



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

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BILL RICHARDSON

Governor

Joanna Prukop

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2007 DEC 10 AM 7 21

Arthur L. Blazer

Director

Forestry Division

December 10, 2007

Mark E. Fesmire, P.E.

Director

EMNRD-Oil Conservation Division

1220 S. St. Francis Drive

Santa Fe, NM 87505

Dear Mr. Fesmire,

14059

I have received notice of your hearing for Case No. 14022 on the Dan A. Hughes Company, L.P. application to drill in Hidalgo County. This proposed fluid minerals well will occur in the Playas Valley, which is an area of potential habitat for three rare or endangered plant species that are of concern to the State of New Mexico. Should this well be successful in discovering an economically extractable reserve of oil or gas the cumulative effects of subsequent development could potentially impact any rare plants in this area.

Specifically, the Chihuahua scurfpea (*Pediomelum pentaphyllum*) is a State Endangered species that is presently known in New Mexico only from the adjacent Hachita Valley and could potentially occur in the Playas Valley. The Playas Valley habitat may also be suitable for Griffith's saltbush (*Atriplex Griffiths*), which is another rare plant that is presently known to occur in the adjacent Deming and Lordsburg Playas. The gypsum hot springs aster (*Machaeranthera gypsitherma*) was initially discovered in the Playas Valley in 1851, but has not been rediscovered in New Mexico since that time. It is presently known from a single location in the State of Chihuahua and would certainly be listed as an endangered species, if it could be found again in the United States.

The Playas Valley has not been thoroughly surveyed for its botanical resources because of the predominance of private surface ownership in that area. Hopefully, future development of state and federal minerals will consider any rare or endangered species that may occur there.

Sincerely,

Robert Sivinski