

**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.**

**AMERICULTURE, INC.'S NOTICE OF APPEARANCE AND  
PRE-HEARING STATEMENT**

1. AmeriCulture, Inc. hereby enters its appearance as a Protestant in this case.

2. Parties and Attorneys:

Applicant	Los Lobos Renewable Power, LLC
Applicant's Attorney	Michelle Henrie, Esq. <a href="mailto:michelle@mhenrie.com">michelle@mhenrie.com</a> 225 E. DeVargas Santa Fe, NM 87501 Phone 505-842-1800 FAX 505-842-0033
Protestant	AmeriCulture, Inc.
Protestant's Attorney	To Be Determined
Intervenor	New Mexico Oil Conservation Division
Intervenor's Attorney	David K. Brooks <a href="mailto:david.brooks@state.nm.us">david.brooks@state.nm.us</a> 1220 S. St. Francis Dr. Santa Fe, NM 87505 Phone 505-476-3450 FAX 505-476-3462

3. Concise Statement of the Case:

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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, as raised by the Intervenor, 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. Other issues to be raised relate to the possibility of depletion of underground water resources and the endangerment of Protestant's aquaculture business.

4. Witnesses:

AmeriCulture's Witnesses will include (a) James Witcher, expert in geothermal, geology, and hydrology; (b) an expert (TBD) in New Mexico WQCC Regulations; (c) an expert (TBD) in New Mexico Geothermal Regulations; (d) Damon Seawright, expert in aquaculture, fisheries science and business matters relating to Protestant's business; (e) any witnesses of the Applicant; and/or (f) any witnesses of the Intervenor.

5. Time to Present Case:

AmeriCulture estimates the time to present its case at three hours.

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

AmeriCulture, Inc. has none at this time.

7. Protestant AmeriCulture's Position:

The Protestant opposes the Application because its belief that the proposed injection plan may endanger underground water, impair correlative water rights, waste geothermal resources, result in depletion of underground water resources and/or otherwise endanger its aquaculture business.

Respectfully Submitted



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Damon E. Seawright  
President, AmeriCulture, Inc.

**CERTIFICATE OF SERVICE**

I certify that on January 31<sup>st</sup>, 2013, I served a copy of the forgoing document to the following:

By email:

Michelle Henrie, Esq.; [michelle@mhenrie.com](mailto:michelle@mhenrie.com)  
Brooks, David K., EMNRD; [david.brooks@state.nm.us](mailto:david.brooks@state.nm.us)  
William V. Jones, EMNRD; [William.V.Jones@state.nm.us](mailto:William.V.Jones@state.nm.us)

Respectfully Submitted



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Damon E. Seawright  
President, AmeriCulture, Inc.