

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE SUPERVISOR OF DISTRICT I, FOR AN ORDER REQUIRING MILLARD DECK ESTATE TO BRING TWO WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC, ASSESSING AN APPROPRIATE CIVIL PENALTY IN THE EVENT OF NON-COMPLIANCE, AND AUTHORIZING THE DIVISION TO PLUG SAID WELLS, LEA COUNTY, NEW MEXICO.

CASE NO. 13361

CERTIFICATE OF NOTICE

In accordance with Division Rule 1207 (19.15.14.1207 NMAC) I hereby certify that notice of the October 21, 2004 hearing setting in the above-captioned case, with a copy of the application, was mailed to the following by certified mail, return receipt requested, at least 20 days prior to that hearing date:

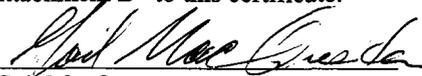
Millard Deck Estate  
P.O. Box 2546  
Ft. Worth, TX 76113

A copy of the notice with proof of receipt is "Attachment A" to this certificate.

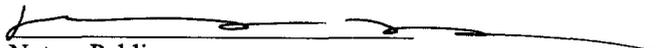
The applicant requested a continuance of the hearing until November 4, 2004, to allow notice to be sent to Mr. Tim Walters, who administers the estate. Notice of the November 4, 2004 hearing was sent to Mr. Walters by certified mail, return receipt requested, at least 20 days prior to that hearing date:

Mr. Tim Walters  
Bank of America  
P.O. Box 270  
Midland, TX 79702

A copy of the notice to Mr. Walters, with proof of receipt, is "Attachment B" to this certificate.

  
Gail MacQuesten

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of October, 2004.

  
Notary Public

My Commission Expires:

4/2/07

Before the OCD  
Case 13361  
OCD Ex. 1



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**  
Governor  
**Joanna Prukop**  
Cabinet Secretary

**Mark E. Fesmire, P.E.**  
Director  
Oil Conservation Division

September 28, 2004

Millard Deck Estate  
P.O. Box 2546  
Ft. Worth, TX 76113

Certified Mail No. 7099 3220 0009 7873 1674

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE SUPERVISOR OF DISTRICT I, FOR AN ORDER REQUIRING MILLARD DECK ESTATE TO BRING TWO WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC, ASSESSING AN APPROPRIATE CIVIL PENALTY IN THE EVENT OF NON-COMPLIANCE, AND AUTHORIZING THE DIVISION TO PLUG SAID WELLS, LEA COUNTY, NEW MEXICO.**

Ladies and Gentlemen:

You are hereby notified that the New Mexico Oil Conservation Division has filed the above-captioned Application seeking an order requiring you to bring the following wells into compliance with Division rules by plugging and abandoning the well, securing temporary abandonment status for the well, or returning the well to a Division-approved beneficial use:

1. Alexander #001, API #30-025-06429, located at Unit Letter E, Section 7, Township 21 South, Range 37 East, in Lea County, New Mexico; and
2. Lea 407 State #005, API #30-025-03535, located at Unit Letter D, Section 33, Township 21 South, Range 35 East, in Lea County, New Mexico.

A copy of the Application is enclosed.

A hearing on this application will take place before a Division hearing officer on Thursday, October 21, 2004, at 8:15 a.m. in Porter Hall, First Floor, 1220 South St. Francis Drive in Santa Fe, New Mexico. At that hearing you will have an opportunity to show cause why an order should not be entered as requested in the Application. If you intend to present evidence at the hearing, you should file a pre-hearing statement at least four days in advance of the hearing, as required by 19.15.14.1208.B NMAC.

Inquiries concerning this application may be directed to the undersigned in the Santa Fe office of the Division at (505) 476-3451.

Very truly yours,

Gail MacQuesten  
Assistant General Counsel  
Cc: Chris Williams and Billy Prichard, District I

Attachment A

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Millard Deck Estate  
P. O. Box 2546  
Ft. Worth, TX 76113

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X *[Handwritten Signature]*

- Agent
- Addressee

B. Received by (Printed Name)

*ED LOFTON*

C. Date of Delivery

*OCT 01 2004*

- D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type

- Certified Mail  Express Mail
- Registered  Return Receipt for Merchandise
- Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number

(Transfer from service label)

7099 3220 0009 7873 1674



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**  
Governor  
**Joanna Prukop**  
Cabinet Secretary

**Mark E. Fesmire, P.E.**  
Director  
Oil Conservation Division

October 5, 2004

Mr. Tim Walters  
Bank of America  
P.O. Box 270  
Midland, TX 79702

Certified Mail No. 7099 3220 0009 7873 1728

**CASE NO. 13361 APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE SUPERVISOR OF DISTRICT I, FOR AN ORDER REQUIRING MILLARD DECK ESTATE TO BRING TWO WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC, ASSESSING AN APPROPRIATE CIVIL PENALTY IN THE EVENT OF NON-COMPLIANCE, AND AUTHORIZING THE DIVISION TO PLUG SAID WELLS, LEA COUNTY, NEW MEXICO.**

Dear Mr. Walters:

You are hereby notified that the New Mexico Oil Conservation Division has filed the above-captioned Application seeking an order requiring you to bring the following wells into compliance with Division rules by plugging and abandoning the well, securing temporary abandonment status for the well, or returning the well to a Division-approved beneficial use:

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2. Lea 407 State #005, API #30-025-03535, located at Unit Letter D, Section 33, Township 21 South, Range 35 East, in Lea County, New Mexico.

A copy of the Application is enclosed.

A hearing on this application will take place before a Division hearing officer on **Thursday, November 4, 2004**, at 8:15 a.m. in Porter Hall, First Floor, 1220 South St. Francis Drive in Santa Fe, New Mexico. (Although this matter was originally scheduled for October 21, 2004, I requested a continuance until November 4, 2004.) At that hearing you will have an opportunity to show cause why an order should not be entered as requested in the Application. If you intend to present evidence at the hearing, you should file a pre-hearing statement at least four days in advance of the hearing, as required by 19.15.14.1208.B NMAC.

Inquiries concerning this application may be directed to the undersigned in the Santa Fe office of the Division at (505) 476-3451.

Very truly yours,

Gail MacQuesten  
Assistant General Counsel  
Ec: Chris Williams and Billy Prichard, District I

Attachment B

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Tim Walters  
Bank of America  
P. O. Box 270  
Midland, Texas 79702

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*Tim*  Addressee

B. Received by (Printed Name)  Date of Delivery  
*UPIERCE* *10-12-04*

C. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)  
PS Form 3811, August 2001

7099 3220 0009 7873 1728

Domestic Return Receipt