



NEW MEXICO ENERGY, MINERALS and
NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Pesmire, P.E.

Director

Oil Conservation Division

07-Apr-05

MARKS AND GARNER PRODUCTION LTD CO

PO BOX 70

LOVINGTON NM 88260-

NOTICE OF VIOLATION - Inactive Well(s)

Dear Operator:

A review of our records and recent inspection(s) indicate that the subject well(s) has been shut-in for an extended period of time. Rule 201 of the Rules and Regulation of the Oil Conservation Division provides that a well may be shut-in no longer than sixty days after suspension of drilling operations, upon determining that the well is no longer usable (e.g., a dry hole), or one year after last production. To comply with guidelines as established in the Rules and Regulations, corrective actions must be taken immediately and the well(s) brought into compliance.

The detail section below indicates preliminary findings and/or probable nature of the violation.

The following options are available:

1. Immediately restore the well(s) to production, injection or disposal as applicable.
2. Request 'Temporary Abandoned' status pursuant to Rule 203, which requires that you set a plug and conduct a mechanical integrity test.
3. Submit a proposal to 'Plug and Abandon' the well(s) pursuant to Rule 202, proceed with plugging procedures on a timely basis after the proposal has been evaluated, amended and/or approved.

In the event that a satisfactory response is not received to this letter of direction by the "Corrective Action Due By:" date shown above, further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe to show cause why you should not be ordered to permanently plug and abandon this well. Such a hearing may result in imposition of CIVIL PENALTIES for your violation of OCD rules.

IDLE WELL INSPECTION DETAIL SECTION

COQUINA STATE 001	H-19-21S-35E	30-025-27992-00-00	Inspection No. iLWH0509159038
Inspection Date:	4/1/2005 4:23:54 PM	Corrective Action Due by: 5/18/2005	
Type Inspection	Inspector	Violation?	*Significant Non-Compliance?
Compliance Verification	Buddy Hill	Yes	No
Comments on Inspection:	Idle Well (Rule 201), NEEDS T/A, PA OR PUT BACK IN USE. SECOND NOTICE		

Thank you for your prompt attention to this matter and your efforts in helping to protect our environment and the infrastructure of the oil and gas industry.

Sincerely,

J. W. Buddy Hill

COMPLIANCE OFFICER

Hobbs OCD District Office

* Significant Non-Compliance events are reported directly to the U.S. Environmental Protection Agency, Region VI, Dallas, Texas.

Oil Conservation Division • 1625 N. French Drive • Hobbs, New Mexico 88240
Phone: 505-393-6161 • Fax: 505-393-0720 • <http://www.enmrd.state.nm.us>

Case 14041
OCD Exhibit No. 5

Marks & Garner Prod. Ltd.