

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

CASE NO. 14948

APPLICATION OF LOS LOBOS RENEWABLE POWER, LLC (FORMS G-112) FOR APPROVAL TO INJECT INTO A GEOTHERMAL AQUIFER THROUGH TWO PROPOSED GEOTHERMAL INJECTION WELLS AT THE SITE OF THE PROPOSED LIGHTNING DOCK GEOTHERMAL POWER PLANT, HIDALGO COUNTY, NEW MEXICO.

**OIL CONSERVATION DIVISION'S NOTICE OF APPEARANCE AND
PRE-HEARING STATEMENT**

1. The New Mexico Oil Conservation Division hereby enters its appearance as an Intervenor in this case.

2. Parties and Attorneys:

Applicant	Los Lobos Renewable Power, LLC
Applicant's Attorney	Michelle Henrie, Esq. michelle@mhenrie.com 225 E. DeVargas Santa Fe, NM 87501 Phone 505-842-1800 FAX 505-842-0033
Protestant	Americulture, Inc.
Protestant's Representative	Damon Seawright dseawright@gmail.com
Intervenor	New Mexico Oil Conservation Division
Intervenor's Attorney	David K. Brooks david.brooks@state.nm.us 1220 S. St. Francis Dr. Santa Fe, NM 87505 Phone 505-476-3450 FAX 505-476-3462

RECEIVED OGD
2013 JAN 30 A 7:45

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:

The Division does not anticipate calling any witnesses, but will have Carl Chavez, OCD environmental engineer and geothermal permit writer, available at the hearing to respond to questions if asked to do so by a party or the Examiner. The Division reserves the right to call Mr. Chavez as a rebuttal witness.

5. Time to Present Case:

The Division does not plan to present a case unless rebuttal is necessary.


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