---

**From:** "Chavez, Carl J, EMNRD" <CarlJ.Chavez@state.nm.us>  
**To:** Jay Hamilton <hamiltonenviro@yahoo.com>; carl <carlj.chavez@state.nv.us>  
**Cc:** Steve Brown <steve.brown@rasertech.com>; Michael Hayter <Michael.Hayter@rasertech.com>; "Reeves, Jacqueta, EMNRD" <Jacqueta.Reeves@state.nm.us>; "Fesmire, Mark, EMNRD" <mark.fesmire@state.nm.us>  
**Sent:** Tuesday, August 4, 2009 3:36:36 PM  
**Subject:** RE: Fw: Lightning Dock - Move Well 47-07

Jay, et al.:

The OCD testified that moving a well location is possible through the OCD's administrative process.

If Raser is looking to change the location significantly from the originally proposed location, then the OCD would need to scrutinize this more closely in our review and approval process. If the location is slightly altered, the OCD must approve the new location too, but the review process may be minor in scope. I hope this addresses your question. Both reviews fall under the OCD's administrative process and may require a site visit to make a final call too. Thanks.

Carl J. Chavez, CHMM  
New Mexico Energy, Minerals & Natural Resources Dept.  
Oil Conservation Division, Environmental Bureau

1220 South St. Francis Dr., Santa Fe, New Mexico 87505  
Office: (505) 476-3490  
Fax: (505) 476-3462  
E-mail: [CarlJ.Chavez@state.nm.us](mailto:CarlJ.Chavez@state.nm.us)  
Website: <http://www.emnrd.state.nm.us/ocd/index.htm>  
(Pollution Prevention Guidance is under "Publications")

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**From:** Jay Hamilton [mailto:[hamiltonenviro@yahoo.com](mailto:hamiltonenviro@yahoo.com)]  
**Sent:** Tuesday, August 04, 2009 11:14 AM  
**To:** Chavez, Carl J, EMNRD; carl  
**Cc:** Steve Brown; Michael Hayter  
**Subject:** Fw: Fw: Lightning Dock - Move Well 47-07

Carl,

My moving Well 47-07 will that have impact on Damon or the appealing process?

We are a little gun shy.

Thanks,

Jay

----- Forwarded Message -----

**From:** Steve Brown <[Steve.Brown@rasertech.com](mailto:Steve.Brown@rasertech.com)>  
**To:** Jay Hamilton <[hamiltonenviro@yahoo.com](mailto:hamiltonenviro@yahoo.com)>  
**Cc:** Michael Hayter <[Michael.Hayter@rasertech.com](mailto:Michael.Hayter@rasertech.com)>  
**Sent:** Monday, August 3, 2009 7:50:55 PM  
**Subject:** RE: Fw: Lightning Dock - Move Well 47-07

Jay,

Will this have an impact on Damon Seawright?

Steve

---

**From:** Jay Hamilton [mailto:[hamiltonenviro@yahoo.com](mailto:hamiltonenviro@yahoo.com)]  
**Sent:** Monday, August 03, 2009 12:44 PM  
**To:** Steve Brown; Ben Barker  
**Subject:** Fw: Fw: Lightning Dock - Move Well 47-07

Steve/Ben

Because of State regulations Well 47-07 needs to be moved.

The well needs to be 165 feet from quarter-quarter-quarter section.

Mark has given us a map with the boundaries of where the well can be moved.

Ben this probably is your call. This well will probably be moved in the future unless this it is the first well we will be drilling.

I just need to get this approved so we can moved forward.

Please call if you have questions. I need this as soon as possible.

Thanks,

Jay

-- Forwarded Message ----

**From:** Mark Winkelaar <[winkerstick@gmail.com](mailto:winkerstick@gmail.com)>

**To:** Jay Hamilton <[hamiltonenviro@yahoo.com](mailto:hamiltonenviro@yahoo.com)>

**Sent:** Monday, August 3, 2009 8:53:17 AM

**Subject:** Re: Fw: Lightning Dock - Move Well 47-07

Attached map document with description of 100 ft x 100 ft area at least 165 ft from quarter quarter section lines.

Mark Winkelaar

On Wed, Jul 29, 2009 at 9:56 AM, Jay Hamilton<[hamiltonenviro@yahoo.com](mailto:hamiltonenviro@yahoo.com)> wrote:

> oops!!! Here is the attachment from the OCD. Well 47-07 needs to be at  
> least 165 feet from the outer boundary of the quarter-quarter-quarter  
> section.

> Thanks,

>

> Jay

> ----- Forwarded Message ----

> From: Jay Hamilton <[hamiltonenviro@yahoo.com](mailto:hamiltonenviro@yahoo.com)>

> To: Mark Winkelaar <[winkerstick@gmail.com](mailto:winkerstick@gmail.com)>

> Cc: Steve Brown <[steve.brown@rasertech.com](mailto:steve.brown@rasertech.com)>; Michael Hayter

> <[Michael.Hayter@rasertech.com](mailto:Michael.Hayter@rasertech.com)>

> Sent: Wednesday, July 29, 2009 9:52:27 AM

> Subject: Lightning Dock - Move Well 47-07

>

> Mark,

>

> Please give the boundry where we can move Well 47-07 at Lightning Dock.

>

> Thanks,

>

> Jay

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