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April 5, 1999

HAND DELIVERED

Marilyn S. Hebert
Special Assistant Attorney General
New Mexico Oil Conservation Commission
2040 South Pacheco Street
Santa Fe, New Mexico 87505

OIL CONSERVATION DIV.
99 APR - 5 AM 10: 27

Re: ***Oil Conservation Division Case No. 12033; Order No. R-11134
Application of Public Service Company of New Mexico for Review of Oil
Conservation Division Directive dated March 13, 1998, Directing Applicant
to Perform Additional Remediation for Hydrocarbon Contamination, San
Juan County, New Mexico***

Dear Ms Hebert:

Enclosed for your consideration is Burlington Resources Oil & Gas Company's Motion for Partial Stay of Order No. R-11134.

Very truly yours,


WILLIAM F. CARR

WFC:mlh

Enc.

cc: Richard L. Alvidrez, Esq.
Rand Carroll, Esq.
John H. Bemis, Esq.

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

**APPLICATION OF PUBLIC SERVICE
COMPANY OF NEW MEXICO FOR
REVIEW OF OIL CONSERVATION
DIVISION DIRECTIVE DATED MARCH 13,
1998, DIRECTING APPLICANT TO PERFORM
ADDITIONAL REMEDIATION FOR
HYDROCARBON CONTAMINATION,
SAN JUAN COUNTY, NEW MEXICO.**

**CASE NO. 12033
ORDER NO. R-11134**

**OIL CONSERVATION DIV
99 APR -5 AM 10:28**

**BURLINGTON RESOURCES OIL & GAS COMPANY'S
MOTION FOR PARTIAL STAY OF ORDER NO. R-11134**

Burlington Resources Oil & Gas Company ("Burlington"), by and through their undersigned attorneys, moves the Oil Conservation Division and/or Commission for an order staying the provisions of Order No. R-11134 entered on February 5, 1999, which require the filing of additional plans for remediation at the Hampton 4-M well site and in support of its motion states:

1. The Division entered Order No. R-11134 on February 5, 1999 denying the application of The Public Service Company of New Mexico ("PNM") in this case and determining that both PNM and Burlington are responsible parties for hydrocarbon contamination in the area of the Burlington Resources Oil & Gas Company Hampton 4-M Well located in Unit N, Section 13, Township 30 North, Range 11 West, NMPM, San Juan County, New Mexico.
2. Order paragraph 5 of Order No. R-11134 also directed PNM and Burlington to submit remediation plans to the Environmental Bureau of the Oil Conservation Division ("Bureau"), for approval, within 60 days of the date of the order. At a minimum these plans are to contain plans

to determine the lateral extent of contamination, to remove remaining sources of contamination, and to remediate the remaining contamination. These remediation plans must be filed by April 6, 1999.

3. Since the entry of Order No. R-11134, PNM and Burlington each filed an application for a hearing **de novo** on this application by the Oil Conservation Commission.

4. The Commission has set a prehearing conference on Tuesday, April 13, 1999, in preparation for a Commission hearing.

5. The order which results from a Commission hearing could supercede Division Order No. R-11134 on any or all issues in this case including the requirement for new remediation plans..

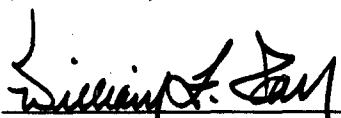
6. At this time, each party has a remediation plan on file which has been approved by the Bureau and which governs the remediation activities of the parties at this location.

7. A stay of order paragraph 5 of Order No. R-11134 will defer the filing of additional remediation plans until the Commission can fully review the issues in this case, including the need for additional remediation plans at the pending hearing **de novo**.

WHEREFORE, Burlington Resources Oil & Gas Company , requests that the Division and/or the Commission enter its order staying the provisions of order paragraph 5 of Division Order No. R-11134 pending the entry of a Commission order in the pending hearing **de novo** in this case.

Respectfully submitted,

CAMPBELL, CARR, BERGE
& SHERIDAN, P. A.

By: 
WILLIAM F. CARR

Post Office Box 2208
Santa Fe, New Mexico 87504-2208

BURLINGTON RESOURCES OIL & GAS
COMPANY

CERTIFICATE OF SERVICE

I hereby certify that I have caused a true and correct copy of the foregoing Motion for Partial Stay of Division Order No. R-11134 to be mailed and/or hand-delivered to the following counsel of record on this 5th day of April, 1999:

Richard L. Alvidrez, Esq.
Keleher & McLeod, P.A.
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Albuquerque, New Mexico 87103

Rand Carroll, Esq.
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
2040 South Pacheco
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WILLIAM F. CARR