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F.L. HEIDEL
(1913-1985)

March 29, 2006

David Catanach
1220 S. St. Francis Drive
Santa Fe, NM 87505

**RE: IN THE MATTER OF THE APPLICATION OF
JAY DAN LANDFARM, LLC FOR APPROVAL
OF A RULE 711 COMMERCIAL LANDFARMS
FACILITY, LEA COUNTY, NEW MEXICO
CASE NO. 13689**

2006 MAR 31 PM 12 55

Dear Mr. Catanach,

As per our telephone conversation of this date, I am hereby withdrawing the objection this firm filed on behalf of the City of Lovington, New Mexico and Dan Field based on the agreement of the Parties, regarding the Application for Waste Management Facility by Jay Dan Landfarm of Lovington, New Mexico. A copy of said objection is attached hereto for your reference.

If you should have any further questions, please do not hesitate to call me.

Sincerely,

HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON

By: 
Patrick B. McMahon 

PBM:jo
Enclosures

Letter to David Catanach
Jay Dan Landfarm/Dan Field and City of Lovington
March 29, 2006
Page two.

pc: Pat Wise, City Manager w/encl.
Dan Field w/encl.
Eddie Seay w/encl.
Ernie Padilla w/encl.

COPY

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November 28, 2005

State of New Mexico
Oil Conservation Division
ATTN: MARK E. FESMIRE
P.O. Box 6429
Santa Fe, NM 87505

**Re: Application For Waste Management Facility By Jay Dan Landfarm
Lovington, Lea County, New Mexico**

Gentlemen:

On behalf of Dan Field and the City of Lovington, this firm hereby submits the following comments, concerns, and objections to the above-described Application wherein Jay Dan Landfarm seeks to operate a 40-acre commercial landfarm, located in the Northwest Quarter (NW/4) Southwest Quarter (SW/4) Northwest Quarter (NW/4) of Section 32, Township 15 South, Range 35 East, Lea County, New Mexico; to wit:

1. Dan Field owns property which would be negatively impacted by the presence of a land farm at this location. Additionally, this location is located in the rural/urban interface outside of Lovington, Lea County, New Mexico, and it will impair and impede economic development in the surrounding area, as well as, cause a devaluation in the property values to the adjacent or nearby properties.
2. The City of Lovington owns a right to water for its municipal water supply in the area around the proposed location. The depth of groundwater is approximately 60 feet or less. The vadose zone above the groundwater is primarily comprised of fractured caliche type formation which would provide little protection to the water supply.

Please forward all notice to this firm and advise of all scheduled matters.

Letter to State of New Mexico
Oil Conservation Division
ATTN: MARK E. FESMIRE
November 28, 2005
Page two.

Sincerely,

HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON

By:

151

Patrick B. McMahon

PBM:cd

pc: Dan Field
City of Lovington, New Mexico