## EXIIIDIL I

## **OIL CONSERVATION**

# EXHIBIT 10

**CASE NO. 14161** 

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

IN THE MATTER OF THE SECOND AMENDED APPLICATION OF TARGA MIDSTREAM SERVICES LP FOR APPROVAL OF AN ACID GAS INJECTION WELL, LEA COUNTY, NEW MEXICO

CASE NO. 14161

STATE OF NEW MEXICO	)
	) ss
COUNTY OF SANTA FE	)

J. SCOTT HALL, attorney and authorized representative of Targa Midstream Services, LP, the Applicant herein, being first duly sworn, upon oath, states that the notice provisions of Rule 1210 of the New Mexico Oil Conservation Division have been complied with, that Applicant has caused to be conducted a good faith diligent effort to find the correct addresses of all interested persons entitled to receive notice, as shown by Exhibit "A" attached hereto, and that pursuant to Rule 1210, notice has been given at the correct addresses or last known addresses provided by such rule.

1.1 win-dall

J. SCOTT HALL

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of September, 2008.

Marita C. Blakeman Notary Public

My Commission Expires:  $\frac{2/35}{11}$ 

NMOCD Case No. 14161 September 18, 2008 Targa Ex. No. 10

#### <u>LIST OF OPERATORS WHO HAVE ACKNOWLEDGED</u> RECEIPT OF NOTICE OF SECOND AMENDED APPLICATION

- 1. Apache Corporation
- 2. BP America Production Co.
- 3. James R. Byrd
- 4. Chevron USA
- 5. Betty B. Cooper
- 6. Jimmie B. Cooper
- 7. El Paso Natural Gas
- 8. Enervest Operating, LLC
- 9 Leaco New Mexico Exploration
- 10. Momentum Energy Co.
- 11. Monument Disposal, Inc.
- 12. Monument LLC
- 13. Rice Operating Company
- 14. Versado Gas Processors
- 15. Phil Wahl, Attorney
- 16. XTO Energy

### LIST OF OPERATORS WHO HAVE NOT ACKNOWLEDGED RECEIPT OF NOTICE OF SECOND AMENDED APPLICATION

1. DLD Corporation

**MONTGOMERY & ANDREWS** 

PROFESSIONAL ASSOCIATION ATTORNEYS AND COUNSELORS AT LAW

J.O. Seth (1883-1963) A.K. Montgomery (1903-1987) Frank Andrews (1914-1981) Seth D. Montgomery (1937-1998)

COUNSEL EMERITUS

William R. Federici

Victor R. Ortega Gary Kilpatric Thomas W. Olson Walter J. Melendres John B. Draper Nancy M. King Sarah M. Singleton Stephen S. Hamilton Edmund H. Kendrick Louis W. Rose Randy S. Bartell Paul E. Houston Kevin M. Sexton Jeffery L. Martin Alexandra Corwin Aguilar Jeffrey J. Wechsler Shannon A. Parden Brian T. Judson Susan R. Johnson Holly Agajanian Sharon T. Shaheen Jaime R. Kennedy

OF COUNSEL Joe A. Sturges J. Scott Hall Suzanne C. Odom Earl Potter, P.A. 325 Paseo de Peralta Santa Fe, New Mexico 87501

Post Office Box 2307 Santa Fe, New Mexico 87504-2307

> Telephone (505) 982-3873 Fax (505) 982-4289

> > August 15, 2008

ALBUQUERQUE OFFICE

6301 Indian School Road, N.E. Suite 400 Albuquerque, New Mexico 87110

Post Office Box 36210 Albuquerque, New Mexico 87176-6210

> Telephone (505) 884-4200 Fax (505) 888-8929

www.montand.com

Reply to Santa Fe Office

#### CERTIFIED MAIL/RETURN RECEIPT REQUESTED

APACHE CORPORATION 6120 S. Yale Ave, Suite 1500 Tulsa, OK 74136-4224

> Re: NMOCD Case No. 14161: Second Amended Application of Targa Midstream Services L. P. for Approval of an Acid Gas Injection Well, Lea County, New Mexico

Dear Sir or Madam:

This will advise that Targa Midstream Services L. P. ("Targa") has filed a Second Amended Application with the New Mexico Oil Conservation Division seeking approval to drill and utilize the Monument AGI No. 1 Well for acid-gas injection operations. The well is located in the SW/4 SE/4 (Unit O) of Section 36, T-19-S, R-36-E, Lea County, New Mexico.

A copy of the Second Amended Application is enclosed.

This application will be set for hearing before a Division Examiner on September 18, 2008, at 8:15 a.m. at the New Mexico Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico. You are not required to attend this hearing, but as an owner of an interest that may be affected, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging this application at a later time. If you intend to attend the hearing and present testimony or evidence, you must enter your appearance and serve the Division,

APACHE CORPC TION August 15, 2008 Page 2

counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 1211.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH/mb

plete items 1, 2, and 3. Also complete 4 if Restricted Delivery is desired. your name and address on the reverse nat we can return the card to you. sch this card to the back of the mailpiece, on the front if space permits.	A. Signature  A. Signature  A. Signature  A. Signature  Addressee  B. Received by ( Printed Name)  C. Date of Delivery  B-(8-08)  D. Is delivery address different from item 1?   Yes  If YES, enter delivery address below:   No
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Culsa, OK 74136-4224	3. Serylce Type  D Certified Mall
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## STATE OF NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION OF TARGA MIDSTREAM SERVICES LP FOR APPROVAL OF AN ACID GAS INJECTION WELL, LEA COUNTY, NEW MEXICO

CASE NO. 14161

#### SECOND AMENDED APPLICATION

TARGA MIDSTREAM SERVICES LP, by its undersigned attorneys, Montgomery and Andrews, P.A., (J. Scott Hall) hereby makes application pursuant to, *inter-alia*, Division Rule 701 for an order approving the Monument AGI No. 1 well for acid-gas injection operations. In support, Applicant states:

1. Applicant proposes to drill and complete the following well for acid-gas

injection operations in Lea County, New Mexico:

Monument AGI No. 1 662' FSL and 2,513' FEL Section 36: SW/4 SE/4 (Unit O) T-19-S, R-36-E, NMPM

2. Applicant proposes injection of acid gas and water through a closed system into the Devonian and Fusselman formations through perforations at depths of 8,350' to 9,200' at a maximum injection pressure not to exceed 1,660 psi. Applicant proposes injection at average daily rates of approximately 3,500 bbls and 2.66 mmcfd of acid gas and water and at maximum daily rates of approximately 5,000 bbls and 3.38 mmcfpd. The source of the injected fluids will be the Targa Resources LLC Monument Gas Plant.

NOTIVE B

3. Applicant's proposed injection operation can be conducted in a safe and responsible manner without causing waste, impairing correlative rights or endangering fresh water, public health or the environment.

WHEREFORE Applicant requests that this Application be set for hearing before a duly appointed examiner of the Oil Conservation Division on September 18, 2008 and that after notice and hearing as required by law, the Division enter its Order approving the drilling and operation of the Monument AGI No. 1 well for acid-gas injection operations, for the injection of acid-gas fluids into the Devonian and Fusselman formations at the intervals and at the pressures, volumes and rates indicated, and making such other and further provisions as the Division determines appropriate.

MONTGOMERY & ANDREWS, P.A.

Attorneys for Targa Midstream Services LP Post Office Box 2307

Santa Fe, New Mexico 87504-2307

(505) 982-3873





Very truly yours,

MONTGOMERY & ANDREWS, P.A.

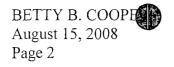
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J. Scott Hall

JSH/mb

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Tulsa, OK 74136-4224	3. Service Type  D Certified Mail  Registered  Registered  C.O.D.
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	Total Postage & Fees \$ \$.49
7005	Street, Apt. No.; or PO Box No. City, State, ZIP+4
	PS Form 8300, June 2002 See Reverse for Instructions





Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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Monument, New Mexico 88265	3. Service Type  Let Certified Mail  Registered  Insured Mail  C.O.D.
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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

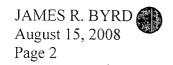
JSH/mb

Enclosure

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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P.O. Box 32	
Monument, New Mexico 88265	3. Service Type  Descripted Mall
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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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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:  CHEVRON USA P. O. Box 285	A. Signature  A. Signature  Addressee  B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from them 10  If YES, enter delivery address below:		
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Jimmie Cooper August 15, 2008 Page 2

counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 1211.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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<ul> <li>SENDER: COMPLETE THIS SECTION.</li> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back-of the mailpiece, or on the front-if space permits.</li> </ul>	A Signature  A Signature  A Agent  Addressee  B. Received by (Printed Name)  C. Date of Delivery  C. Date of Delivery  C. Date of Delivery  C. Date of Delivery
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JIMMIE B. COOPER 7501 S. Raymond Lane	POBOX 36 Monument, nm 88265
Monument, New Mexico 88265	3. Service Type  Certified Mail Registered Insured Mail C.O.D.
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DLD CORPORATION August 15, 2008 Page 2

counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 1211.

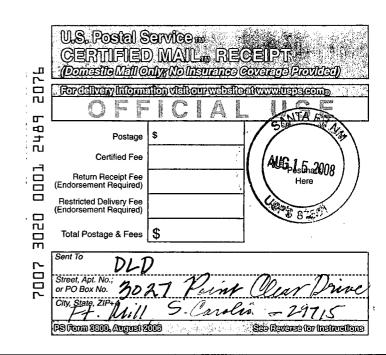
Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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EL PASO NATURAL GAS August 15, 2008 Page 2

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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

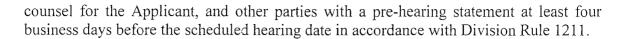
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J. Scott Hall

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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PS Form 8900. August 2003

See Reverse for Instructions

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
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MONUMENT LLC August 15, 2008 Page 2

counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 1211.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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MONUMENT DISPOSAL INC. August 15, 2008 Page 2

counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 1211.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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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.	A Signature  A Signature  A Gent  Addressee  B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1? / Yes  If YES, enter delivery address below:
MONUMENT DISPOSAL INC.	
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Hobbs, New Mexico 88242	3. Service Type  I// Certified Mail
	4. Restricted Delivery? (Extra Fee)
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305	Total Postage & Fees	\$			8 8 74 9	
7007	Sent To  Street, Apt. No.; or PO Box No.  City, State, ZIP+4	knun	um	6	Spes	24
	PS Form 8300, August 8	2003		See Reve	rse for instruction	133

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH/mb

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature  Agent  Addressee  B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1?   Yes
1. Article Addressed to:  MOMENTUM ENERGY CO. P.O. Box 578	If YES, enter delivery address below: ☐ No
Albany. Texas 76430	3. Service Type  Certifled Mall
2. Article Number 7007 300	To said a
CERTIFICATION OF PO Box No City, State, Zin	DESCRI SETVICE TO MAIL TO RECEIPT TO MAIL TO MAIL TO RECEIPT TO MAIL T

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

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<ul> <li>SENDER: COMPLETE THIS SECTION</li> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature  A. Signature  A. Signature  A. Signature  Addressee  B. Received by (Printed Name)  C. Date of Delivery  C. Date of Delivery  C. Date of Delivery
1. Article Addressed to:  RICE OPERATING COMPANY 122 W. Taylor	D. Is delivery address different from item 1? ☐ Yes  If YES, enter delivery address below: ☐ No
Hobbs, New Mexico 88242  —	3. Septice Type  Certified Mail
2. Article Number 7007 3020	0001 2489 2144
PS Form 3811, February 2004 Domestic Retr	urn Receipt 102595-02-M-1540

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489	Postage	\$		5	7
	Certified Fee		#3 #3 	AUG 1 5 2008	) :
	Return Receipt Fee (Endorsement Required)		18	Here	
	Restricted Delivery Fee (Endorsement Required)			874	/
3020	Total Postage & Fees	\$	ì		
	Sent To Rice	<u></u>			
7007	Street, Apt. No.; or PO Box No.				
1-	City, State, ZIP+4				
	PS Form 2000, August 2	003	Transfer Car	tee fleverse for Instri	ellons

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH/mb

Enclosure

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A Signature RECEIVED  X
Article Addressed to:	D. Is delivery address different from them 17
VERSADO GAS PROCCESSORS Box 870849	AUG TEST
Mesquite, Texas 75187	3. Sepvice Type  Certified Mall  Registered Insured Mail  C.O.D.
	4. Restricted Delivery? (Extra Fee) ☐ Yes
2. Article Number 7007	3020 0001 2489 2168 /
PS Form 3811, February 2004 Domestic Ref	turn Receipt 102595-02-M-1540

City, State, ZIP+4

PS Form 9300, August 2003

U.S. Postal Sarvice w
CERTIFIED MAIL RECEIPT
(pomestic Methods No Insurance Coverage Provided)

Fordal very information visit corrected www.espacome

OFFICIAL U.S.E

Postage \$
Certified Fee
(Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Restricted Delivery Fee (Endorsement Required)
Total Postage & Fees \$

Sent To

Street, Apt. No.;
or PO Box No.

See Reverse for Instructions

PHIL WAHL, ATTORNEY August 15, 2008 Page 2

counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 1211.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH/mb

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece or on the front if space permits.</li> </ul>	A. Signature  Agent  Addresse  B. Received by (Printed Name)  C. Date of Deliver  D. Is delivery address different from item 17  Yes
1. Article Addressed to:	If YES, enter delivery address below:
PHIL WAHL, ATTORNEY 1010 Lamar Stlouston, Texas 77002	3. Service Type  Gertified Mall  Registered  Insured Mail  C.O.D.
	4. Restricted Delivery? (Extra Fee)
vrticle Number 7 [	07 3020 0001 2489 2151
orm 3811, February 2004 Dome	estic Return Receipt 102595-02-M-19
· .	

	U.S. Postal Sarvice m CERTIFIED MAIL RECEIPT (Pomente Mello
3020 0001 248	Postage \$ Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$
7007	Sent To Street, Apt. No.; or PO Box No. City, State, ZIP+4  PS Form \$300, August 2003  See Reverse for Instructions

XTO ENERGY August 15, 2008 Page 2

counsel for the Applicant, and other parties with a pre-hearing statement at least four business days before the scheduled hearing date in accordance with Division Rule 1211.

Very truly yours,

MONTGOMERY & ANDREWS, P.A.

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J. Scott Hall

JSH/mb

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A Signature  X
Article Addressed to:	D. Is delivery address different from item 1? ☐ Yes  If YES, enter delivery address below: ☐ No
XTO ENERGY 200 N. Eoraine, Suite 800 Midland, Texas 79701	
	3. Service Type
2. Article Number (Transfer from service label): 7007 30	4. Hestricted Delivery? (Extra Fee)
PS Form 3811, February 2004 Domestic Retu	urn Receipt 102595-02-M-1540

9 2175	U.S. Postal Sarvicem CERTIFIED WAIL: RECEIPT (Constitution of the Constitution of the
3020 0001 248	Postage \$ Certified Fee Return Receipt Fee (Endorsement Required) Restricted Delivery Fee (Endorsement Required) Total Postage & Fees \$
7007	Sent To  Street, Apt. No.; or PO Box No.  City, State, ZIP+4  PS Porm 8300, August 2003  See Reverse for Instructions