

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

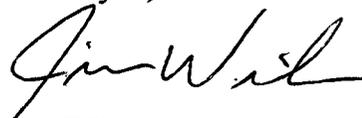
APPLICATION OF ARTESIA AERATION, LLC TO MODIFY
ITS EXISTING NMOCD RULE 711 PERMIT No. NM-01030
SO THAT THEY MAY ACCEPT SALT-CONTAMINATED
OILFIELD WASTES.

CASE NO. 13481

ARTESIA AERATION, LLC RESPONSE TO MOTION FROM CRI TO DISMISS
THIS CASE AND RESCIND ORDER 12307-A.

The letter dated September 17, 2004 was sent to the wrong address. I never received this letter. According to Ed Martin with the OCD, it wouldn't have mattered, because my permit allowed me to take salt contaminated soil anyway. When I received the letter dated March 4, 2005, I immediately stopped accepting salt contaminated soil as I was directed by the OCD. On March 10, 2005 Artesia Aeration filed for an Emergency Permit under OCD Rule 1202, and was granted said Permit to ease transportation costs for pit clean up in Northern Lea County. After hearing opposition to salt above ground by New Mexico Citizens for Clean Air and Water, and discussing the options with Ed Martin of the OCD, Artesia Aeration filed a C137 on 4/26/2005 to modify our operation to make it safer and better for the environment. I was out of town on a business meeting the next week, but upon my return I immediately started gathering information and documents to complete the C137 application. I was not told, nor did I know of any time line to have this information turned in. I will fax to you and send a hard copy of all the documentation via Federal Express to complete the C137 application no later than 5/13/2005.

Thank you,



Jim Wilson

2005 APR 13 9 42 AM

5/13/05
Ed Martin