

*Before the OCC
Case 14255
OCD Exhibit 19*

GALISTEO BASIN
2008 PUBLIC COMMENTS
SUBMITTED TO THE ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT

COMMENT	NAME
We must ensure that the Galisteo Basin is protected from the potential adverse impacts of oil and gas activity. The Galisteo Basin is culturally rich, has many archaeology sites, has a fragile ecosystem, and has a highly interconnected and permeable hydrology network. Our water supplies need to be fully protected. In addition, there must be protections for the health, safety and welfare of the citizenry. There also could be adverse impacts to wildlife that would require protections. Oil and gas activities place a huge burden on the infrastructure, create air pollution and can have adverse economic impacts. Tourism in the City of and the County of Santa Fe could suffer. Before considering sacrificing the Galisteo Basin for oil & gas drilling, there must be relevant, comprehensive baseline studies conducted at the State and County levels to discern the viability and compatibility of oil and gas activities in such a sensitive area. Thank you for your attention to this matter.	Johnny Micou
I request that the moratorium on new oil and gas drilling in Santa Fe County be extended so that the agencies will not only take public comment on the fragile nature of our land and water resources but that research can be conducted to analyze how oil and gas extraction has negatively impacted human, animal, and biological populations in New Mexico and other States and that strict regulations can be developed to ensure that future negative effects from oil and gas extraction are prevented. Thank you	David Treeson
I find it deeply disturbing that the state of New Mexico is even considering drilling in the Galisteo Basin. The Basin itself is a tremendous natural resource and it's wide open, beautiful spaces like this that New Mexico is known for. Defacing such a pristine wilderness area in the desperate gamble to extract oil and gas is very short-sighted, it's thinking about the now and not generations from now. I'd much prefer to see the state pursue more environmentally friendly means of extracting energy-at least wind farms and solar panels have can guarantee that they'll produce energy. While the rest of the civilized world has started to accept that global warming is an immediate threat, especially to already hot, dry states like New Mexico, permitting drilling in the Galisteo Basin would show that New Mexico is still behind the times. What state are we, the one that's focused on the future and building Space Ports and railroads, or the one that's focused on the past and selling mineral, water, and gas rights? It's decisions like these that make me consider leaving Santa Fe and New Mexico entirely for states that do a better job of conserving their natural resources.	Clint Towle
I applaud the moratorium on gas and oil drilling. It is important to make sure the aquifer is protected, also historically important land. These two things should be sacred as they cannot be replaced. Please think long and hard if and how you will allow drilling in the Galisteo Basin. Thank you.	Billie Frank
March 10th 2008 My name is Ellie Sernet, I am a resident of Santa Fe County and I am extremely concerned about any drilling in the Galisteo Basin commencing because... I have little faith in.... The oil and gas industry's ability to comply	Ellie Sernet

COMMENT	NAME
with environmental standards and regulations that we have seen previously violated. (see: Tweetii Blancett's Sierra Club documentary) i.e. Pit Linings. I have little faith in... the oil and gas industry to prioritize environmental concerns over profits when it comes to "GREEN DRILLING" I have little faith in... the O&G industry using green fracking substances...(International Herald Tribune Feb '08...see oil drilling environmental disaster in Indonesia recently when oil and gas engineers while fracking, fractured a strata of volcanic mud. Over a few days the slow flowing volcanic mud destroyed a village of 16,000 people. When engineers could not stop the mud flow, it required the Govt. of Indonesia to bring in oil and gas engineers and geologists from Durham England. Their response was "It's a bloody mess that we do not have the ability to solve" Not what Santa Fean's or New Mexicans will want to hear if we fracture any of the delicate aquifers in the Otero Mesa, or Galisteo Basin. I have little faith in... the BLM or any state agency in the moment having any ability to monitor, fine, or sue (if necessary) the oil and gas industry as they've been a rubber stamp of the OGC. I have little faith in... the Oil and gas industry NOT hiding behind dummy corporations when things go bad. Or not resorting to self serving measures like buying small parcels of private land to put the pit liners on, so when they go to illegally pull them out and churn these toxic chemicals into land 200 Ft. from the Animas River only to hear BLM spokespeople reply w things like... "Well there's nothing we can do because it's on private land" ...WE are not STUPID! These are cheap devices the BLM and O&G hope go unnoticed (see Tweetii Blancetts Sierra Clubfilm, Also: see environmental disaster sites of deserted silver mines all over Colorado in the 70's and 80's when the foreign and domestic mining companies conveniently declared bankruptcy and left town once extraction was finished and it was time to clean the site up. I do not have faith in the O&G Co.'s prioritizing the health of people, flora, fauna, livestock or land...over their obscene profit industry (see WSJ on record breaking profits in last quarter of '07) So if I have concerns about the integrity of the oil and gas industry, you can see why. Finally, I realize that the state of New Mexico has benefited from the oil and gas industry (50 % of revenues I believe is the number) and NOW THINGS ARE CHANGING! IT IS TIME NOW, when we as citizens will decide where gas, oil or minerals are extracted and how it impacts our environment, our quality of life and most importantly our HEALTH! IT IS TIME NOW to initiate a green energy industry, with new careers in Solar and wind power. Thank you, Sincerely.	Melanie A. Morais
I have been a land owner in the Lone Butte/Rancho Alegre area off Hwy 14 in southern Santa Fe, for the past eight (8) years. Over the past year, I've become appalled at the audacity of Tecton to purchase mineral rights right from under all of the homeowners in the Santa Fe county area where I live. I know for a fact home sales have plummeted in our region due to the current fight that wages with Tecton. Homes are neither selling or being put on the market, due to uncertainties of oil and gas drilling in the near future. Needless to say, home prices will be dramatically influenced by the decisions made by the state of New Mexico's agencies affecting the common homeowner who innocently purchased property here; the same people who not only invested the majority of their income, assets, and lifetime earnings to live in the land of enchantment, but entrusted their state and local government to protect from such adversity. If the permits are granted for Tecton, it will surely cause such negative economic development - slowing to possible extinction. Not only the economic drain on your citizens who are homeowners and consumers in this great state, but real exposures exist in the possible contamination of our soils and water sources. Oil and gas developers are well known for drilling in residential areas, then leaving their	

COMMENT	NAME
pollution without cleanup. Water source for this speculative drilling is also a big question: where will Techton and its partners obtain the water necessary for their drilling processes? As the majority of all land/ homeowners in the effected areas have their own wells and only water source from the aquifers in the region, what will happen if the drilling ultimately contaminates our water supply? How will our water be replaced? I presume Techton is not providing an assumption of liability for the exposures that are real, nor the funding to replace water, land, etc. We do not want to move from our dear Santa Fe; however, if Techton is allowed to proceed with their intended substantial drilling, alternatives in our lives and living will become necessary. I pray such stark outcomes will not come to fruition for all of us in NM. How many times have we in New Mexico been in a crisis situation in regards to our water supply? How can we possibly consider risking our own health and environmental safety for the sake of oil and gas profit? Don't our citizens' rights come first? Who is responsible for selling Techton the water they used to re-enter Black Ferrill #1? I am a physician practicing in Santa Fe County. I do not believe that drilling can be safely done in the Galisteo Basin in a fashion that will not affect adversely the lives of the people in the County. I have worked in both Hobbs, NM and San Juan and seen the cancers, lung disease, etc. that their inevitable pollution of water and air will cause. In spite of repeated promises, this is inevitable. Once it happens it is too late. Aquifers cannot be cleaned and the environment will take decades to heal. Please act to stop all drilling for gas and oil. Based on what I have read about the dangers to the Galisteo Basin from oil and/or gas drilling/production, and taking into account the very weak ordinance offered a month ago, we would be inviting Techton or any other company what is close to a free ride. If there is to be any drilling, and I don't think we should allow it in the fragile environment of the Galisteo Basin, it should be with provisos that Techton put up bonds (guaranteeing their responsibility for damages) far in excess of the measly \$50,000 proposed in the latest ordinance, and that Techton pay expenses for road work etc. After all, Techton receives federal subsidy and they pay no real estate tax as do the owners of the surface rights. Since the exploration for minerals, gas and oil are all being carried out under a law which was enacted in 1872; the entire process has been slanted in favor of the industries in question. I would submit that new legislation needs to be enacted which takes into consideration the preservation of historic sites, the environment impacted by said sites and the possibility of doing irreversible harm to the aquifer system in the area. We are coming to the end of the Age of Oil and people in this business are looking at every place that they may believe opportunity exists. It is our fresh water we should be protecting not the greed and profit motivation of the industry responsible for the destruction of thousands of pristine environments and the endless war we are currently engaged in. I am opposed to the oil drilling for reasons of possible water contamination...water being our most valuable natural resource. I feel that if any energy development of the basin occur, that it should be renewable and clean for the environment...ie. wind or solar energy development. Am sure this 'hold' the gov has put on exploration is disappointing to your agency but the time has come for this state, country and planet to read the writing on the wall which says that these finite resources are done. Your time and effort and research needs to go to renewable resources such as geothermal, wind and solar. Retrain your people, rework your agency and focus on the future...yes, while you wind down extracting these old, easy energy sources. You all are smart enough to	Janet Pfeiffer Jerry M. Held, MD Mary Gilman Clark Simon Teolis Jo Whaley Cynthia Lux

COMMENT	NAME
do this and have the moral responsibility to do so. Thank you. I am quite concerned about the seeming state of denial that New Mexico is in regarding changing the course of access to energy by anything other than traditional means. As you have read, California, Arizona, Texas and many other states are looking and exercising the use of alternative energy: wind, sun, and even Los Alamos has come up with a means of turning CO2 into fuel and having it recycle. I believe it is time to put our financial resources to work for the future. All reports seem to indicate that fossil fuels have a limited lifetime (10 years is the figure mentioned the most). It is akin to the cost of being at war, and not only losing the lives of thousands of soldiers, but spending trillions of dollars to no positive end. Please consider getting real about our future and that of our children. Next I must talk about the possible destruction of some of the most valuable archeology in the US- that of the multitude of ancient pueblos in the Galisteo basin. So much of our history has been obliterated by the greed of man. And as we go outside the perimeter of the GB, so many other historical sites could be impaired. Last, but first, our most necessary element, water, must be regarded as sacred in this arid climate. Without water we don't live. Can you picture a mass exodus from the southwest-and the search for water? It is not too unrealistic a thought. Please consider seriously the actions which you take in the near future--we feel our very lives are at stake.	Barbara R. Pfeiffer
Hooray for the moratorium. A lot of hard work by many people, both in the government and concerned citizens. I can only urge you to help keep Tecton from drilling in the fragile and complex ecosystem that is the Galisteo basin. I thank the Governor for this opportunity to comment on our future. Since it is generally acknowledged that Oil will be less of a energy source in the future, perhaps we could further encourage alternative energy be mandating that a percentage of gross revenues from oil and gas wells be set aside for research and development into alternatives. The percentage could be based on the average price of a barrel of oil for the year in which it was produced and go to a state fund for research and low interest loans for startup companies. The prime directive of the Energy Minerals and Natural Resources should be looked at to be sure that it has the ability to operate in new forms of energy as they come into being. I would appreciate a ban on nuclear alternatives as they are not proven safe. SHOW ME THE 10,000 YEAR SIGN WARNING (WHO?) OF THE REDIOACTIVE WASTE before you dig our any more of this dangerous stuff. Thank you for your time and past efforts to ensure that there may be a safe living place for us if the oil and gas raiders come to town.	Judy Tuwaletsiwa Lynn Allen
Oil price increases have not shrunk the human food supply, but biofuel production has! The more biofuels we produce, the less food we have to eat, because we grow biofuel crops, even switch grass, using the same land, water, fertilizer, farm equipment, and labor we use to grow food. The world is running out of wheat because too many wheat farmers have switched to growing corn for ethanol production. The USDA states that by May US wheat supplies will be lower than any time since 1948. Pilgrim's Pride Corp. is closing a chicken processing plant and six distribution centers at a loss of 1,100 American jobs, blaming ethanol biofuel production for pushing the poultry industry into "crisis." According to the United Nation's Food and Agriculture Organization, global food prices rose 40% in 2007 alone. When American politicians foolishly turn our food into fuel, they raise food prices globally which gives other countries a financial incentive to burn down rainforests in order to grow more food. Biofuel production aggravates water shortages, and it takes 9,000 gallons of water to create just 1 gallon of biodiesel. Poor people in Haiti are now resorting to eating mud because our biofuel	Christopher Calder

COMMENT	NAME
mandates have made grains unaffordable. As we heartlessly starve the world's poor, pressure for illegal immigration to the USA continues to rise. The twisted logic of biofuel advocates has been that we should gladly starve the world today by turning our food into fuel, but in a few years the world can eat again because we will soon make biofuels out of easy to grow inedible cellulose crops instead of corn, soybeans, and rapeseed. Unfortunately, three agricultural economists with insider knowledge from Iowa State University have published a study which states that even with the latest technology ethanol made from cellulose will likely never be affordable. Federal tax credits would have to be raised from the current \$.51 per gallon for corn ethanol to \$1.55 per gallon for cellulosic ethanol, which will be unacceptable to Congress and the American people. That means no ethanol from switch grass, wood chips, and "crop waste" will ever be sellable! http://www.card.iastate.edu/publications/DBS/PDFFiles/08wp460.pdf This comes on top of the recent Princeton University study published in the journal SCIENCE that concludes that all current and proposed future biofuels, even switch grass, are far worse for the environment and global warming than using ordinary gasoline. http://www.sciencemag.org/cgi/content/abstract/1151861 Nitrogen fertilizers used to grow anything unleash nitrous oxide, a greenhouse gas 296 times more powerful than carbon dioxide, and that is just part of the reason that farming contributes more to global warming each year than all land, sea, and air transportation combined. Farming should only be used for essential food production, not for fuel production. The global destruction caused by biofuels makes no sense strategically because by 2015 it is estimated that oil from American shale will cost only \$30 a barrel to manufacture, and there is more oil potential in Colorado shale alone than in the entire Middle East before drilling began in 1908. Using new methods, we can now make synthetic gasoline from carbon dioxide sucked right out of the atmosphere with the help of electricity provided by affordable, inherently meltdown proof PEBBLE BED nuclear reactors. It would also obviously be better to drill in ANWR for energy than in our own food! The "energy independence" argument for biofuels is a hoax because American biodiesel made out of soybeans costs the equivalent of making regular diesel out of oil at \$232 a barrel. Making ethanol from corn costs the equivalent of oil at \$81. a barrel and uses 28% more fossil fuels than gasoline. Only massive government subsidies makes biofuels affordable at the pump. Biofuel manufacturers have become a malignant force in America like the tobacco companies, not caring who they harm as long as they make their fortune, so beware of their misleading spin-doctoring of facts. Most countries had large food surpluses before the onset of the biofuel hoax, and the world will return to food surpluses once we put an end to government biofuel mandates. SEE ALL THE BIOFUEL FACTS - http://home.att.net/~meditation/bio-fuel-hoax.html Sincerely, - concerned citizen with no connection to any special interest group. As a REALTOR with 25+ years experience working in the real estate market in Santa Fe, I can attest that allowing full-scale drilling and the development that goes with it will have a devastating effect on all of Santa Fe County and Northern New Mexico. We have already seen property sales in the Galisteo Basin plummet as a result of the activities of Tecton and the realization of what drilling will entail. While I recognize that mineral rights holders do own a real property right and must be dealt with fairly, the Galisteo Basin is an area that warrants a very high level of protection. The trade-off between a mineral owner's need for access and a surface owner's need for protection of water and air quality, the county's need for protection of its cultural, scenic, and archaeological zones, and the perhaps intangible value of its uniqueness with the state,	Evalyn Bemis

COMMENT	NAME
and wildlife's need for undisturbed-riparian and open space areas, will require an enormous effort on the part of New Mexico's best minds. The citizens of Santa Fe County call on you to do all that is possible within the law to put protections in place that serve the majority of New Mexicans, not a minority of mineral rights holders and outside corporate interests. Please think and act for the generations to come. Hello, These comments were written in response to the draft county regs; the substantive suggestions I made herein are relevant to any consideration of noise impacts that your department may be undertaking. Jim Cummings Acoustic Ecology Institute 45 Cougar Canyon, Santa Fe, NM http://www.AcousticEcology.org Comments regarding Oil and Gas Regulation and Permitting, with focus on acoustic impacts and noise mitigation December 19, 2007 Thank you for the opportunity to share with you some experience and resources regarding the acoustic impacts of oil and gas development. I understand that the state has addressed such issues in the San Juan Basin and elsewhere; the purpose of this letter is to provide information that might inform permitting and regulations governing the exploration and development of potential oil, natural gas, and CBM resources in the Galisteo Basin of Santa Fe and Bernalillo Counties. The Acoustic Ecology Institute offers comprehensive resources on sound-related environmental issues, with an emphasis on making complex issues comprehensible to lay readers. AEI is not an advocacy organization; we try to present balanced information, with links to organizations on all sides of key issues. Our website serves an international audience of media, agency staffers, individuals, and environmental advocates, and we regularly submit comments to government agencies worldwide. Last spring I was a plenary speaker at the Alberta Energy Utility Board's biannual noise reduction conference; my presentation focused on the challenges presented by noise issues during expanding energy development. With that as context, I'd like to share a few thoughts about regulation and permitting of noise impacts. I will also provide links to documents written by other noise experts, which may be of assistance. Draft Santa Fe County Ordinance Article VI, Section 12 Noise The proposed standard, that noise shall not be increased more than 1dB at the closest residence, is a strong and well-considered standard. How it is put into practice, however, depends greatly on the way it is both measured and calculated. Since 1dB is effectively an inaudible difference (it is generally considered to take a 2-3dB increase to cause a perceptible change in our experience of a sound), many residents, and perhaps even County Commissioners, may imagine this will protect residents from any new noise. The County needs to be more explicit about how existing background ambient noise is measured, and how and when received sound levels will be measured in comparison. Most crucially, it is often considered sufficient to calculate an average ambient noise level; sometimes these averages are calculated hour-by-hour (thus showing how the average noise changes over the course of the day or night), but often they are day-long averages. Thus, periods of traffic noise, wind noise, etc. are included, along with calm night-time conditions, to create an average ambient noise baseline. Obviously, this average will be higher—and often much higher—than the actual background ambient noise during quiet times. At minimum, separate ambient noise averages should be made during the deep night time hours (perhaps 1am to 4 am), to assure that oil and gas installations are not more clearly audible at night than residents or Commissioners may expect. In any case, it is important to clarify the timeframe over which ambient noise measurements will be calculated/averaged. It could be hourly, or broken into two to four periods of the day and night. Then, the oil and gas installations should be required to be no more than 1dB louder than the QUIETEST of the ambient noise periods.	Jim Cummings, Acoustic Ecology Institute

COMMENT	NAME
Likewise, the way that measurements are made of the operating oil or gas installation can affect its ability to meet the accepted standard. It is important to clarify that measurements made at residences should be made in locations where there is no building or landform screening the sound from the installation. There is no reason that noise AT the residence is the only point of interest: it is quite possible that in some locations, places outside in the yard may be more impacted than the house site. And, as with establishing the baseline ambient noise, so too, the ordinance should similarly clarify whether received sound levels at residences are to be measured at a single point in time, or averaged over an hour, several hours, or a day. (presumably, engine, motor, or compressor noise will be more consistent than the daily cycles of ambient noise; still, the ordinance should assure that the way the numbers are calculated, or "spun", are clearly understood by all.) Since the intent of the noise standard is to minimize acoustic disturbance to residents, it seems reasonable to consider the way that sound is actually perceived, moment to moment, rather than over long periods of time. My recommendation is that noise at a residence be averaged over small time increments: five minutes is a typical cycle, though up to an hour could be reasonable. I realize that the code specifies the closer of the setback distance or the nearest residence; these comments regarding choice of monitoring location and calculation of existing ambient also apply to measurements made at the setback distance. Generally, if the installation meets the 1dB-over-ambient standard at the setback distance, then any more distant houses should be protected. Note, however, that rolling terrain could place the setback distance in a dip in the land, so that more distant houses might experience higher sound levels than the setback distance. Therefore, the ordinance should be amended to clarify that the 1dB standard apply to ANY residence, whether closer or farther than the setback distance. Low Frequency Noise: Some industrial installations produce low frequency noise at levels that cause disturbance. Simple averaged noise level measurements are not always effective at identifying possible low-frequency impacts. In some jurisdictions (notably Alberta, as regulated by the Alberta Energy Utilities Board), measurements are taken using two different acoustic weighting standards, dB(A) and dB(C). dB(A) is designed to more closely reflect the ways that humans hear sound (i.e., it accentuates the frequencies that we hear most easily and discounts the frequencies we do not perceive as well; I assume that the ordinance is using this weighting); dB(C) is weighted more toward low-frequency sounds. A common approach is that when dB(C) exceeds dB(A) by 20dB or more, then added attention and mitigation is directed toward low-frequency noise emissions. The proposed ordinance should be amended to allow for special treatment of low-frequency noise when dB(C) exceeds 60dB or when dB(C) exceeds dB(A) by 20dB or more. For more details, see footnote 1. Article II, Section 6, Paragraph B. Variances to setbacks. As condition to the granting of any variances, special attention should be given to acoustic impacts. Especially if the noise standards do not contain explicit protocols regarding existing ambient noise averaging periods (such as those recommended above), any variances granted to allow well placement closer to residences should be contingent on the installations of the most effective noise abatement technologies. In no case should a variance be granted if the sound of the oil or gas installation would exceed the 1dB rule. A note on "dB above ambient": In some jurisdictions, noise standards are set to absolute levels, often lower at night (e.g., 55dB daytime, 45dB nighttime, measured either at a given distance, such as 350 feet, or at the closest residence). In some places, the regulatory standard is 5dB or 10dB above existing ambient. I urge you to resist any temptation to lower your 1dB standard in favor of one of these alternative approaches. In many rural areas, night time ambient noise is as low as 35dB; a	

COMMENT	NAME
pump or motor at 45dB will sound twice as loud as the background, and is sure to be an annoyance. A note on sound propagation: Predicting the distance at which sound will be audible or annoying is not a straightforward undertaking. It is common to use a "spherical spreading" model in calculating expected noise levels at a distance (this approach uses the simple logical assumption that as sound spreads out, it does so in a great sphere, with total "acoustic energy" spreading out and dissipating along the outer edge of the sphere). However, atmospheric conditions can cause actual sound propagation patterns to be quite different than a simple spherical model would suggest. In studies of wind turbine noise, it is becoming clear that, especially at nighttime when the atmosphere becomes very stable (with little wind, and/or clearly stratified layers of air—which we see quite often in the Galisteo Basin and Rio Grande Valley, made visible by trapped air pollution or dust), sound can "bounce" between the ground and a layer of air above, and be heard at much greater distances than models might suggest. This is yet another reason that the ordinance should be amended to assure that the 1dB standard applies at any residence, no matter the distance. It could be reasonable to consider a slightly less stringent standard to cover such occasional (but likely not rare) long-distance sound intrusions. I would suggest 3-5dB above ambient, at the most. A sound that may be acceptable when steady tends to be more annoying when it varies a bit; very distant propagation at night is likely to vary in a few-decibel range, so it is important to keep the upper threshold low. (That is, a sound varying between 3 and 5dB above ambient will likely be noticeable and perhaps a bit bothersome, while a sound varying between 6 and 8dB or 8 and 10dB above ambient is far more likely to be bothersome, even more bothersome than an absolutely steady sound at 8dB or 10dB above ambient). A note on acoustic monitoring by residents: In order to clarify and expedite administrative handling of resident complaints, it could be useful for the ordinance (or associated technical documents) to specify protocols to be used by residents recording sound at their homes. Ideally, a few qualified acoustic measurement contractors would be identified by county staff, and these all trained to make measurements in consistent manner that will be accepted by county, industry, and residents. Certainly, every effort should be made to avoid contentious "dueling decibel" hearing and the like, which would be a setup for endless appeals that allow problems to go unresolved. Having a clear, consistent protocol in place, along with a commitment to address complaints in a very timely manner, is essential. A note on noise abatement: It is not cost-prohibitive to use state of the art noise abatement technologies, given the revenue being generated by any given well. I urge regulators to be aggressive in requiring the best noise abatement that can be obtained for any given installation. While the increase in cost may be resisted by some permittees, it is in their interest, and the interest of the regulatory community, to aim for the least impact possible on residents, rather than to do the least they can. This will smooth the way for good relations, which, as is already apparent, is a rare and valuable commodity. Certainly, if the early installations do not meet with resident acceptance, any future expansion will be a long and difficult road. More to the point, the County and State are responsible for protecting the investment, commitment, and peace of mind of residents; oil and gas development has no inherent right to disturb residents, and the cost of assuring that it does not needs to be factored into their decisions about which wells are financially viable. Thanks again for the opportunity to contribute to your thinking. Sincerely, Jim Cummings, AEI Executive Director cummings@acousticecology.org Resources for staff consideration: The Oil and Gas Accountability Project, a Colorado-based advocacy organization, has put together a few useful resources on noise impacts, which could offer valuable insights for county staff or state regulators: OGAP Noise Resources Page:	

NAME	COMMENT
Harold Woods Steve Turner	includes brief primer on how sound is measured, effects of noise on health and wildlife, and comparisons of sound levels from several oil and gas development activities and a summary of state, provincial, and international noise standards. http://www.earthworksaction.org:80/noiseresources.cfm OGAP Submission to Colorado Oil and Gas Conservation Commission regarding changes to COGCC's proposed noise rule, August 2005: includes detailed discussion of the feasibility of applying a 45dB standard, as well as information on low frequency noise and acoustic muffling of non-electric motors and engines. OGAP overview of approaches to regulating noise, 2005: includes extensive discussion and rationale/practicality of Farmington's 1dB over ambient standard. Please start drilling for oil in the Galisteo basin. I hope you hit oil and the price goes down thanks Harold Woods
Joy Mandelbaum	If the people in the Galisteo basin want to heat homes, drive to Santa Fe, or on vacation's or be held hostage by a dictator in South America, Or Arab state. Then stop the drilling. I am sure the county could use the tax money. The oil company will not drill irresponsibly because they will be under a micro- scope. This country need's to be energy independent. We are so fortunate in NM to have the cultural history, beautiful unspoiled areas, concerned citizens, archeological sites, etc. Drilling in the sensitive Galisteo Basin seems so short sighted to me, not worth the potential damage for what would be achieved by drilling. We need to spend our research and monies on alternate fuel sources. Thank you.
Daniel Harbour	What resources are they Looking for and are they the same as what the company is buying mineral leases for up in Mora county (OCATE)
Josh Smith	- Tecton is exercising its property rights, the same property rights that make us all a free people. As policy, we want our government to protect property rights, not destroy them through a ban on drilling. - Depriving Tecton of its subsurface rights exposes the county and state to a huge lawsuit for taking Tecton's property without compensation. - There is no risk to the aquifer. Modern drilling technology prevents water contamination. - There will be no surface pollution because Tecton will use a closed loop system. - There is no risk to the archeological treasures. They will be protected by fences. - The U.S. needs oil and gas. - Surface owners in the Galisteo Basin knew the subsurface rights could be leased or sold separately from the surface rights. They could have leased or purchased the subsurface rights, but they chose not to.
Lynne Cabral	As a natural resource the Galisteo Basin warrants preservation as an archeological and environmental asset to the State and all who live and visit here. New Mexico tourism and movie industries as well as its residents depend on this region's unique, culturally heritage rich and geographically pristine status for their well being. We have the opportunity to not go down the path of industrially degrading our surroundings like so many other communities across the country have regrettably done. Please take it. Prevent oil and gas excavation here.
Darien Cabral Ken Ahler	There are many other places in New Mexico where oil and gas reserves can be exploited. It is not appropriate to allow this in the Galisteo Basin, a pristine area with archeological and significant real estate value as well as tourism value. I believe that Tecton should be allowed to drill for oil in the Galisteo Basin south of Santa Fe, New Mexico because: 1) Tecton is exercising its property rights and no one has right to prevent this exercise. 2) There is no risk to any water aquifer due to current drilling technology which prevents contamination. 3) Tecton has proposed using closed loop drilling system which allows NO surface contamination. 4) Drilling time will be minimal due to current technology & the depth to which they will have to drill. 5) There are no archeological sites in or near the drilling sites. 6) Continuing a course of

COMMENT	NAME
delay will subject Santa Fe County and the State of New Mexico to huge monetary compensations for placing unconstitutional barriers solely for the purpose of delay and expense to Tecton. Lawsuits of this ilk have been heard before. 7) The proposed oil delivery system will have very little impact on resident's quiet enjoyment of their property. I am a homeowner in Eldorado. Drilling for oil in the Galisteo Basin threatens the purity and already taxed quantity of water in the aquifer we use. I am astonished that there has been even one moment of consideration for the possibility of allowing a possible infraction in the water table that so many residents of Eldorado and surrounding subdivisions share with the Galisteo Basin. Please don't allow big business to rape and pollute our resources for private financial gain!	Marilyn Hager
I am a concerned citizen of Santa Fe County. I am pleased that the State EMNRD wants to hear from the public and has given us the opportunity to make our voices heard regarding the issue of oil and gas drilling in the Galisteo Basin and Santa Fe County. I first became aware of the issue last November 1st when I attended Tecton's public relations presentation at the Chavez Center. I have attended every subsequent public meeting. I have followed the issue closely and written many letters to my elected officials & the local press. I am particularly concerned that the public clearly understand that focus of the debate is not simply Galisteo Basin, but all of Santa Fe County. I am very grateful for all the work that your division has been doing on the State level to protect the citizens of New Mexico and to regulate the industry. I am also grateful to the governor by his moratorium has given you and all the citizens of Santa Fe County the time to examine how we are all to be affected by this incursion of this industry into our world. I watched with horror as the budget for your division was threatened in the legislature in response to the special interests of this industry. As my public comment I wish to submit the following questions (see attachment). I am telling you of my involvement, because I think that I am a member of the public with a level of understanding that exceeds the average person. These are questions that I still have in spite of the informational meetings, coverage in the local press and personal research via the internet. I believe that it would benefit your agency, our elected officials who must answer to their constituencies, and all citizens of New Mexico if these questions were clearly and publicly stated in a report or "white paper". Thank you for holding your "Open House". Déar Joanna Prukop and Staff, Thank you for your very apropos response to the outcry over accelerated and expanded oil and gas excavation in New Mexico by the way of this form and the public outreach you are doing. This beloved state is uniquely endowed environmentally, as well as culturally, with an abundance of beauty that could not survive any further impingement upon it by the extractive industries of oil and gas (and minerals). Over a million dollars annually is earned by the tourist industry here and now combined with the movie industry, as well as the established fine arts industry, which all make New Mexico and Santa Fe especially their home, an ever growing source of revenue for the state relies on the preservation of its historic aesthetic value. The comparatively small amount of oil or gas that could be reaped here for an exceedingly short term gain, considering global warming and the need to convert to renewable energy, would with oil selling at \$110.00 a barrel only serve the oil companies' greed at a sacrifice to all of our well being. New Mexico is naturally suited to be one of the most productive providers of clean renewable wind, solar, and biomass energy in the country and alternative energy development is our only hope for a both fiscally and physically healthy future. Please apply your department's sovereignty to the task of overseeing a conversion to renewable energy in this state and regulating and limiting new potentially further polluting oil and gas excavation in order to protect the limited, fragile water tables and	Susan H. Bell
	Lynne Cabral

COMMENT	NAME
exceptionally significant environment of New Mexico. Sincerely, To whom it may concern; It is my opinion that we can no longer ignore the resources beneath our land surfaces and access them through drilling or whatever means necessary to use them so to not depend on foreign oil. While the state is a "beautiful, pristine" setting, a drilling operation lasts only a short while and the land can be left almost as beautiful as it was originally. It would be different if the land was totally destroyed and left unusable, but this is not the case. Drilling causes very little disturbance; I live in San Juan County and have seen large and small land impact drilling, and I know it's possible to require drilling companies to "hide all evidence" of drilling through fencing, earth berms, eco-painting etc. We have to realize that we will eventually HAVE to drill to access the reserves of oil and gas we have, why not start now and economically help this current generation. Does gas need to reach \$5 or \$6 per gallon at the pump before this is considered further? Go ahead; move to remove moratoriums and drill, drill, drill. Seriously, we need it now! Those environmentalists pushing for moratoriums would also appreciate cheaper gas if it were made available from our own state. Our state has more that enough wide open space and the gas and oil industry can be held responsible for SAFE drilling, that won't totally destroy the land. There are many ways to "meet in the middle", but we need to keep on growing and providing for our state and personally economy's.	Herman P. Gurule
Wyoming has suffered great ecological damage because of oil drilling. Hopefully, the Santa Fe community will become aware of how much damage can be done in the Galisteo Basin and surrounding areas. I live in Galisteo and my well, as well as those of my neighbors, rely on the small arroyos leading to the Arroyo Los Angeles, as well as the Arroyo Los Angeles itself. All of these arroyos flow into the Galisteo creek. Tecton has acquired mineral leases on two pieces of State property at the head of these arroyos. In addition, Tecton has purchased mineral leases on the Kirk property just north of the Arroyo Los Angeles. We believe this property also drains into said arroyo. If there were any ground water contamination in the drilling process on these properties, we believe our wells and the creek would be compromised. This contamination could affect the Galisteo Village's water supply and would affect the properties to the west. The Galisteo Basin has a known history for approximately 900 years, relying on the Galisteo creek as a water source. Contamination of this water source would certainly affect the continued history of the basin. Given the pourous and fractured nature of the area, I urge you to carefully consider the zoning in the basin. We would of course, prefer a policy of no extraction of any kind for the basin in order to protect its fragile aquifers and its enormous archeological resources.	Helen Molanphy
Hello folks, I'm Jay Dillon life long resident of Tesuque. I lucky was able to express myself 2/26 in the County chambers when they were reviewing the oil/gas ordinance and the 12 months extension period. My point is simple: We the citizens should work with our elected officials on all levels to determine how to effectively Tax oil/gas exploration and drilling to Fund Renewable energy production. We the people and our official should be Informing the oil/gas companies, that we will not accept the status quo of minimum taxation. Oil/gas companies should be encouraged to invest in Renewable energy production, now, not 10 years from now. We, the public, are familiar with the dragging ones feet behavior and techniques used by the oil/gas industries to Not Welcome in CHANGE, in reference to supporting, developing, and operating Renewable energy concerns. Those days have got to be numbered, and we need to publically and privately accept as an opportunity NOT a punishment, that we can successfully operate Renewable energy projects here in New Mexico. Human	Jay Dillon

COMMENT	NAME
nature is often based upon making the easiest choice. We need to make that choice, the Best one for our Long terms wellbeing not our immediate future. We, the public and you the policy makers need to make Supporting Renewable energy in New Mexico the Easy choice, the Best choice for our State, not just a few companies. We need more of an overview frame of reference to our energy future here in New Mexico. Sincerely. First of all, congratulations on winning the appeal of implementing revised rules governing waste pit standards. I believe the ruling reflected the public's changing perception of the weighting of the health and safety of our environment and water resources, and the need for extractive drilling and their resultant products. I would also suggest that there are areas of this country that must be totally exempt from mineral extraction or from further extraction. The Galisteo Basin is one of these as is the San Luis Valley in Colorado, currently fighting their own battle against oil drilling, areas northwest of Denver opposing hard rock mining, and in our San Juan Basin where oil and gas drilling has been given far too much latitude at the expense of ranchers and residents. The issue of the dominance of the mineral estate over the rights of tax paying surface owners will be changing. I believe the New Mexico Department of Energy would be within its rights to charge tax to leaseholders of mineral rights. This would ensure public knowledge of ownership and leases, and give the department more resources for code enforcement and court costs. The leases seem to be obtained for very little cost and minimizes financial risk to exploration costs. Surface owners are required to pay tax and gives the property owner some rights of enjoyment but also rules regarding development, and in some cases very stringent rules. There are, of course, cases where the surface owner is not permitted to develop the property in the way they see fit. There is usually no compensation paid to the property owner, and the issue of condemnation or taking has been broadly interpreted by the courts. We look forward to the assistance of new counsel to the County of Santa Fe to help with this issue. The Galisteo Basin has some 250 drilled water wells of record and the remainder of the Ortiz Mine Land Grant has 365 permitted water wells. When an application is received by the Dept of Energy, I believe reference must be made to the Office of the State Engineer, and the NM Dept of the Environment, and in some cases it will be clear that no drilling or further drilling will be permitted because of issues overseen by those agencies. Also, in the case of the Galisteo Basin, permission for hardrock mining has already been denied. Tecton Energy Inc. chose to proceed with their lease with area mineral rights owners of lessees for their own corporate reasons knowing full well that the Ortiz Mines Corp lease was of questionable value. I believe that the above named Agencies are within their right to caution applicants about possible issues which may interfere with their right to proceed to extraction. We the public will be more and more active in our opposition to mineral leases granted on public lands and to extraction through private land. We also require more notice of applications in highly visible ways (newspaper ads, public and private radio PSAs) which should also extend to all levels of the application process including the county level. Please know that we fully support any efforts applied in your departments that will protect our quality of life in New Mexico and that as concerned citizens many of us will be fully available to represent the public on issues opposed by the mining industry. I am writing to express my concerns against Oil and Gas Drilling in New Mexico - not just Galisteo Basin. It is worldwide knowledge that oil is no longer a reliable source of energy due to a diminished supply. It is also worldwide knowledge that alternative sources of energy (the Hydrogen Car & Solar Energy) have been blocked in the US by Oil & Gas Lobbyists. So	Barbara J. Briggs
Colleen McCann	

COMMENT	NAME
why is that US gov't continues to support corporations, rather than, the concerns & future well being of the people of the US? One needs to discern the difference between self-serving antiquated government officials and political systems that have impeded the progress of science, the creation of jobs, polluted the environment and spent billions of tax payer's dollars to obtain resources from another country in the guise of "freedom." Until we change the method of obtaining energy sources & it's source we will never be free. I've also sat in on O&G meetings between NMO&G lawyers & the OCD where the NMO&G Lawyers were trying to lax environmental laws to unhealthy levels which were unsafe for humans and wildlife. The NMO&G Lawyers showed "no concern" for the regard for the quality of human life in their business plans (ie open waste pits located 10 feet above groundwater, hydraulic fracking methods know to cause cancer etc). During the time for public opinion the NMO&G lawyers demonstrated their lack of concern by reading text messages on their blackberries and the email on their lap tops. In my opinion, NM can be a forerunner in the world for alternative energy sources through recycling, solar energy, and hydrogen cars. Pursuing these alternative sources of energy would create "more" jobs, maintain a healthy environment and be a "respectable" source of income for New Mexico's economic base. Below is an article from NPR which includes examples of how recycling could be an enterprising business for New Mexico. It would do NM good to take note of and use Boulder's recycling efforts. (Boulder's Center for Hard-to-Recycle Materials (CHaRM). Beyond Recycling: Getting to 'Zero Waste': NPR Christopher Furlong Scrap cars on docks in Liverpool, England, will be exported to foundries and metal merchants abroad. The global price of scrap and recycled metal has soared due to the scarcity of raw materials and demand from China and other developing countries. Recycling Facts • Recycling a ton of paper saves 17 trees, two barrels of oil (enough to run the average car for 1,260 miles), 4,100 kilowatts of energy (enough power for the average home for six months), 3.2 cubic yards of landfill space and 60 pounds of air pollution. • Americans throw away enough aluminum to rebuild our entire commercial fleet of airplanes every three months. • Recycling creates six times as many jobs as land filling. • Recycling glass instead of making it from silica sand reduces mining waste by 70 percent, water use by 50 percent and air pollution by 20 percent. • Recycling just one aluminum can saves enough energy to operate a TV for three hours. • The energy saved each year by steel recycling is equal to the electrical power used by 18 million homes each year — or enough energy to last Los Angeles residents for eight years. • If every U.S. household replaced just one roll of 1,000-sheet virgin fiber bathroom tissues with 100 percent recycled ones, it could save 373,000 trees, 1.48 million cubic feet of landfill space and 155 million gallons of water. Sources: Eco-Cycle, Environmental Defense Fund, Colorado Recycles, Steel Recycling Institute, Seventh Generation Co. Morning Edition, March 28, 2008. Recycling newspaper and plastic can only go so far toward achieving a "zero-waste" world, recycling activist Eric Lombardi says. The next step, he says, is getting industry and government to work together to make going greener more profitable. Lombardi has been into recycling ever since his first job — at his father's computer card company in the 1960s. "We used to go to the local paper recycler with the old punch cards and he used to pay my dad for the old cards," he says. "I looked at that and went, 'I thought that was trash.' And my dad's like, 'Oh no, they make paper out of paper.'" Lombardi, who now directs the nonprofit, Eco-Cycle, in Boulder, Colo., says the community has a comprehensive approach to creating "zero waste or what we call darn-near." That is, "to try and recover darn-near everything in your trash can because it's all made out of some basic materials: metals, plastic, glass, paper," he tells Steve	

COMMENT	NAME
Inskeep. "The next revolution," Lombardi says, is organic material to make compost for soil. Boulder's Center for Hard-to-Recycle Materials (CHaRM) opens its doors to one new material each year. The center takes in a variety of items, including porcelain sinks and toilets, home audio equipment and cooking oil. "We collect a lot of strange things at the CHaRM," Lombardi says. The 1987 story of the Long Island barge that floated for thousands of miles because no city would accept its garbage led to the perception that there is a landfill crisis, Lombardi says. "We never had a landfill crisis," he says. "What we have is a resource-efficiency crisis. There are resource wars going around the planet right now to get the raw materials that are being destroyed in our landfills and our incinerators." The resources include trees in Indonesia, minerals in Africa and oil in the Middle East, he says. "It is not easy to get resources anymore." "Getting us close to zero waste means that we need to work with industry to start designing their products and packaging for recovery rather than for the dump," Lombardi says. In Europe, for example, automakers have been nudged by law to increase the materials that can be recycled in their cars, he says. "Actually, big business understands this better than big government does," Lombardi says. "We're waiting for big government to get the concept here that waste is expensive — it is inefficient. So I look very much forward to the captains of industry getting together with the leaders in government and creating a system so that greener becomes more profitable."	Lois Lockwood
I commend the department for making drilling for oil and gas safer for the environment. However I am still concerned that the precious and finite water supply could be contaminated. No fine or bond is large enough to remedy such an occurrence. I recommend that no drilling for oil and gas be allowed in Santa Fe County. March 29, 2008 Remarks on the proposed oil and gas drilling in the Galisteo Basin of Santa Fe County. By William Manns If New Mexico, and particularly the Galisteo Basin, had an unlimited water resources such as Minnesota or Michigan we would not be here today. The fact is, this is all about water, or rather the lack of it. In the first public meeting last summer Tecton's president Bill Dirks said, "If we inadvertently damaged or destroyed the aquifer, we will replace it". My question is, how would you go about replacing or providing, in perpetuity a water source for an entire area such as the Galisteo Basin that contains thousands of households and agricultural uses? Any of us that have lived in New Mexico any length of time know it is impossible to find vast quantities of water at any price. The oil industry has probably the worst reputation, and well deserved, for failing to follow through on any promise. The Exxon Valdez oil spill of 1989 resulted in the largest financial penalty in US history ... over 5 billion dollars, which to this day Exxon has not paid. The oil & gas industry is all about profits regardless of any damage done to people, property or the environment. The industry typically will never do the right thing unless they see there is no other option. None of us are naive here. We all know that the most powerful influence in the New Mexico State Legislature has been the oil & gas industry for many years. We also are well aware that many of the members of the legislature have been bought and paid for and regularly do the bidding of this group. In the last legislative session they went to great lengths to reduce the budget and legal personnel in the Oil Conservation Division. It was only with intense public pressure was most of the money and jobs were restored to the very important state division. We also know that should any of you defy the will of the oil and gas industry in New Mexico your jobs and department budgets will be on the line. If it was not for Bill Richardson and his personal stand on the Galisteo Basin and desire to see more environmentally responsible drilling regulations including the recent closed loop rules; the industry	William Manns

NAME	COMMENT
	would in a heartbeat set out to remove any individual that got in their way. We all know the oil & gas industry believes it has the right to drill wherever it wants and virtually anywhere in the West, including the Galisteo Basin. It does not see the Galisteo Basin as being any different than any other community they've destroyed elsewhere in the Rockies. Personally, I have traveled to very state in our Union and virtually every worthwhile community. I have also worked in over two dozen countries in Asia and Europe. Based on a lifetime of experience I can unequivocally state that the Galisteo Basin and Santa Fe are unique. Their is not another county in the country that has the impressive history that stretches back to antiquity, coupled with the incredible cultural oasis that Santa Fe has evolved into. The cultural evolution took over 400 years to achieve. That is why this is the richest, most cultured, best educated community in New Mexico. The pittance in oil revenues that the State or County could possibly receive is insignificant when compared to the 1.3 billion dollar annual tourist industry that Santa Fe County enjoys. This does not include the several billion more dollars that many of these tourists spend on the second or third homes they have established here. It s a simple fact that there is not a single tourist based community such as Santa Fe that co-exists with oil and gas production. These are two incompatible industries. We all know times are changing. The oil & gas industry is on its last legs in the US. The only product they can hope to extract will be in small quantities and in difficult if not impossible areas to extract. The oil & gas industry today is proceeding in the West with the blessing of the Bush administration and utilizing the split estate situation the Federal Government established in the west during the 1870's. When the concept of the split estate first became law the population of New Mexico was 91,874 people, or about 1/2 person per square mile. The only extractable minerals at that time were copper, silver, gold and lead. Oil or gas were not even marketable commodities. Though other Federal laws have been updated with the passage of time, the 1874 Mining act and split estate laws remain the same. Our society has moved past these antiquated regulations in favor of more environmentally responsible behavior by the Government, industry and the citizens. Laws that were deemed necessary and reasonable 130 years ago are no longer relevant in today's society. U.S. Senator Jeff Bingaman said to a friend in a personal conversation he felt, "Santa Fe is perhaps the only county in America that had a chance at standing up against the oil & gas industry and telling them their presence would not be tolerated". What is going on in Santa Fe County now is dangerous. It is dangerous to the oil industry. Corporate boards at Mobil, Exxon and every other major producer are watching intensely the public's outrage, the County's response and the State government's reaction. The industry wants no regulation at all. They want to see the Oil Conservation Division reduced to nothing more than a rubber stamp for permitting. They do not care at all about any environmental damage or personal health damage short or long term. What I am most worried about is what can you do to make sure the ordinance that Santa Fe County will pass towards the end of this year will not be struck down in the state legislature. What can you do to insure that the rights of counties in New Mexico to regulate, through zoning laws oil and gas exploration are not eliminated by the state legislature? We know the industry will be doing everything it can including TV, radio, print ads, lobbyists, campaign contributions and other means to see that counties loose the right to protect itself from and regulate the industry. We are all aware the oil & gas industry including New Mexico Oil & Gas Association and the Independent Petroleum Producers Association are terrified other counties will begin adopting similar ordinances as Santa Fe is proposing. I trust you will pass your findings, conclusions and summaries along, not only to the Governor, but also to the Santa Fe County Commissioners, Planning

NAME	COMMENT
Debra Link	Division, press and citizens. In closing I request that you stick your necks out and you actually take a stand. Protect the citizens, their health, the land, the economic and cultural community and preserve for future generations. The oil/gas industry is down to the messy, hard to extract, marginal remnants of "the product" left in this country, requiring the "fracturing of rock". The industry has admitted this process will take millions of gallons of water. Have we now arrived at a point in our history that will be known as the "water vs. oil wars"? There are alternatives for oil. There are NO ALTERNATIVES for water. This state, more so than the other western states, is in a very fragile position regarding diminishing water supplies. It is clear New Mexico needs to start building its clean energy infrastructure...now. We have more wind and sun than water.
Lucy R. Lippard	I live in the Galisteo Basin, but my real concern is with those who lived here long ago. This is an extraordinary and unique archaeological site/sites, already recognized by the federal government. I cannot imagine that the state of New Mexico would sacrifice the depth of knowledge to be found here for a few days of oil, when all of our (human) energy should be going into discovering renewable resources. Sincerely,
John Blaylock	I strongly support drilling in Galisteo Basin for oil and gas. The U.S. imports only about 12% of its oil from middle east countries. Thus, we can easily drill our way to independence from this currently unstable region by exploiting domestic resources. Exploration, drilling, and production should be encouraged anywhere the oil and gas industry deems potentially profitable - off shore, in ANWR, on Otero Mesa, in so-called wilderness areas, etc.. Oil and gas extraction can be, and most often is, accomplished in a safe and environmentally friendly manner, so lets quit throwing up artificial barriers, like onerous and endless bureaucratic regulations, to the companies that can provide sufficient energy for our future use. Thank you.
Gary Miller	Gary Miller Santa Fe, NM Tuesday, April 01, 2008 RE: Tecton Oil Exploration in the Galisteo Basin The public outcry and subsequent reaction from municipal leaders in Santa Fe is nothing more than a classic case of "NIMBY". Every party purchasing real estate in the modern era has the opportunity (if purchasing with cash) or, the requirement (if financing) to obtain a preliminary title commitment prior to consummating the transaction which communicates the disposition of subsurface estates. If Tecton could go about leasing and acquiring subsurface estates, then any other party could have done the same. I find it horribly ironic the same general group that asserts the government should stay out of their beds and wombs is now insisting the government intervene to restrict the rights of others. The government's obligation is to uphold the Constitutional property rights of all citizens: Depriving Tecton of its right to develop its legally-acquired subsurface estate exposes ordinary taxpayers to unprecedented legal liability which is not mitigated by the statistically insignificant risks that are so exaggerated by those opposed. Nearly two thirds of all energy consumed in the US occurs in private residences or by private individuals in their daily lives. I wonder how many NIMBY's would exist if we actually could flip a switch and turn off the oil? I wonder how they would keep their babies warm and feed them hot food. I wonder how an ambulance would transport their baby to an emergency room after a head-on by a drunk driver. I wonder how life-saving nutrients would enter the body without an IV tube made from plastics. The risks are overstated by the opposition and we can't simply flip a switch and convert. It will take a lifetime or, longer, to convert from hydrocarbons to alternatives. In the meantime, we need responsible energy development in the US. Tecton is not in the business of raping the

NAME	COMMENT
David Alyassin	environment as suggested by some. They're in the business of developing resources efficiently to supply a market demand and they're being unfairly and unconstitutionally restricted from doing so. I wonder how many of you reading this would support the government rescinding your right to build your house, eat vegetables or ride your bicycle on your own property after the government acknowledged your right to do so. New Mexico has the promise and potential to be our country's leader in the advancement of renewable energy technology. We are the real sunshine state. It sure is tempting to give in to greed, lobbyists and "good ol' boy mentality" because otherwise we will have to be visionaries who change the direction of our country and actually forge the path by which America can rise like a Phoenix from the ashes to be great again.
Kim Sorvig	I wish to commend Mr. Fesmire and his staff for attempting genuine regulation of the oil and gas industry in the public interest. Please be very conscientious in summarizing the department-by-department comments, so that the public's input is not diluted. Specific comments follow: I believe that testimony from the 'Pit Hearings' by Avi shama, myself, and other members of the public should be made part of this input. Prof. Shama's statements that the oil and gas industry must be held accountable for all "externality" costs of doing business are central to the problem facing us today. The OCD's ability to impose meaningful fines for violations has not been updated since the early 1900s. This means that no matter what regulations the agency imposes, enforcement is nearly without teeth. OCD must create a statewide requirement that all oil and gas operators post bonds that fully cover the worst-case costs of irreplaceable aquifer damage, and adequately cover remediation other environmental damages. OCD must create state-wide requirements that the best commercially available equipment, techniques, materials and practices be used for pollution and accident prevention. In addition to water and air pollution, light pollution and noise must be strictly regulated. Several oil and gas industry studies have shown that such technologies and practices are available, cost-effective, and in most cases actually increase profitability. OCD's administrative rules and formulas for well spacing allow and even require the industry to cause excessive and unnecessary damage to surface owner rights. These regulations, which are not a matter of statute, must be revised. The assumption of a grid pattern has no geographic relationship either to subsurface resources or to surface development. A pilot project, referenced in a Jan 11 2008 letter to ConocoPhillips and signed by Lt Gov. Denish, Minerals Director Prukop, and Environment Director Curry, has demonstrated the many advantages of clustering all new wells on existing pads, and of consolidating access roads. This should immediately be made statewide policy, because the arbitrary location of wells on individual pads with separate roads results in massive and totally unnecessary damage to surface ecosystems and surface waters. OCS should further set up a statewide requirement for clustered directional drilling to minimize surface damage and to decrease drilling through aquifers and other vulnerable formations. Operators must be required to plan cluster locations based on whole geological formation and whole oilfield data, rather than well by well. This offers an advantage to industry in that clustered wells could be permitted as a group. More importantly, such a regulation should be used to minimize surface impacts on homes and on the environment. State laws should apply equally to everyone, but the oil and gas industry currently enjoys separate status. Each agency whose mandate involves the environment, public health, safety, and welfare, cultural and historic preservation, or the unique economic engines of this unusual state should have mandatory input into oil and gas decisions affecting that agency's normal responsibilities. Each agency should have an MOU or JPA

NAME	COMMENT
Tom McCalmont	with the Oil Conservation Division to ensure communication and enforcement of the strongest standards to protect this state and its citizens. Even the strictest interpretation of Split Estate only gives the mineral owner reasonable access to extract the resource. Current practice allows oil and gas operations nearly carte blanche to locate wells, roads, shantytown housing, and other facilities without regard to the damage done to the surface owners' rights. Each state agency must contribute to a comprehensive evaluation of the true life-cycle costs of oil and gas development, including costs of damage to infrastructure, tax revenue losses to County and municipal governments, increased health-care costs, decreased entrepreneurship and investment in local business, decreased attractiveness to real-estate buyers, costs of environmental remediation (and risks of damage to irreplaceable resources like aquifers), costs of lost environmental services such as air and water purification by plants, soils, and wetlands, and any other category of costs. Each agency must contribute to a comprehensive, publicly-accessible GIS mapping of all areas, resources, and landmarks that are potentially vulnerable to oil and gas operations. This information base also would have great value for rational and fair planning of other types of development. In addition to mapped information, each agency must contribute to a compilation of existing regulations potentially impacted by oil and gas development. If I am not mistaken, much of the Galisteo Basin is privately owned, and much of that by a very few large and possibly absentee landowners. There are some archaeological and historic resources, but for the most part, there is a whole lot of nothing, much like Otero Mesa. I, unlike so many of the rabid "conservationists" have been to both places, and I can tell you that Al Queida could set up training camps there, and we wouldn't know for years - there is NOTHING but grass, bushes, cactus and bugs. Since some of the same people who are opposed to drilling for domestic oil also think we should eat weeds, twigs and bushes rather than flatulent cattle, we might as well try to get something out of this land. I would prefer to kill one acre of scrappy rangeland to get domestic oil, than continue to import it oil from abroad. Based upon recent experiences, my guess is that someone in the Round House is waiting for an appropriate "campaign contribution" before switching sides on this issue.
M. Martin	It is far past the time to put environmental do-gooders on the back of the shelf and tell them to shut up. In the day of \$4.00/gal. diesel we need all the oil we can get in our own country. If there is some in the Galisteo Basin then go after it. There are enough regulations in place to protect the scenery. Besides it is on private land. It is not the tree huggers business what someone else does on there private property!
Michael and Anne MacKenzie	When pollution and habitat destruction occurs (both human and other), I don't understand why the long term effect is ignored. Would they do these practices and procedures in their own back yards - literally within sight of their houses and with their water well close by. Why do they think that it won't harm their children and family too?
Lynn K Allen	Traditionally we have all seen the negative impact from oil and gas drilling which affects not only the immediate above ground area, but the aquifer below ground to a larger extent. It is in our best interest to protect ourselves for the long-term and carefully weigh all the impacts of our actions. At this time, when we are looking to replace oil and gas with alternative energies, it does not make sense to continue allowing production in new areas. It is more important for our survival to protect out water, air and surroundings than it is to allow our environment to be endangered. It is the primary mandate of government to protect the people it represents. Today that protection is interpreted to mean the protection other species of

NAME	COMMENT
	plants and animals that are interdependent in our environment because we also depend upon them for our survival. We have to make major efforts to restore our environment. We can not afford mistakes or negative impacts which affect us all. We have synthetic oils, fuels and lubricants, and there are more products coming on the market every week. Placing a hold on gas and oil exploration will help to naturally turn the free market to support alternatives without government assistance. This approach saves the government the expense of cleaning up the oil and gas pollution above and below ground many decades after they leave, as well as helping to promote alternative energies without government funding. Win! Win! The Oil and Gas Industry should already be investing in alternatives, and it is not the place of government to protect oil and gas especially to the detriment of all life. Exercising mineral rights or mineral leases should not be the right to destroy others resources. Nor should it give an entity the right to endanger health, increase costs for infrastructure (i.e., roads), pollute or damage water sources, to ruin archaeology sites, to harm local economies, to pollute the environment, to damage private and public property, and to harm wildlife. To drill in the Galisteo Basin is asking for great sacrifices for a highly speculative play that will not recuperate the current or future expenses incurred. We are now demanding that you, our government act in accord with the best interests and safety of the people you represent. We are calling for protection and adherence to safety.
Dianne Airey	Please consider stopping any and all drilling in the Galisteo Basin. The quality of life, the ecological system the quiet peaceful landscape, will only be harmed. Thank You
Kris Thacher	First, I would like to have all the listed agencies receive my email but your program only allows for one check box. But I will copy and paste this email ten times if that's what it takes. I have been a resident of New Mexico for almost 30 years. My home overlooks the Galisteo Basin. I am very concerned that exploration for and development of possible oil and gas resources will be the proverbial straw that breaks the camel's back in this beautiful, fragile environment. The pressures on this land from drought, mining, cattle ranching and residential development are more than the land can sustain. Roads are being ruined. The land and the trees are dying. Wild animals are being crowded out of their traditional lands. Water resources are being depleted. Even the clear New Mexico skies are disappearing. What I would like to see for the entire Galisteo Basin area is a long-range conservation program coupled with the possible development of a tourist recreational trail to see the state and national parks, Pa-ako golf course, ghost towns, arts and crafts galleries and studios, restaurants, spas, bed and breakfasts, and include ancient pueblos and petroglyphs in this area. I realize that some of the pueblos are on private land and may not be available; others are on public land. But I can imagine a drive up the Turquoise Trail from historic Tijeras, thru Golden, Madrid, Cerrillos, into Santa Fe with its museums, galleries, fine dining, and then back down thru Lamy, Galisteo, and Moriarty with its Soaring Museum and possible racino. It is not too late to save this area. There are things to see and do here that show the cultural and environmental essence of New Mexico. Why ruin it? Show case it. Preserve it. Thank you. Why don't you guys in NM State and local government get off your ass and come to terms with the Lost Revenue the State of NM is giving up by allowing the Native Americans and these Environmental groups stop progress in the state. Not only is it happening in the Oil and Gas arena, but the State is losing out on the Uranium market as we speak. All the other Uranium producing States i.e., Arizona, Utah, Colorado, Wyoming, etc. are moving forward with Uranium exploration

NAME	COMMENT
Janet Pfeiffer	while New Mexico has their head up the back side, allowing the Native American community to STOP progress when it is not even their land that the Uranium companies want to explore on. What about the hydrology of the Galisteo Basin? Aquifers and groundwater must be protected absolutely. What about the adverse impacts of hydraulic fracturing? http://www.earthworksaction.org/hydrfracking.cfm Why was any water sold to Techton for testing when we don't have any extra. In Galisteo it self there is a perpetual shortage of potable water as it is. To Whom It May Concern: I feel that oil and gas drilling in the Galisteo Basin and throughout Santa Fe County is inappropriate, for the following reasons. Santa Fe is one of the most popular tourist destinations in the country, and a huge percentage of its economy is based on tourism. The possible gain to the City and County from drilling is insignificant compared to the risk to the economy from loss of tourism. The risk of damage to the aquifers and groundwater would put Santa Fe's high property values and quality of life at risk. For these reasons and others, I agree with Governor Richardson that the Galisteo Basin is a fragile and important area that must be preserved. I feel that this is true of Santa Fe County as a whole, and oppose any oil and gas exploration here. Respectfully yours.
John Serkin	The potential for great and long term harm to the Galisteo basin and the greater Santa Fe region from oil and gas development is too great and the companies that do this business have nothing but despicable histories of destruction and leaving a place destroyed. Our water is too precious and limited to use for the wasteful drilling methods and more importantly the great potential for permanent pollution of our ground supplies should not be risked. New Mexico has the great potential and should become the leader in renewable energy and not promote the soon to be outdated and archaic fossil fuels. It is time to stop this destructive practice that helps only a few greedy companies and their overpaid CEO's. I would like to see all fossil fuel exploration stopped in New Mexico. This industry has caused tremendous pollution in the Four Corners area and we don't need in spreading its ugly tentacles into Galisteo, Mora, or the Tierra Amarilla area.
Jon Spar, MD	While I think the Sites Preservation Act is meaningful for the Galisteo Basin, I am hoping that we will be able to enlarge the picture rather than targeting specific sites. It is my understanding that, as of this moment, only a small percentage of the Galisteo basin has been studied. How then are we able to specify only a collection of sites for preservation when we know so little of the whole basin?? If this basin is on of the most significant archeological areas in the nation, does it not merit a comprehensive study to include all archeological, colonial and historic sites??
Cynthia Lux	It is my understanding that the Galisteo basin is one of the most significant archeological areas in the nation, but to date, only a small percentage of the area has been studied. With this in mind, what of a comprehensive study in order to identify all archeological; colonial and historic sites. I believe we should address the basin as whole-a cultural landscape'- to include studies of view shed patterns, water courses, etc.
Cynthia Lux	It is my understanding that the Galisteo basin is one of the most significant archeological areas in the nation, but to date, only a small percentage of the area has been studied. With this in mind, what of a comprehensive study in order to identify all archeological, colonial and historic sites. I believe we should address the basin as whole-a cultural landscape'- to include studies of view shed patterns, water courses, etc. I live in Galisteo and my well, as well as those of my neighbors, rely on the small arroyos leading to the Arroyo Los Angelitos, as well as the Arroyo Los Angelitos itself. All these arroyos flow into the Galisteo Creek/River. Tecton has acquired leases on two pieces of state property at the head of these arroyos. In
Frank Lux	

COMMENT	NAME
addition Tecton has purchased leases on the Kirk property, just north of the Arroyo Los Angelitos. We believe this property also drains into the said arroyo. If there were any ground water contamination in the drilling process on these properties, we believe our wells and the creek would be compromised. This contamination could affect the Galisteo village's water supply and would affect the properties to the west. The Galisteo basin has a known history for approximately 900 years relying on the Gal. creek as a water source, Contamination of the water source would certainly affect the history of this beautiful basin. Given the porous and fractured nature of the area, I urge you to consider carefully zoning the basin. We would of course prefer a policy of NO extraction for the basin in order to protect its fragile aquifers and its enormous archeological resources.	Marilyn Forbes
It is my understanding that the Galisteo basin is one of the most significant archeological areas in the nation, but to date, only a small percentage of the area has been studied. With this in mind, what of a comprehensive study in order to identify all archeological, colonial and historic sites. i believe we should address the basin as whole-a-cultural landscape'- to include studies of view shed patterns, water courses, etc. I live in Galisteo and my well, as well as those of my neighbors, rely on the small arroyos leading to the Arroyo Los Angelitos, as well as the Arroyo Los Angelitos itself. All these arroyos flow into the Galisteo Creek/River. Tecton has acquired leases on two pieces of state property at the head of these arroyos. In addition Tecton has purchased leases on the Kirk property, just north of the Arroyo Los Angelitos. We believe this property also drains into the said arroyo. If there were any ground water contamination in the drilling process on these properties, we believe our wells and the creek would be compromised, This contamination could affect the Galisteo village's water supply and would affect the properties to the west. The Galisteo basin has a known history for approximately 900 years relying on the Gal. creek as a water source, Contamination of the water source would certainly affect the history of this beautiful basin. Given the porous and fractured nature of the area, I urge you to consider carefully zoning the basin. We would of course prefer a policy of NO extraction for the basin in order to protect its fragile aquifers and its enormous archeological resources.	john molanphy
Today, poor old Senator Domenici was again broadcasting his tired old policy of backing further depredations by the mining interests to which he has always been beholden. For the sake of the future of our Land of Enchantment, please deny any further permits for drilling in our State We need to get away from the excesses of the extractive industries and make them pay dearly for all the damage they have done. Thank you. What is available to the individual homeowner to have peace of mind that the sub-surface rights that the State, The Federal Govt. or another party may own on his property will not be exercised? Can the individual surface owner purchase these rights in perpetuity ...so that title to these subsurface rights can be passed only to future surface owners? How can an individual ascertain a fair price for sub-surface rights??? How can an individual discover that there is interest by the owner of the sub-surface rights on his property to exercise those rights? What guarantee does the surface owner have with respect to 1) Complete restoration of the surface to its appearance before any work is done? 2) Complete and frequent monitoring of the well water that the surface owner (as well as his neighbors) is drinking? 3) An agreement to the time period of disruptions not only for daily operating hours but also for the total length of time the site can be operating? Are the owners of subsurface rights taxed for holding those rights?... Not just when they extract something from below the	Carol Clark

NAME	COMMENT
Aki Woods	surface but simply for owning those rights? I have been told that the schools get funding from the State Land Office. How does this work? Thank you. Please do not drill in Galisteo and Santa Fe County New Mexico. We have livestock and they need good water from wells. This has been devastating real estate values. People do not want to buy here anymore.
Daniel Claussen	Hydrological, public health, conservation, and archaeological resources must be prioritized and protected well above and beyond any extractive techniques. Drilling technology must be proved safe for this particular geology/hydrology. Non-industry research on the hazards of fracturing technology (chemicals used, threats to water resources) should be made available to citizens by Santa Fe County and the State of New Mexico (precedent: as per other health notifications). Proximity of drilling sites to homes must be re-reviewed in light of recent public health research (Colorado is revising their statutes regarding such). The current standard of 300 feet is woefully arbitrary. Conservation protections (such as Conservation Easements which are subsidized by federal and state tax dollars) should be off limits to drilling. Archaeological sites throughout the Galisteo Basin should be given wide berth of roads and drill sites.
Donna Hendricks	What will the impact on the local wild life and habitat be if the drilling were to commence? Has a site wide environmental impact study be conducted and will the amount of oil and natural gas produced from the venture be worth the investment. Will the proceeds from the oil and natural gas be split between local companies or will it go toward companies like Exxon thus defeat the purpose of keeping New Mexico money and profit in New Mexico?
Steve Speer	Oil and gas exploration is certainly not going to have any significant environmental effect on the Galisteo Basin. And if per chance that exploration is successful, development of any resources found will not either. Regarding oil and gas activity on wildlife, it is certainly not detrimental to its viability and in most cases wildlife appears to thrive in oil and gas development areas. It is strange that in days of \$3-4/gallon gasoline prices which beg for as much domestic oil production as possible, and high oil and natural gas commodity prices, which greatly enhance the state's revenues through the taxation process, that our politicians are willing to ignore and in fact dismiss this opportunity to enhance the state's coffers simply for the sake of non-development based on irrational fear of perceived long term damage of some sort to the environment. The oil and gas industry as a whole has proven beyond any real doubt that they can and will do responsible, safe and efficient exploration and development of our state's resources without any significant medium or long term damage to the environment. Drilling for oil and gas in the culturally rich and ecologically fragile ecosystem of the Galisteo Basin is totally inappropriate. The people, the residents of a community, deserve the right to choose what kinds of industry they want in their community. I'm sick and tired of corporations feeling they are entitled to do anything they want, anywhere they want. NO MORE! New Mexico is blessed with an abundance of wind and sunshine. It's time we took the reins to become the leading state in sustainable energy. Tell those polluting oil and gas companies to go drill in their own damn backyards.
Alice van Buren	Dear Sirs, If oil and gas drilling proceed in Santa Fe county, it will be to the detriment of the entire city and county. If the views are spoiled, the water fouled, and the air smells like rotten eggs, those of us who can afford to leave will do so, taking our tax dollars with us. In our case, we will also be taking a cultural resource, which is the Sculpture Ranch, which is a major player in the Santa Fe sculpture scene. I only say this, because a great many artists and art-minded people will do like wise. Santa Fe is the 3rd (some say the second) largest art market in the country. Do you wish to kill the goose that

COMMENT	NAME
lays the golden eggs? Furthermore, the oil and gas industry is poison, in every way, politically as well as materially. We need a new energy system and a new regime. If the state of New Mexico could take its 'green' governor at his word and invest in renewable, we could be a leader in the country, and not a poor backwater state, so often compared to the third world. Thank you for reading. Sincerely. WildEarth Guardians believes a formal MOU or JPA requiring OCD to consult with NMGF on potential effects of O&G development through individual Applications for Permits to Drill (APDs) would be very helpful. Thank you. I am writing this letter to formally comment as a property owner in Santa Fe County. I am the owner of minerals and mineral rights on the former Cash Ranch. Do not confuse my actual ownership of this property with those who lease the rights from the owners of mineral property in the County. I am an individual citizen who owns property, and not an oil company who is leasing the minerals. This is an important distinction, since as a property owner my mineral property rights are protected under the 14th Amendment to the United States Constitution. These rights are as valid as any one else's rights, surface or mineral. This principle has been upheld over and over by the courts of our nation up to and including the Supreme Court. This principle is inviolate. I recognize that property can be taken from property owners in Santa Fe County, including mine, but only through due process, and then only by just compensation for that taking. With this thought in mind I am asking the State of New Mexico, the Governor of New Mexico, the Oil and Gas Commission, and the County Commissioners of Santa Fe County to bear in mind that their job is to not only listen to and be cognizant of the desires of the majority and/or the "political correct", but to be sure that they also protect the rights of the individual citizen and property owners with equal vigor. Protection of our individual rights is the foundation of our freedoms. Without protection of individual rights you cannot protect the majority. As you deliberate your rules and regulations I hope that you keep in mind that you have a sacred duty to protect my rights as a property owner through reasonable and workable regulations that will allow me to access my property in a reasonable and timely manner. If you do not then you are de-facto taking my property without just compensation. In this regard please bear in mind that as early as 1986 I discovered, produced and sold oil in Santa Fe County. The drop in oil prices in 1986 minimized our operations but we continued to operate the field. Santa Fe County at the time of our discovery made a mining zone of the entire 1,030 acre Cash Ranch in which we were authorized to operate. Now, as oil prices have increased we are trying to produce and develop our resource. However, the County and State have now put a moratorium on operations. In my opinion this is not only illegal, since the acreage has already been cleared for oil and gas operations, but is not in the best financial interest of the County and the State and may already be an illegal de-facto taking of my property. At the present time, I have a proven economic resource that I believe is potentially being jeopardized by the County and State actions. This resource is in excess of several million barrels of recoverable oil and may be considerably larger on our acreage alone. Like myself, I am sure that most or all of the other mineral property owners in Santa Fe County will oppose any attempt to confiscate our property without just compensation. If however, the County and/or State is willing to confiscate my property and pay me for my oil resources at the market price (presently \$ 110.00 per barrel) they are quite welcome to do so. Otherwise they must make any future regulations both reasonable and timely. Please understand that time is of the essence as I am being kept from my legal property. I have spent over 41 years of my life in the service of my country protecting the constitutional rights of all the	Bryan Bird Bruce A. Black

COMMENT	NAME
citizens of this country, including those of New Mexico and Santa Fe County, and I do not intend to let unreasonable and untimely beauracratc regulations now deprive me of mine. Trusting you will do what is right I am attaching for your further information an open letter that I had earlier written to the citizens of Santa Fe County. Thank you for your consideration and help. Sincerely, An open letter to the residents and property owners of Santa Fe County Over the past year, I have watched with growing concern the reaction of some individuals and groups (as well as officials of Santa Fe County), to the attempts of Tecton Energy to development and explore their lawful oil and gas leases in Santa Fe County. I say concern because I see what appears to me to be a deliberate attempt to not only stop Tecton from drilling, but to stop future oil and gas production and probably other future mineral exploration in Santa Fe County. Since as always, there are two sides to every story, I think you need to hear another side. I don't question the motives of those who oppose what they see as unwanted development - as long as they respect the basic rights of each of us. They have their reasons. Probably no amount of rational argument will persuade many of them that others, such as myself, also have equal rights to the protection and access to our property. However, I want them to know that as they pursue their self - interests there are important considerations that they and Santa Fe County regulators need to consider. First let me explain who I am so you can understand why I feel as I do. I'm a native New Mexican. I was born here in 1936 and raised in New Mexico. I love this state and its people as much as any one of you. My dad came to New Mexico when it was a Territory. He grew up in Dawson, and was a coal miner at Hagan (now a Ghost Town south of Santa Fe) as a young man. My mom won the 1925 beauty contest that was the forerunner to the Miss New Mexico contests. Mom and Dad met and married in Albuquerque and that's where my brother and I were born and raised. As I grew up, the Sandias, the Ortiz, the Cerrillos Hills, the Ladrons and the Jemez Mountains were my playgrounds. I loved to roam these unspoiled and lonely places. They were much more beautiful without the subdivisions and development that surround and permanently scars them now. They were the birthplace of my love for the outdoors and they sparked my interest in geology. After active duty in the Navy, I returned to New Mexico and eventually received a Master of Science and Doctor's degrees in geology from the University of New Mexico. I began my career as a petroleum geologist with Shell Oil in California in 1964. I left Shell to start my own consulting firm in Farmington in 1971. I'm not some megalithic international oil company. I'm a one-man operation, although my son, who is also a geologist when he is not on active duty in the National Guard, works with me. I give you this background so that you don't think of me as an outsider who has come in to exploit this state economically (or politically). I belong here as much as any of you and my property rights in Santa Fe County are just as sacred to me as yours are to you. Those rights are also as protected from bureaucracy and illegal confiscation as yours are. As a consultant I began to explore for oil and gas in the Galisteo basin area over 36 years ago. I didn't do that because I wanted to rape and pillage the Santa Fe County countryside, as some might infer. I did it because more than 65 million years ago God and Mother Nature put oil and gas prone Cretaceous rocks under what later would become New Mexico. Around 15 million years ago parts of those Cretaceous rocks were dropped and folded down into what would eventually become Santa Fe County. This happened as the Rio Grande Rift developed from south to north through New Mexico. This tectonic activity would help these organic rich rocks generate and hold oil and gas. Whether the citizens know it or not, Santa Fe County has already made oil and gas history as the first County to produce out of a newly emerging oil and gas province - The Rio	

COMMENT	NAME
Grande Rift. The high gravity oil production now established on the Cash Ranch has proven that all the parameters for oil and gas production exist in the rift and in Santa Fe County. (Rift basins around the world constitute only 5% of the world's basin areas, and only half of these produce oil and gas. But these 2-1/2% producing rift basins hold 12% of the world's oil reserves and 4% of all the worlds' gas.) For you native New Mexicans like myself, I don't need to tell you what a beautiful and unique state we have. For you who have moved here from other areas, you have also come to appreciate the natural beauty and our wonderful atmosphere. However, for many of us who were born and raised here, or who moved here years ago as permanent residents, we see the continued influx of new people and a consequential flood of new subdivisions and housing as part of a larger problem. We have seen the increased strain on the environment and our water resources by this growth, and this is by far the most destructive influence on our states environment. You, like me, are exploiting and using the natural resources of our state. I understand this, but I appreciate and respect your property and your love of our state. I only ask in return that you respect my property rights just as I respect yours. Unfortunately, however, not everyone understands that property rights don't belong just to those who own the surface of the land. Those of us who own the mineral right to the land have an equal and just as valid and constitutionally protected a right as do surface owners. Those rights are as sacred as are the rights to the surface. May I quote part of the fourteenth amendment to our Constitution for those who do not know it - or remember it - "...nor shall any State deprive any person of life, liberty, or property, without due process of law: nor deny to any person within its jurisdiction the equal protection of the laws." If, through due process of law, a person is legally deprived of their property the State (or County) must justly compensate them for that loss. I don't claim to be a constitutional attorney, but I am a citizen of the United States and of New Mexico. After spending over 41 years in the United States Navy on active and reserve duty in defense of our Country, our State and its citizens (which includes each one of you) I will, in my retirement years, continue to insist on and defend all of our rights under our Constitution. I believe that every one of you, veterans and civilians alike, who read this letter will stand with me in defense of these right and will not let an arbitrary and/or unreasonable regulation be placed in the Santa Fe County Regulations that will "de facto" try to deprive me or any other Santa Fe County mineral owners from reasonable access to their property or otherwise enjoy the rights to their property. If the pending County regulations for oil and gas drilling operations are drawn up in such a way as to make it unreasonable or "de facto" prohibitive for using our property then our rights will be violated, unless of course, the County pays us full value for this confiscation. If regulations, such as unreasonable or excessive distances from structures are put on drilling locations, or unreasonable restrictions are placed on drilling rig heights or equipment use in drilling in the few days or weeks that it takes to drill, then these regulations may be confiscatory - without just compensation to all of the mineral owners. This would be confiscatory not just to the mineral owners such as myself, who want access to their ever more valuable minerals rights now, but also to all the hundreds (and perhaps thousands) of other mineral owners in all of Santa Fe County both now and in the future. I'm sure they don't want their property rights "de facto" taken away without compensation any more than I do, and I think they also will have something to say about this in the near future. Don't get me wrong. I don't wish to drill if I don't have to. If there was some other way less objectionable to get to my property I would be glad to consider it. Oil companies don't drill wells unless they have to, and they only drill as many wells as are absolutely necessary. Wells cost money, and new wells are not drilled or new	

COMMENT	NAME
locations made unless absolutely necessary. Fortunately, with the new technologies which have been developed in the past few decades such as horizontal drilling and new fracing techniques, far fewer wells are often needed, and one surface location can often be used to drill multiple wells from one location. Consequently the "footprint" of new fields can be smaller and usually take much less space than in the past. It's ironic to me that the oil and gas exploration we did in years past in Santa Fe County has given the County and the State Engineer so much of the data needed for both the water resources potential and the actual geology of the County. They would not have had this deep and important data otherwise. It's also ironic that the citizens are giving Tecton a hard time when it is the most environmentally conscious company I have ever dealt with, and they have a track record to show for it. I consider it an honor to consult for Tecton. More than any other company I've worked with, they do care about the job they do. I believe they have, and will do everything they can to reasonably work with the County and the surface owners in the County. In my opinion, I think the County would be wise to work with Tecton so they can set a standard for performance and environmental sensitivity that all other companies will have to live up to in the future. A friend in Santa Fe County recently asked me if the County "...is so special and its elite so sophisticated that they believe that they are beyond the activities of basic mineral extraction that feeds our States economy? Are the rest of the counties and communities to bow down and serve Santa Fe County while it consumes our resources but believes itself so superior that it won't contribute its share of its mineral wealth to the economy, or contribute its resources to the benefit and the education of its children?" I couldn't answer that for him. But I don't think that the mineral property owners in the County (including the Native Indian tribes who own their own minerals), want Santa Fe County and/or it's special interest and/or liberal elite, or radical environmentalists to tell them how to use their property. I don't think those who came to New Mexico to enjoy only the benefits of the scenery (while driving the property values and the tax base so high that some of the original native New Mexicans can't afford to live there) should deny the rights of those of us who are also legal property owners, and in many cases were here first and owned our property longer. To read most of the recent newspaper articles (but not all) out of Santa Fe County it would appear that the majority want, and would be willing to let the County make regulations that will attempt to block individuals property (mineral) rights. As this conflict of interest goes forward I trust the press will be as adamant in protecting the fourteenth amendment as it is in protecting the first. It will also be interesting to see if the County officials (and State as well) are intent on only pandering to the majority. Personally, I don't think that they will forget that this County was not founded to protect only the noisy or politically correct majority. I believe that in their final analysis they will remember that it is every bit as important to protect the rights of the individual, whether it is politically correct or not. I hope that when each of you look in the mirror tonight you will resolve to continue to look after the rights of each individual as well as your collective concerns. If, in the final analysis, the County is prepared to take my property, and other mineral owners property through due process, I hope the County and the taxpayers of Santa Fe County are equally prepared to justly compensate us - they will have to. Respectfully submitted:	Lynda Larsen

COMMENT	NAME
dependent upon our limited water resources. In restaurants, we must request a glass of water! But you intend to permit drilling that will use billions of gallons of water and (likely) contaminate the aquifers. I believe you should also consider the air pollution potential of such drilling. Santa Fe is famous for its landscapes, sunsets, and clear air. When we moved here two years ago, Santa Fe was ranked third in the nation for clean air and environment. Oil drilling will change that, and the air pollution could even affect our dramatic skies - factor that into the tourism effect. You should not be simply a "rubber stamp" for the extractive industries, but comply with your mandate to protect our natural resources. Balancing such interests may mean denying permits. Thank you for considering my views. 1] I think this should be allowed....but under these conditions 1] the companies that will be drilling...hauling oil, checking wells etc. should when a well is abandoned reclaim all used equipment, including....lines, plastic piping, tubing, reclaim any surface areas back to their natural state and roads leading into the well area...not necessarily a main road leading to the wells 2] recalam any contaminated land, oil spills, trash metal, junk...just take a look sometime at some southeast New Mexico roads leading to wells and abandoned well areas, spilled brine, pop cans, beer bottles and beverage containers, trash up and down every road leading into these wells and pump jacks 3] while making these roads and well pads or storage facilities, all wildlife should be checked to make sure nothing rare or endangered is in harm, including plants 3] any wildlife disturbed while making these wells, should not be harmed [ex: prairie dogs foxes, bats reptiles....etc] and a wildlife officer or representative should be there while the companies are performing these tasks to make sure wildlife isn't harmed or killed or nesting sites of birds or dens of reptiles destroyed or tarantula dens 4] the state should also enforce this in all areas of the state this way our state doesn't become a claustrophobia of oil abandoned oil wells, buildings, trash and debris and old roads and well pads as well as controlling the possibility of decimating all wildlife from these areas I am greatly concerned about the prospects of oil drilling and environmental disaster. I have not been convinced at all that the proper preliminary studies have been done, and worry, as do my New Mexico friends and citizens, of ground water contamination, environmental catastrophe, and overall diminution of the quality of life for all New Mexicans. An additional concern is that this would be a highly shortsighted policy: New Mexico's economy relies on tourism and tourist dollars. The negative impact of unsightly, contaminating, and ecologically disruptive power plants will be enormous. Please stop this frightening and ill-advised pursuit of energy without contemplating consequences and alternatives. Thank you.	Dr. Jane Phillips- Conroy
Please extend moratorium to permanent cessation of drilling and mineral extraction from the Galisteo basin. I would like to see us (as a culture) making judgment calls in favor of environmental protection and moving away from fossil fuels. Extending oil drilling simply flies in the face of the vast majority of credible science that ties these fuels to global warming. Additionally, I think that mineral rights should revert to the land owners. Having mineral rights disconnected from surface rights creates a disincentive to purchase and build homes. This is counter to the "American dream" of home ownership. also, it is difficult to understand the underlying logic. I like to keep things simple. If you own the land, you own what is underneath the surface. That seems pretty easy to understand. If the government ultimately decides to permit drilling and extraction from the Galisteo basin, then the companies should compensate the owners of the land for the entire lost market value of their property. It is irrational for the state to license mineral rights for nominal fees and ask the land owners to bear	matt brown

COMMENT	NAME
the burden of economic loss attributable to the extraction activities of profit making companies. The companies should bear the full economic burden of the extraction, if they are also getting the benefit of the profits. Furthermore, the licensing fees should be much higher. The state should be making as much or more than the companies on the assets buried under the surface. I am writing this letter to formally comment as a property owner in Santa Fe County. I am the owner of minerals and mineral rights on 1,030 acres of the former Cash Ranch. I do not want you to confuse my actual ownership of this property with oil companies or individuals who lease the rights from the owners of mineral property in the County. I am an individual citizen, not an oil company who has these minerals. This is an important distinction, since as a property owner my mineral property rights, under the 14th Amendment to the United States Constitution, are as valid as any one else's rights, surface or mineral. This principle has been upheld over and over by the courts of our nation up to and including the Supreme Court. This principle is inviolate. Property can be taken from property owners in our Country and in Santa Fe Country, including mine, but only through due process, and then only by just compensation for that taking. With this thought in mind I am asking the State on New Mexico, the Governor of New Mexico, the Oil and Gas Commission, and the County Commissioners of Santa Fe County to bear in mind that their job is to not only listen to, and be cognizant of the desires of the majority and/or the "political correct", but at the same time to be sure that they protect the rights of the individual citizen and property owners. Protection of individual's rights is the very foundation of our freedoms. Without protection of the individual you cannot protect the vocal majority. As you deliberate your rules and regulations I hope that you keep in mind that you have a sacred duty to protect my rights as a property owner through reasonable and workable regulations that will allow me to access my property in a reasonable and timely manner. If you do not, then you are de-facto taking my property without just compensation. In this regard please bear in mind that we discovered an oil field in Santa Fe County in 1985. At the price of oil in 1986 the field was marginal, but we continued to operate the field. Santa Fe County at that time made a mining zone of the entire 1,030 acre Cash Ranch to cover our oil and gas operations and we were free to operate under that designation. Now that we are trying to develop this resource the County has declared a moratorium on operations in the area and the Governor has further delayed our attempt to get our property developed by an additional Executive Order calling for a moratorium on any State drilling permits in the Galisteo basin and Santa Fe County. In my opinion this is an illegal action by the County since we already had our mining zone approved for our operations. We will address this legally at a later date if necessary. I am writing this letter to formally comment as a property owner in Santa Fe County. I am the owner of minerals and mineral rights on 1,030 acres of the former Cash Ranch. I do not want you to confuse my actual ownership of this property with oil companies or individuals who lease the rights from the owners of mineral property in the County. I am an individual citizen, not an oil company who has these minerals. This is an important distinction, since as a property owner my mineral property rights, under the 14th Amendment to the United States Constitution, are as valid as any one else's rights, surface or mineral. This principle has been upheld over and over by the courts of our nation up to and including the Supreme Court. This principle is inviolate. Property can be taken from property owners in our Country and in Santa Fe Country, including mine, but only through due process, and then only by just compensation for that taking. With this	Bruce A. Black
I am writing this letter to formally comment as a property owner in Santa Fe County. I am the owner of minerals and mineral rights on 1,030 acres of the former Cash Ranch. I do not want you to confuse my actual ownership of this property with oil companies or individuals who lease the rights from the owners of mineral property in the County. I am an individual citizen, not an oil company who has these minerals. This is an important distinction, since as a property owner my mineral property rights, under the 14th Amendment to the United States Constitution, are as valid as any one else's rights, surface or mineral. This principle has been upheld over and over by the courts of our nation up to and including the Supreme Court. This principle is inviolate. Property can be taken from property owners in our Country and in Santa Fe Country, including mine, but only through due process, and then only by just compensation for that taking. With this	Bruce A. Black

COMMENT	NAME
thought in mind I am asking the State on New Mexico, the Governor of New Mexico, the Oil and Gas Commission, and the County Commissioners of Santa Fe County to bear in mind that their job is to not only listen to, and be cognizant of the desires of the majority and/or the "political correct", but at the same time to be sure that they protect the rights of the individual citizen and property owners. Protection of individual's rights is the very foundation of our freedoms. Without protection of the individual you cannot protect the vocal majority. As you deliberate your rules and regulations I hope that you keep in mind that you have a sacred duty to protect my rights as a property owner through reasonable and workable regulations that will allow me to access my property in a reasonable and timely manner. If you do not, then you are de-facto taking my property without just compensation. In this regard please bear in mind that we discovered an oil field in Santa Fe County in 1985. At the price of oil in 1986 the field was marginal, but we continued to operate the field. Santa Fe County at that time made a mining zone of the entire 1,030 acre Cash Ranch to cover our oil and gas operations and we were free to operate under that designation. Now that we are trying to develop this resource the County has declared a moratorium on operations in the area and the Governor has further delayed our attempt to get our property developed by an additional Executive Order calling for a moratorium on any State drilling permits in the Galisteo basin and Santa Fe County. In my opinion this is an illegal action by the County since we already had our mining zone approved for our operations. We will address this legally at a later date if necessary. I am writing this letter to formally comment as a property owner in Santa Fe County. I am the owner of minerals and mineral rights on 1,030 acres of the former Cash Ranch. I do not want you to confuse my actual ownership of this property with oil companies or individuals who lease the rights from the owners of mineral property in the County. I am an individual citizen, not an oil company who has these minerals. This is an important distinction, since as a property owner my mineral property rights, under the 14th Amendment to the United States Constitution, are as valid as any one else's rights, surface or mineral. This principle has been upheld over and over by the courts of our nation up to and including the Supreme Court. This principle is inviolate. Property can be taken from property owners in our Country and in Santa Fe Country, including mine, but only through due process, and then only by just compensation for that taking. With this thought in mind I am asking the State on New Mexico, the Governor of New Mexico, the Oil and Gas Commission, and the County Commissioners of Santa Fe County to bear in mind that their job is to not only listen to, and be cognizant of the desires of the majority and/or the "political correct", but at the same time to be sure that they protect the rights of the individual citizen and property owners. Protection of individual's rights is the very foundation of our freedoms. Without protection of the individual you cannot protect the vocal majority. As you deliberate your rules and regulations I hope that you keep in mind that you have a sacred duty to protect my rights as a property owner through reasonable and workable regulations that will allow me to access my property in a reasonable and timely manner. If you do not, then you are de-facto taking my property without just compensation. In this regard please bear in mind that we discovered an oil field in Santa Fe County in 1985. At the price of oil in 1986 the field was marginal, but we continued to operate the field. Santa Fe County at that time made a mining zone of the entire 1,030 acre Cash Ranch to cover our oil and gas operations and we were free to operate under that designation. Now that we are trying to develop this resource the County has declared a moratorium on operations in the area and the Governor has further delayed our attempt to get our property developed by an	Bruce A. Black

NAME	COMMENT
Carolyn Dukeminier	additional Executive Order calling for a moratorium on any State drilling permits in the Galisteo basin and Santa Fe County. In my opinion this is an illegal action by the County since we already had our mining zone approved for our operations. We will address this legally at a later date if necessary. I am a native Santa Fean that deeply loves her hometown and the scenic natural beauty that surrounds it. I spent my life-savings and went into debt in order to buy a small piece of land off of Highway 14 with the hope of someday affording to build a small home there. I am very distressed to have recently learned that not only my land, but the entire area, is being threatened by oil and gas development. I am told that an antiquated law from 1872 gives mineral rights dominance over my surface rights. If this is allowed to go forward, unchecked, it means we are trading our land, peace, tourism, wildlife, archeology, and most importantly our precious clean WATER, AIR, and our HEALTH for few more years of fossil fuels that will only worsen the global warming crisis. The pristine beauty of the Galisteo Basin and its irreplaceable resources are State and National treasures and should be protected as such. We should be doing everything we can to preserve the last few beautiful places that remain and investing in renewable energy so that we HAVE A FUTURE at all! Please for the sake of ourselves, our children and grandchildren and this beautiful area on a beautiful planet we call home, do everything you can to protect our environment and all the lives it supports. The noise, dust, traffic, and irreparable pollution that have followed the oil and gas industry everywhere it has gone before could render the area unusable for all other purposes, including habitate and small business. Please, before it is too late, strictly regulate the impact they will have on the entire area if they are allowed to develop. Our lives and our future are genuinely at stake. Thank you for your courage and your consideration. The risk/reward and cost/benefit for the Galisteo Basin seems out of balance. Does drilling make sense? So far, I can't believe it does. Better look for energy in alternatives and elsewhere.
Connie Fisher Stacia Lewandowski	I am an owner of land in the immediate vicinity of the proposed drilling. My husband and I bought this land for our future. We invested in New Mexico and particularly Santa Fe County, because we thought that our fellow residents and county government share our desire to maintain (safeguard) and cherish the treasures which exist here: 1) the historical/archaeological nature of the land 2) a quality of life that is sustainable – that doesn't rob or pollute the very limited resources which are part of its unique and fragile nature For the past 100 years, Santa Fe has been known the world over as a cultural treasure and destination. When we turn the county over to drilling and mining, we are going to lose – not gain – our most valuable resource. Santa Fe is not large enough to hide its industrial zone; yet that is what we will become if we allow oil drilling to begin. If it is allowed in one area, the county we love will be swallowed up by an onslaught of mineral greed which will be unstoppable. Please be diligent and find a way to make drilling in Santa Fe County an undesirable target or better yet, off-limits. Otherwise, we will lose so much more than we will gain. Our future is at stake. Let's work toward setting new standards that establish Santa Fe County at the forefront of clean energy and sustainable living. Thank you.
Janet Persons	No oil and gas drilling in the Galisteo Basin! Protecting the delicate ecosystem and the many and significant fragile cultural sites in the area is a priority. Many of the proposed drilling site are located on or near the Galisteo Creek, which not only serves wildlife, but is currently the source of drinking water for the Village of Cerrillos. Please do not put these resources at risk. Also, the renewal of gold mining in the Ortiz by Santa Fe Gold LLC will once again be resisted by the local

COMMENT	NAME
populace. The devastation of cyanide leaching is still affecting the groundwater. We will support any and all efforts toward the development of renewable energy in the Basin. Do not make this treasure a sacrifice area. Thank you. In January of this year Governor Richardson instructed all executive agencies with relevant knowledge and expertise to conduct a careful "assessment of all existing laws, regulations, policies, and planning documents to ensure that the State of New Mexico has fully and appropriately exercised its police powers to ensure that no oil and gas drilling activity occurs in Santa Fe County and the Galisteo Basin that would be contrary to the interests of the State of New Mexico and its citizens". Now we doubt seriously that when the agency reports are delivered to the Governor by June any agency will report that it has inappropriately "exercised its police power". The real issue is policy, rulemaking and legislation going forward. While we will agree that regulation at the State level of oil and gas activities in many cases may be more efficient and politically expedient, if enforcement of current regulation or the focus of any new legislative agenda or future rule making results in a "one size fits all" approach, it may well seem to be in the interest of the State of New Mexico but be contrary to the specific interest of Santa Fe County Citizens. There are four principles that should guide the State's actions. First, the State should be mindful of the vast differences that exist between individual Counties in the State. Second, the State should not enact laws that preempt any County's power to enact stricter regulation. Third, each agency should take this opportunity to state their needs for new or existing and potentially expanded regulatory authority to address expanded oil and gas activities in the State including additional manpower and funding. It bears emphasizing that agency powers may be appropriately exercised given the present level of activity, but may not be adequate to deal with expanded future activity—and that is the real question of public policy that faces the state. Fourth, the State should seek to regulate only those functions that truly lend themselves to statewide action. For example, it might make more sense to have statewide safe water standards and ongoing quality testing since surface and subsurface water does not begin and end with County boundaries. However, when it comes to regulating issues that affect the infrastructure, natural, cultural and historical attributes and socio-economic aspects of a given area, additional regulatory discretion must be available at the County level. This principle is well established whereby states can enact regulation stricter than EPA regulation. Finally, my attorney, Lindsay A. Lovejoy, Jr., provide OCD with copies of "The Hartman Scenario Implications for WIPP" prepared for the New Mexico Attorney General in March 1997 and "The Hartman Scenario Revisited Implications for WIPP" prepared for the New Mexico Attorney General in August 1997, which points out the critical uncertainties of hydraulic fracturing that could lead to disastrous contamination of our vital water supplies. Water is but one critical issue and we are very tired of hearing the oil and gas industry use the "oil crisis" to justify expanded drilling. Most economists agree that oil supply has little to do with the price of oil. Today it is driven mostly by speculation and other economic factors including the weakness in the US dollar. Supply and demand is a serious near future concern that can only be solved by increased use of sensible alternative energy sources. Just as turning millions of acres to corn production for ethanol, millions of acres of new oil and gas wells will not solve the future supply problem. We respectfully request the opportunity to address the contents of the final report prepared (or assembled) by OCD with our own reply comment such that the final compilation of information before the Governor reflects not only agency position but citizen input as well. Respectfully submitted. To the Oil Conservation Commission: Thank you for your efforts in controlling the environmental effects of oil and gas	David Beddow & Janet Carter

COMMENT	NAME
extraction despite considerable industry and legislative pressure in opposition. I would like to stress the following points regarding oil and gas drilling in Santa Fe County. 1. Testing existing wells for leaks every 1 to 5 years as is currently the practice is totally inadequate for protecting our water supplies. Operators must disclose what they are using in their fracturing mixtures, and these chemicals must be tested for frequently in surrounding water wells. The OCD must have many more well trained inspectors to carry out these tasks. 2. Since it is extremely expensive, if not impossible, to "clean up" an aquifer that has been contaminated by extracting oil and gas, the penalties for such contamination must be very high, and the costs must be born by the operator. This will require the posting of bonds and or insurance in the millions of dollars. 3. Approximately 1/3 of the economy of Santa Fe is based on real estate, and another 1/3 on tourism. Drilling for oil and gas in Santa Fe county will be an economic disaster for both real estate and tourism, to say nothing of the loss of revenue from individuals who have moved here from elsewhere and will certainly move away when it is no longer scenic and environmentally safe. It is impossible to conceive that the short term income to the state from oil and gas operations could possibly make up for the economic losses in Santa Fe county that will result. 4. It is also important to stress that the greatest single long term threat to our economy and health is global climate change. Thus it is imperative that every state agency, and especially the Department of Energy, Minerals and Natural Resources, do everything in its power to abate or reverse the buildup of carbon dioxide in our atmosphere. This can only be done by stopping, not encouraging, oil and gas exploration while encouraging other forms of energy production in Santa Fe county and throughout the state. In January of this year Governor Richardson instructed all executive agencies with relevant knowledge and expertise to conduct a careful "assessment of all existing laws, regulations, policies, and planning documents to ensure that the State of New Mexico has fully and appropriately exercised its police powers to ensure that no oil and gas drilling activity occurs in Santa Fe County and the Galisteo Basin that would be contrary to the interests of the State of New Mexico and its citizens". Now we doubt seriously that when the agency reports are delivered to the Governor by June any agency will report that it has inappropriately "exercised its police power". The real issue is policy, rulemaking and legislation going forward. While we will agree that regulation at the State level of oil and gas activities in many cases may be more efficient and politically expedient, if enforcement of current regulation or the focus of any new legislative agenda or future rule making results in a "one size fits all" approach, it may well seem to be in the interest of the State of New Mexico but be contrary to the specific interest of Santa Fe County Citizens. There are four principles that should guide the State's actions. First, the State should be mindful of the vast differences that exist between individual Counties in the State. Second, the State should not enact laws that preempt any County's power to enact stricter regulation. Third, each agency should take this opportunity to state their needs for new or existing and potentially expanded regulatory authority to address expanded oil and gas activities in the State including additional manpower and funding. It bears emphasizing that agency powers may be appropriately exercised given the present level of activity, but may not be adequate to deal with expanded future activity—and that is the real question of public policy that faces the state. Fourth, the State should seek to regulate only those functions that truly lend themselves to statewide action. For example, it might make more sense to have statewide safe water standards and ongoing quality testing since surface and subsurface water does not begin and end with County boundaries. However, when it comes to regulating issues that affect the infrastructure, natural, cultural and historical attributes and socio-economic	David Beddow & Janet Carter

COMMENT	NAME
aspects of a given area, additional regulatory discretion must be available at the County level. This principle is well established whereby states can enact regulation stricter than EPA regulation. Finally, my attorney, Lindsay A. Lovejoy, Jr., provide OCD with copies of "The Hartman Scenario Implications for WIPP" prepared for the New Mexico Attorney General in March 1997 and "The Hartman Scenario Revisited Implications for WIPP" prepared for the New Mexico Attorney General in August 1997, which points out the critical uncertainties of hydraulic fracturing that could lead to disastrous contamination of our vital water supplies. Water is but one critical issue and we are very tired of hearing the oil and gas industry use the "oil crisis" to justify expanded drilling. Most economists agree that oil supply has little to do with the price of oil. Today it is driven mostly by speculation and other economic factors including the weakness in the US dollar. Supply and demand is a serious near future concern that can only be solved by increased use of sensible alternative energy sources. Just as turning millions of acres to corn production for ethanol, millions of acres of new oil and gas wells will not solve the future supply problem. We respectfully request the opportunity to address the contents of the final report prepared (or assembled) by OCD with our own reply comment such that the final compilation of information before the Governor reflects not only agency position but citizen input as well. Respectfully submitted. Hello, We have written comments previously and hope you will continue to take those into account. We live near the one existing oil-well. As you know it has not produced any substantial oil in YEARS. We realize that your agency is very, very concerned about money. We too are concerned about the welfare of the state; however, there are more things to consider than just economic gain. First, if you physically look at a geologic map of the state you will see that the very tiny Galisteo basin looks nothing like the San Juan basin. Nothing. Tecton has mentioned numerous times that they believe they can get similar amounts of oil as extracted in the Northwest corner of the state. However, the geology is not even remotely similar. Second, previous attempts at drilling and pumping in this area (by Bruce Black) have simply not been successful in terms that would ultimately benefit the state. The countable number of barrels produced did not enhance the state coffers. So please consider that the extent of the drilling they have proposed is unlikely to benefit the state even though Tecton has promised that it will. Third, if you actually take an objective, historical look at oil-well drilling---and try for one minute to forget about the money--the question becomes not IF they contaminate our water, but WHEN and how badly? Again, we realize that your agency is very concerned with financial gain. New Mexico has other ways to make money. Other ways that don't negatively impact our tax paying citizens, our water, our wildlife, our wilderness, our roads, our land. The drilling they have proposed is not objectively feasible. They have promised that it is....but they are Tecton and of course they are going to promise that. They have promised money....they are Tecton and of course they are going to promise that. We are people who were born and raised here and we hope you will remember us. Thank you. It is time for a new way of thinking about oil and gas drilling and the rights traditionally associated with mineral rights. There is no current real actual financial or real life correlation between sub surface rights and surface rights which suggests that the old way of considering the sub surface rights to be dominate (or even equal) to the surface ownership should be unquestionable or politically or morally correct. That one destroys the other cannot be ignored. The value of each must be considered in today's world. Climate change is known to be associated with pollution by excessive use of oil and gas. These resources are seriously depleted and not renewable. It is known now that not only drilling for oil/gas but also the use of oil	Leslie McBride Pattie Cavalletto

NAME	COMMENT
	and gas is a causal factor in global warming, environmental pollution of water and air, and destruction of land values. It is also harmful to the health and habits of wildlife, humans, and traditional farming use of lands. Land is not renewable and the land of NM is precious and should be considered, along with its beauty and vast openness, its inspirational light and great silences, and the reasons that people are drawn to visit and live here. These destructive results must be considered against the drilling industry's potential rape of all these non-renewable values, and seen for its one sided profits and global short sightedness, and re-evaluated according to the current world reality. To gain a little time of fuel usage for the loss of these precious things is not the way of our state's fine people who represent the citizens. That the oil and gas industry has been considered not only beneficial but also to be catered to is an old way of thinking and it is no longer reasonable or right morally that it continue without questioning and compromising its operating and attitudes. It may have made sense in the past to open regulations and allow the industry its way with our lands but now we all know better and the disparity that is traditional between the rights of the two types of ownership should no longer sway our governing minds, no matter the wealth involved; it makes no sense whatsoever any longer and there should be allowed plenty of time to explore what can be done that better reflects the times we live in now. To use only traditional logic and reason without the input and respect due to those who oppose the non renewable destruction and fight for their rights to the sanctity of their homes is a grave mistake and one that needn't be made. There is everything to lose and the only gain is to an industry which assumes its power and wealth will dictate over individual and human rights. To favor this industry over citizens cries would make every agency and person who supports it wrong in their own hearts. It is time for the heart to be heard, the heart of the land, our sky, our earth, and our citizens.
Kerry Armour	My husband and I are relocating to New Mexico in the next two years. My current field of work is in the Renewable Energy marketplace and I am drawn to your state as a leader in this area. New Mexico is also a state blessed with amazing natural beauty and incredible native culture. How then can you even remotely consider oil drilling!? How can your state be a leader in alternative energy, protect its natural resources, and also allow drilling for fossil fuels? Fuels we know to be destructive to our planet and fuels that your state has already vowed to move away from with its forward-thinking energy initiatives. The combination of these activities is irrational to say the least, and New Mexican leadership seems to be far from irrational. Just because the oil may be there below the earth does not mean it should be harvested. We have learned that we must change, as a society, and as a species, to protect the only planet we have. It is every citizen's duty to turn away from an increase in oil production and seek new alternatives for energy use. New Mexico has shown great leadership in this area. Don't turn back now. Make the moratorium permanent. Protect the natural beauty of New Mexico and show the rest of the country how renewable energy can revitalize our economy. How can you morally and ethically do anything less? Do not allow the oil and gas lobby to undermine your efforts to restrict permits in the Galisteo basin. Our water supply is in danger if drilling is allowed.
Marilyn McEvoy	I want to express my STRONG opposition to the possibility of drilling for oil and/or gas in the Galisteo Basin and surrounding areas! As with the majority of Santa Fe County residents, I am deeply concerned with the MANY repercussions that our communities would suffer with the invasion of the oil and gas industry. First and foremost is the issue of protecting our very limited and precious water resources. WE cannot afford to jeopardize our water supply. It is
Shannon F. Kern	

COMMENT	NAME
clear that contamination and leaks from oil and gas drilling are not only possible but probable, and that there are no definitive safeguards against it. The effects of oil and gas industries practices would certainly damage the fragile ecology of the Galisteo Basin. The pollution and residual wastes would adversely effect the environment for many years to come, if not permanently. Precious archeological sites must be protected. These treasures, unique to our area, cannot be compromised! The effects on our local economy would be disastrous. We have already seen diminished land values, just with the POSSIBILITY of drilling for oil and gas. Businesses based in the Galisteo area have seen a dramatic decrease in business since Tecton announced their intentions. The quality of our lives would be forever adversely affected. The tourist industry in Santa Fe, which is our main source of revenue, would clearly be compromised if not completely destroyed. Without the pristine beauty of the landscape of the Santa Fe area, the incentive for visitors to visit our beautiful area will disappear. And then there is the issue of noise, immediate pollution, and increased traffic issues with the introduction of oil and gas industry. And the issues of increased crime. I am a single woman, and I bought a home in Eldorado for it's safety and community. It is certain that the influences of the transient workforce associated with this industry would jeopardize the safety of my community, both on the roadways and in my own home. WE MUST PROTECT OUR LAND, OUR RESOURCES, OUR QUALITY OF LIFE, THE BEAUTY OF OUR ENVIRONMENT THAT PEOPLE FROM ALL OVER THE GLOBE COME TO APPRECIATE. PLEASE KEEP THE OIL AND GAS INDUSTRY OUT OF THE GALISTEO BASIN!	Steven Talbot / Jerry Gorham
I'd like to thank the representatives from the department who attended the open house—they were very helpful and gave me a lot to think about. And in what I have learned in the last few months, I appreciate what OCD has been doing to protect residents. One of my main concerns is the possible contamination of the nearby groundwater (along with my home's well water) from oil and gas drilling operations. The factsheet provided at the open house says that one of OCD's responsibilities is to ensure that "the casing program is adequate to protect fresh water aquifers." It further states that OCD conducts routine inspections to ensure that there are no leaks or spills. How often would a drilling site be inspected to check for leaks and spills? Or is it more the driller's responsibility to self-monitor for leaks and spills? This is probably a pie-in-the-sky request, but there should be regular (weekly, semi-monthly) inspection of drilling sites. Also, if drilling were to occur in Santa Fe County, I think OCD should require the following for the drillers regarding possible groundwater contamination: There should be testing of private wells within 3 miles of a gas/oil well site—before drilling begins and then at least twice a year after that. The testing should be paid for by the driller but conducted by an independent body, not someone hired by the driller. Also, if contamination were to occur, the driller should be responsible for remedying the problem. Along the same lines, since part of the responsibility of OCD is to protect fresh water aquifers, OCD should also be involved in ensuring that drillers have put up the proper bonds to clean up any contamination that occurs. As I understand it, OCD is responsible for protecting the water aquifers and the Water Quality Bureau of the Department of Environment does not play a role in water quality as it relates to oil and gas drilling sites. That does not make sense to me—it kind of seems like one of those bureaucratic, turf issues. I think that the Water Quality Bureau should be used, as well, in protecting our groundwater from contamination from oil/gas drilling. Part of the concern about contamination has to do with fracturing and the chemicals used in the process. In Santa Fe County's second draft of a proposed oil and gas ordinance, it stated that "fracturing	

COMMENT	NAME
operations shall use water and sand only." To a layman like myself, that sounds pretty good since it would ban the use of chemicals. I suggest that OCD consider such a restriction regarding any drilling to occur in the Galisteo Basin. In talking with the officials from the other state agencies at the open house, it seemed that they would like to have more input on any oil or gas-drilling proposal, or at least would like to be able to review the proposals and make recommendations. I think that would be very beneficial and that other departments and agencies—with their own expertise—should be allowed to make recommendations and see that those recommendations are implemented. Since the governor has asked each of these 11 departments for input on drilling in the Galisteo Basin, it makes sense that they should all be consulted on any drilling application. A factsheet provided by the New Mexico Department of Health mentioned several areas of concern, including the storage of "drilling muds" on site and the possible leaching of contaminants from the muds into the soil and the underground and surface water. Other concerns included the use of chemicals in the fracturing process and the potential problems caused by produced water. If a closed-loop system were required for drilling in Santa Fe County, would such a system include the removal of "drilling muds" from the drilling site? Would a closed-loop system include the removal of "produced water" from the site, or would produced water still be allowed to be discharged onto nearby land or injected into underground wells? This is more of an overall comment, not specific to OCD, but since that is the main agency, I'll make it here: Just because a company has mineral rights or mineral leases does not mean that they have the right to destroy the other resources used by so many people. Mineral rights or mineral leases should not give companies the right to endanger my health, pollute my water, ruin archaeological sites, or harm the local economy. I am very concerned about the potential for oil and gas drilling in the basin. I live off of 55 A very close to where the proposed wells - the 'first' ones - are being asked to be permitted. There are about 10 homes in our little area. Most hand built by the original owners who peeled vegas by their own fingers, poured pumice crete by bucket, and promoted a simple rustic life - which still permeates our pocket today. All of our houses are all solar powered - with no tie to the grid. We don't have spotlight on at night, we don't have lawns, we understand the preciousness of these resources. Each of us are on a well - many hauled water for years. We conserve water and because we are keenly aware of its scarcity the thought of an industry with a HORRIBLE reputation of disregard for the fundamentals of life - clean air and water - seems simply ludicrous and terrifying. Water Quality - There is no remedy for damage to the aquifer or its tributaries. What will happen to the many wells that depend on this water if it is contaminated? What happens if wells start going dry? Who is going to take responsibility for a well blow up or a house being contaminated by chemicals? Fracking is a risky venture - not a huge success rate. What happens if the structure of the aquifer itself is compromised? Who is test the water quality - every day and multiple locations in the aquifer and posting it online for all to view? Who will be testing my well water gratis - certainly not the oil industry or any one they hire...no one trusts them because of a very long and shabby track record. Land Stewards - We treat the land with respect and understand it's fragility - the time is takes the desert to heal itself. Allowing mineral rights to have the right to destroy other resources - it shouldn't disregard a surface owner's rights, it shouldn't cause increase costs of infrastructure (burdened by the surface owner might I add!), increase issues with flooding, increase traffic, increase health issues, harm wildlife, and leak toxic chemicals into the air and water. I'm very concerned about the additional infrastructure and culture drilling brings with it - the increased traffic to our area alone - up and down	Renea Roberts

COMMENT	NAME
scenic highway 14 - huge rigs continuously hauling risky substances - flammable fluid and toxic waste. Air - Who is going to measure the air quality 24 hours a day at multiple sites near and within miles of the proposed drilling and post on a website for all to view? Who is going to cover increased health risks and loss of quality of life? Forget Santa Fe being a clean air city - and forget the treasure that New Mexico is the land of enchantment - I've been in tourism impacted business in the area for 5 plus years and it's not to get a taste of the same old everything sacrificed for profit that draws people out here to New Mexico and makes them want to go home and make their place a better place. Cultural and Archaeological Sites - How will this be measured, protected? It's pristine here now and there aren't people who trump around it. There aren't roads dug through it. No one is looting on their day off. Have there been sufficient studies of this area - there are petroglyphs, pottery shards, tools, throughout the rolling hills. Is oil & gas drilling in the Galisteo Basin appropriate? Governor Richardson states in his Executive Order, "the Galisteo Basin is a culturally rich and ecologically fragile ecosystem located in northern New Mexico, the preservation of which is of significant value to citizens of this State." What do you think would happen to the Santa Fe area economy, such as the \$1.1 billion per annum Creative Industries, with a dirty industry conducting business in the Galisteo Basin? What about tourism? Real Estate Values? What about the Santa Fe air quality? In 2004, Santa Fe was ranked as the cleanest city for year-round particle pollution. What about the threats to health and safety? What about the threats to wildlife? What about the archaeological sites? What about the hydrology of the Galisteo Basin? Aquifers and groundwater must be protected absolutely. What about the adverse impacts of hydraulic fracturing? Exercising mineral rights or mineral leases should not be the right to destroy others resources. Nor should it give an entity the right to endanger health, increase costs for infrastructure (i.e., roads), pollute or damage water sources, to ruin archaeology sites, to harm local economies, to pollute the environment, to damage private and public property, and to harm wildlife. To drill in the Galisteo Basin is asking for great sacrifices for a highly speculative play that may not reap rewards for Santa Fe County. These and many others issues must be addressed. There needs to be a comprehensive, collaborative approach among the governmental agencies and the citizens to discern the compatibility and viability of oil and gas drilling in the Galisteo Basin.	Joseph G Svatos
I am responding to the Governor's request for recommendations on items that should be included in State's regulations regarding oil and gas drilling in the Galisteo Basin. I live in the Galisteo Basin, in Cerrillos, NM, on Vista del Oro, just off County Road 55, Goldmine Road. I am the President of The Janis Group, Inc., an environmental consulting firm in Cerrillos. I am an environmental engineer. I have a Bachelor's degree in Chemical and Petroleum Engineering and a Master's in Environmental Engineering. I am a former staff member of both the US Environmental Protection Agency and the US Department of Energy. I have been practicing for 35 years, and my practice has focused almost exclusively on the contamination of groundwater by hazardous materials. My 35 years of experience has taught me that there are no foolproof methods of drilling and high pressure fracturing for oil and gas recovery. To continue repeating over and over that there cannot possibly be any groundwater contamination associated with the proposed drilling is simply not true. The potential for contamination of groundwater from oil and gas drilling is real, it is happening here in New Mexico right now, and it will very likely happen here in Santa Fe County if the proposed drilling goes forward. I want to be clear: groundwater and surface water are not two separate systems. They are connected hydrogeologically - what gets into the groundwater gets	Jim Janis

COMMENT	NAME
into the surface waters nearby. Therefore, it is not only those of us who live near the proposed wells whose groundwater is threatened. This oil and gas drilling threatens all of us who depend on the groundwater in the Galisteo Basin, and ultimately the Rio Grande. The water table near the Galisteo Creek is only about 15 feet deep. Any surface spill or well leakage of the hazardous chemicals used in the drilling and recovery process would almost immediately contaminate the groundwater, and soon thereafter the Galisteo Creek, and soon thereafter the Rio Grande. One of the Tecton Energy proposed test wells is only about 600 feet from a perennial stretch of Galisteo Creek, and the well bore is about 420 feet from a domestic water well currently used by County residents. You also need to understand that the land along County 42 and County 55 is the heart of the Galisteo watershed. Anything that happens to the surface or groundwater there will affect groundwater and surface water along the Galisteo Creek. The proposed wells along County Road 55 (Goldmine Road) will be drilled into the recharge zone for the whole Galisteo Basin. Contaminating the groundwater in the recharge zone along Goldmine Road would affect a significant fraction of the County's precious and highly limited groundwater resource. Recommendation I recommend that you extend the complete moratorium on the granting of any permits for oil drilling in Santa Fe County, effective immediately, until you have promulgated regulations that control the serious environmental impact and indiscriminate water usage that even one new test well will bring. My detailed technical reasons for this request are included below and in the attached sustainability analysis of oil and gas drilling in Santa Fe County. Business Analysis: Effects of Oil and Gas Drilling on Businesses in the Galisteo Basin Before reviewing the technical reasons, I first want to outline the business reasons why the proposed drilling would be an economic disaster for the County. My wife and I manage The Janis Group, Inc., a small business, from our home office in Cerrillos, Santa Fe County. As environmental specialists and engineers, we work with environmental companies in the United States and Great Britain, helping them develop new business and find new executives. In the past eight years since we moved to Cerrillos from Alexandria, Virginia, our company has contributed about \$155,000 in NM Gross Receipts Taxes (NMGR) to the County. Our employees have contributed approximately \$2.5 million in salary and benefits to Santa Fe County's tax and employment base. Assuming a multiplier of 2.5, that represents about \$6.25 million in positive economic impact to Santa Fe County just from our business. We are a sustainable business – no air or water pollution, noise, or blight on the landscape – exactly the kind of company that you want to attract to Santa Fe County. In fact, our one-mile street in Cerrillos, Vista del Oro (and its extension to Wagon Wheel Road), contains at least five new small businesses that have started or moved here in the past ten years: a high-tech computer programming company, a real estate business, a training consulting firm, and a B&B that is one of Santa Fe County's favorite wedding venues. All of us, and especially the B&B's weddings, provide substantial employment to Santa Fe County residents, and pay a huge amount of property, lodging, and NMGR taxes. The immediate area beyond our street contains more B&B's and many other small businesses that have started in the past ten years. Many of our local business and home owners have invested in off-grid generating capacity and other sustainable technologies to reduce our carbon emissions. At our home office, for example, we collect and store 20,000 gallons of rainwater and heat with solar-powered hot water. Why have these businesses moved to Santa Fe County in the past ten years? We could live anywhere that we choose. But we moved here to enjoy the pristine environment, clean air, uncluttered views, history, and special place that is the Galisteo Basin. From our office windows we can see Mt. Antonio on the Colorado border. We are	

NAME	COMMENT
	inspired by that view every day. We do not want to see this beautiful landscape destroyed by unfettered wild cat oil drilling that will surely damage not only our view but the very groundwater and air that we depend upon to live. Our businesses, especially the real estate and B&B services, depend on this neighborhood to remain one of the most beautiful and inspiring places in New Mexico. While we cannot speak for our neighbors, we would move our business elsewhere if the oil drilling permits you granted resulted in any adverse environmental impact. Therefore, we ask you to stand up to the lobbyists, PR firms, lawyers, and oil companies, and tell them that you want our County and State to grow by attracting companies like The Janis Group – not Texas wildcaters. We do not need more pollution in Santa Fe County in order to prosper. We need more sustainable businesses that will protect our environment, and leave it in the same condition that we found it. Technical Analysis: Requirements for Permitting Oil and Gas Wells in the Galisteo Basin In my view, the permitting process that you should consider for oil and gas well exploration in the Galisteo Basin must require the most stringent protection of groundwater that is possible. I recommend that you require: • Setback. At least a 5-mile setback from any dwelling or permitted drinking water well. • Assessment of potential groundwater contamination. A complete groundwater contamination assessment for each proposed well (test wells and re-opened wells included), that maps all groundwater resources in the area of the proposed well, along with hydrogeological modeling that would model and map any potential contamination from each proposed well. • Health and environmental effects of chemicals used in drilling. An analysis of the human health and environmental hazards associated with all chemicals used in the drilling and fracturing process, along with a complete analysis of the potential harmful effects of those chemicals on humans, plants and wildlife. The permit would be based on the proposed use of only those chemicals listed in the application that have been analyzed as described here. • Alternative extraction techniques. An analysis of the alternative methods that could be used for recovery of the oil and gas resource from the wells, the costs and benefits of each, and the comparative potential for groundwater contamination of each alternative. • Analysis of contaminated groundwater cleanup methods. A complete analysis of the methods, benefits, and costs of available processes (if any) for cleaning up the groundwater contaminated by the well for each chemical that is proposed to be used at each well. • Financial assurance. An absolute commitment, backed up with bonds and parent guarantees, that the permittee will restore any contaminated ground or surface waters to US EPA drinking water standards if his activities result in any contamination from drilling or operating each well, or from closure and capping of the well for the next 50 years. The parents, officers, and major investors of any permittee would be required to sign a performance guarantee ensuring their financial and personal responsibility for all activities of the permittee for the next 50 years (see more recommendations on financial responsibility below). • Cost benefit analysis. A complete cost-benefit analysis of the proposed drilling that compares the revenues that the County could obtain from taxes on each well to the potential loss of tax revenues and property values in a 50 mile radius of each proposed well, as well as the costs of restoring the environment and groundwater associated with any potential contamination associated with the drilling of each well. • Carbon neutrality. An analysis of the carbon offsets that would be required for each barrel of crude oil or cubic meter of natural gas that is obtained from each well in order for each well to remain carbon neutral. Permits would be granted only if sufficient carbon offsets were obtained for every pound of carbon extracted from each well as natural gas or oil, and for all activities associated with drilling and operating each well. • Criminal liability. The

COMMENT	NAME
officers, employees, consultants and other persons responsible for the permit should be subject to criminal liability for any violation of the permit's terms and conditions that result in contamination of the environment or groundwater at any time during the construction or operation of the well. I also want to suggest two other recommendations based on my years of experience with the Environmental Protection Agency and the Department of Energy. The two financial assurance concepts that you can borrow from EPA and DOE are: (1) independent verification of the environmental permitting and enforcement process, and (2) indemnification by the parents of a corporate entity like an LLC that could potentially contaminate the groundwater. Independent Verification of Data and Enforcement First, I suggest that you borrow from EPA the idea of independent verification and enforcement of the permitting process and monitoring of permit compliance. EPA uses this idea because it -- like the State of New Mexico-- does not have enough staff or money to monitor and enforce its own regulations. EPA requires permittees to pay the full costs of hiring independent geologists and engineers to evaluate hazardous waste disposal permit applications, to monitor the permitting process, and to monitor the effects of the permit after it is granted. The funds for these contractors are collected by EPA from the permittees and the contractors report only to EPA, not to the permittee. EPA also requires its permittees to establish a fund before permits are granted that will provide enough money to close the facility being permitted and clean up any contamination that may result from the operation. These funds are deposited with the Government before the permit is granted, and can amount to millions of dollars. I strongly suggest that you adopt this provision in your permitting process for oil and gas drilling permits in New Mexico. Financial Assurance of Applicants The second idea comes from DOE. It may surprise you that Government employees do not manage DOE sites like Los Alamos. They are managed by contractors. Los Alamos, for example, is managed by a company called "Los Alamos National Security LLC," a limited liability corporation created by Bechtel and the University of California to manage the site. Notice that LANS is an LLC. So is Tecton Energy, and it is likely that most of the companies that apply for drilling permits in the Galisteo Basin will also be LLC's. The purpose of setting up an organization as a Limited Liability Corporation is exactly that: to limit its liability to the assets of the actual company that, in the case of Tecton Energy, is applying for the permit and operating the wells. LLC's are designed to protect the assets of the corporate parents and investors in Tecton Energy (and there are many of them) from any liability whatsoever. If Tecton Energy does anything wrong -- like contaminating our groundwater -- then the parents of Tecton Energy are not liable, and Tecton Energy will quickly disappear into bankruptcy or sell itself to another company that has not signed the permit application and will claim no liability for any damages or cleanup required. A recent story in the Santa Fe Reporter suggested that Tecton Energy's founders have already done this at least once before. DOE protects itself (and the US taxpayer) from this kind of corporate slight-of-hand by requiring the parents, shareholders, officers and investors in LLC's to completely indemnify DOE for anything wrong that its contractors do at its sites. Attached is a copy of the language for your use. I strongly suggest that you include indemnification language similar to this in the New Mexico permitting application process. I do believe that Tecton Energy will be liable to pay compensation to surface owners of lands for the lost market value of their homes under either the Surface Owner's Protection Act (in the case of private minerals) or under the state statutory oil and gas lease (in the case of state minerals). The liability for these damages -- which will almost surely run into the millions of dollars -- is not contingent on Tecton's negligence or unreasonableness of use. It is a strict	

NAME	COMMENT
	liability that Tecton will have to bear even if it drills carefully and without incident. Accordingly, the \$20,000 blanket bond required by the State is absurdly low -- it bears no rational relationship to the amount of damages that Tecton will have to pay. Again, negligence is NOT an issue under NM law at this time. Thank you all for asking for these comments. I am available to discuss them with you by phone or in person at any time. You can reach me at JimmyJ96@aol.com. My family and I take the proposed drilling very seriously, as you can see, because our property values, our groundwater, and the quality of our lives depend on it. We are counting on you to protect us, and we know that you will. Thanks very much. Performance Guarantee Agreement For value received, and in consideration of, and to induce the United States (the Government) to enter into Contract _____ for the _____ (Contract) dated _____, by and between the Government and _____ (Contractor), the undersigned, _____ (Guarantor), a corporation incorporated in the State of _____ with its principal place of business at _____ hereby unconditionally guarantees to the Government: the full and prompt payment and performance of all obligations, accrued and executory, which Contractor presently or hereafter may have to the Government under the Contract; and the full and prompt payment and performance by Contractor of all obligations and liabilities of Contractor to the Government, fixed or contingent, due or to become due, direct or indirect, now existing or hereafter and howsoever arising or incurred under the Contract. Guarantor further agrees to indemnify the Government against any losses the Government may sustain and expenses it may incur as a result of the enforcement or attempted enforcement by the Government of any of its rights and remedies under the Contract, in the event of a default by Contractor hereunder, and/or as a result of the enforcement or attempted enforcement by the Government of any of its rights against Guarantor hereunder. Guarantor has read and consents to the signing of the Contract. Guarantor further agrees that Contractor shall have the full right, without any notice to or consent from Guarantor, to make any and all modifications or amendments to the Contract without affecting, impairing, or discharging, in whole or in part, the liability of Guarantor hereunder. Guarantor hereby expressly waives all defenses which might constitute a legal or equitable discharge of a surety or guarantor, and agrees that this Performance Guarantee Agreement shall be valid and unconditionally binding upon Guarantor regardless of: (i) the reorganization, merger, or consolidation of Contractor into or with another entity, corporate or otherwise, or the liquidation or dissolution of Contractor, or the sale or other disposition of all or substantially all of the capital stock, business or assets of Contractor to any other person or party; or (ii) the institution of any bankruptcy, reorganization, insolvency, debt agreement, or receivership proceedings by or against Contractor, or adjudication of Contractor as a bankrupt; or (iii) the assertion by the Government against the Contractor of any of the Governments rights and remedies provided for under the Contract, including any modifications or amendments thereto, or under any other document(s) or instrument(s) executed by Contractor, or existing in the Government's favor in law, equity, or bankruptcy. Guarantor further agrees that its liability under this Performance Guarantee Agreement shall be continuing, absolute, primary, and direct, and that the Government shall not be required to pursue any right or remedy it may have against Contractor or other Guarantors under the Contract, or any modifications or amendments thereto, or any other document(s) or instrument(s) executed by Contractor, or otherwise. Guarantor affirms that the Government shall not be required to first commence any action or obtain any judgment against Contractor before enforcing this Performance Guarantee Agreement against Guarantor, and that Guarantor

COMMENT	NAME
will, upon demand, pay the Government any amount, the payment of which is guaranteed hereunder and the payment of which by Contractor is in default under the Contractor or under any other document(s) or instrument(s) executed by Contractor as aforesaid, and that Guarantor will, upon demand, perform all other obligations of Contractor, the performance of which by Contractor is guaranteed hereunder. Guarantor agrees to ensure that it shall cause this Performance Guarantee Agreement to be unconditionally binding upon any successor(s) to its interests regardless of: (i) the reorganization, merger, or consolidation of Guarantor into or with another entity, corporate or otherwise, or the liquidation or dissolution of Guarantor, or the sale or other disposition of all or substantially all of the capital stock, business, or assets of Guarantor to any other person or party; or (ii) the institution of any bankruptcy, reorganization, insolvency, debt agreement, or receivership proceedings by or against Guarantor, or adjudication of Guarantor as a bankrupt. Guarantor further warrants and represents to the Government that the execution and delivery of this Performance Guarantee Agreement is not in contravention of Guarantor's Articles of Organization, Charter, bylaws, and applicable law; that the execution and delivery of this Performance Guarantee Agreement, and the performance thereof, has been duly authorized by the Guarantor's Board of Directors, Trustees, or any other management board which is required to participate in such decisions; and that the execution, delivery, and performance of this Performance Guarantee Agreement will not result in a breach of, or constitute a default under, any loan agreement, indenture, or contract to which Guarantor is a party or by or under which it is bound. No express or implied provision, warranty, representation or term of this Performance Guarantee Agreement is intended, or is to be construed, to confer upon any third person(s) any rights or remedies whatsoever, except as expressly provided in this Performance Guarantee Agreement. In witness thereof, Guarantor has caused this Performance Guarantee Agreement to be executed by its duly authorized officer, and its corporate seal to be affixed hereto on	Name of Corporation
Agreement on Behalf of Guarantor Name and Position of Official Executing Performance Guarantee an Official of Guarantor Authorized to Affix Corporate Seal Sustainability Analysis of Proposed Additional Oil Well Drilling Operations in Galisteo Basin 1. Water Usage. Additional oil well drilling operations would potentially use millions of gallons of water from Santa Fe City and Santa Fe County (or somewhere nearby) – water that New Mexico doesn't have to spare. • The one exploratory test well in operation has already used 78,000 gallons of water purchased from Santa Fe County at \$0.02 per gallon. • This usage represents almost one-quarter acre foot of water, and is equal to the average Santa Fe County homeowner's annual allocation from the aquifer, assuming a 40 acre lot. • Allowing more exploratory test wells and operating permits would add substantially to the usage, and greatly increase the stress on our aquifer that has been caused by the multi-year drought. A newly bored well uses far more water than one that has already been drilled and is re-entered. • Allowing more test wells would use water that both Santa Fe City and County are currently rationing. Water saved by homeowners and businesses would be used to drill oil wells and recover small quantities of oil. 2. Groundwater Degradation. Test wells are planned in the most sensitive recharge zones of the aquifer that serves all of the Galisteo Basin and most of Santa Fe County. • It is nearly impossible to drill for oil in these areas without serious damage to the groundwater. Accidents happen no matter what the plan. • The County may require	Date Attestation Including Application of Seal by

COMMENT	NAME
oil well drillers to submit only a \$20,000 bond, which would not begin to restore or replace the groundwater damage that could result from test wells and expanded drilling. • The toxic chemicals used in the drilling and fracturing process could poison the groundwater in the Galisteo Basin for generations, and make it essentially unusable; this is a serious environmental and public health concern. 3. Environmental Degradation. Test and operating oil wells can create large amounts of hazardous and toxic waste that is often disposed of onsite. Air and noise pollution from oil wells are largely unregulated. • There are no County regulations that require toxic and hazardous waste from oil well drilling operations to be removed from the drilling site and disposed of properly away from the site – although the new State regulations may apply to wells drilled in Santa Fe County at this time. • These wastes can destroy the vegetation and contaminate the land, air, and groundwater; they are a serious public health concern to the local population, cattle, horses, and wildlife. • Oil wells often have visible flares to burn off methane and other gases removed with the oil. These flares add substantially to air pollution, increase visual pollution, and contribute to global warming. 4. Property Values. The potential effect on property values of significant oil drilling in Santa Fe County is staggering, and is already being felt. • A landowner adjacent to the first test oil well in the Galisteo Basin recently tried to list his property with a prominent Santa Fe realtor. He wanted to sell the land and recoup his substantial investment. The real estate broker told the landowner that it was useless to try to sell the land now – no one would buy it because of the test well next door. The owner's investment in 40 acres of land has already depreciated because of only one test well! Real estate appraisers will not perform appraisals for sellers on the Cash Ranch for the same reasons. • As this example shows, the effect of additional oil drilling on property taxes could deplete the County's tax base substantially, and the effect would be immediate – not long term, but today. 5. Transportation and Infrastructure. Test wells and oil drilling operations would add substantial heavy truck traffic to newly-paved and scenic highways in Santa Fe County. • NM State and SF County have spent more than \$500,000 in the last three years paving SFC 55 (Goldmine Road), where many of the proposed test wells are located. Most of this road is covered with "chipseal," which works fine for residential traffic, but would degrade rapidly if subjected to heavy truck traffic from oil hauling trucks and equipment. • The State has invested several million dollars in the past two years to repave and improve NM 14, a National Scenic Byway. This road would also degrade rapidly if subjected to the substantial additional truck traffic that would result from the proposed test wells and oil drilling operations. The traffic would add substantially to congestion between Santa Fe and Madrid on NM 14. • The NM Department of Transportation has also invested several million dollars in the past two years rebuilding the bridge on NM 14 near the ruins of the San Marco Pueblo, an historic site. The heavy truck traffic from the proposed drilling would have a substantial effect on this new bridge. • The adverse visual effect of oil rigs, increased heavy truck traffic, and associated air and visual pollution along NM 14 would mean that its designation as a "National Scenic Byway" would become at best a bad joke. 6. Archaeological and Historic Sites. Test wells and oil drilling operations could seriously affect, and potentially destroy, important archaeological and historic sites in the Galisteo Basin. • The Galisteo Basin is one of the most archaeologically rich locations in the United States. There are many pueblo ruins, hunting blinds, Native American burial grounds, Franciscan monastery sites, historic towns, petroglyphs, and many other important sites – some of which have not yet been mapped and explored. • All of these sites could be adversely affected by test well and oil drilling operations. Current	

COMMENT	NAME
State and County regulations are inadequate to protect these sites that are important to New Mexico's Native American, Hispanic, and Anglo residents. 7. Santa Fe County Parks and Conservation Land. Newly established SF County Parks and Conservation land would be threatened by test well and oil drilling operations. • SF County has recently invested more than \$5 million to create the Cerrillos Hills Historic Park, which includes hiking and riding trails in the Cerrillos Hills, within view of the proposed oil drilling operations. • SF County has also recently taken ownership of the Ortiz Mountain Preserve, 1000 acres of conservation land in the Ortiz Mountains, which is one of the most biodiverse high alpine ecosystems in the United States. • Both of these recent SF County acquisitions are directly threatened by the air, groundwater, noise, visual, and toxic waste pollution that would inevitably result from the proposed drilling. • The County's investment of tax revenues in these important new natural landmarks would be substantially depressed by expanded testing and oil drilling in the Basin. Summary We believe that a full review of all of these and other potential impacts must be conducted by an impartial third party, and regulations promulgated to mitigate these effects, before the State considers issuing any additional oil test well or other drilling permits that would allow oil drilling to take place in the County. April 15, 2008 Dear Mr. Fesmire: Please accept the following comments on behalf of Drilling Santa Fe ("DSF") in response to proposed oil and gas development in the Galisteo Basin and Governor Richardson's Executive Order 2008-004. As a general matter, DSF has grave concerns about the appropriateness of oil and gas development in the Galisteo Basin. The oil and gas industry has a demonstrated inability and unwillingness to conduct its industrial operations in a manner that is protective of public health and the environment. The Oil Conservation Division ("Division") itself has significant documentation of the environmental damage that the oil and gas industry has caused in New Mexico. See, http://www.emnrd.state.nm.us/OCD/documents/rptGeneralizedGWImpact_000.pdf (last visited April 14, 2008). Further, there are a few studies, and even more anecdotal evidence, demonstrating the adverse human and non-human health effects caused by oil and gas development. See, generally, Mall, Amy, et. al., Drilling Down: Protecting Western Communities from the Health and Environmental Effects of Oil and Gas Production (Oct. 2007). DSF urges the Division to proceed cautiously in evaluating all proposed oil and gas operation in the Galisteo Basin. Moreover, DSF recommends that the Division conduct each review of proposed oil and gas operations in the Galisteo Basin in a manner that maximizes public participation. Specifically, DSF recommends the following: 1. DSF applauds the Division's recent efforts to consider more fully public health and environmental issues in the course of regulating the oil and gas industry. However, while the Division's regulations allow the Division to consider environmental effects in the course of regulating oil and gas operations, it is unclear a) how far this authority extends; b) whether the Division has the authority to consider public health effects when exercising its permitting and enforcement authority; and c) whether the Division has the resources necessary to adequately address public health and environmental issues that arise during the course of regulating oil and gas operations. DSF urges the Division to clarify its understanding of its authority to take into account the public health and environmental aspects of oil and gas operations and whether or not the Division has the resources to adequately address these concerns in the course of exercising its authority. 2. The New Mexico Oil and Gas Act (the "Act") and its implementing regulations clearly give the Division primary regulatory authority over oil and gas operations	Eric Jantz

COMMENT	NAME
in New Mexico. 1978, NMSA § 70-2-6. However, the Act's primary mandate is waste prevention and protection of correlative rights. Id. at §§ 70-2-11, 70-2-12. If the Division, in the course of clarifying its authority under the Act and implementing regulations, finds that regulatory or statutory gaps need to be filled, DSF urges the Division to take the necessary steps, either on a statutory or regulatory level, that will insure that public health and environmental concerns are given at least the same consideration as waste prevention and correlative rights in the Division decision making process. 3. If the Division determines that it needs additional resources to adequately regulate the environmental and public health aspects of oil and gas operations in the Galisteo Basin, DSF urges the Division to take the necessary steps to insure that adequate resources are brought to bear in regulating the public health and environmental aspects of oil and gas development, including hiring additional staff or entering into memoranda of understanding with other state regulatory agencies, such as the Department of Health or the New Mexico Environment Department which would outline a process of "co-regulation" of oil and gas operations, understanding that to a certain extent such agreements already exist. See, e.g., http://www.emnrd.state.nm.us/OCD/Tab2Att2_001.htm (last visited April 14, 2008). However, any efforts to enter into memoranda of understanding or to delegate or be delegated authority with other state regulatory agency should be subject to substantial and meaningful public participation. Thank you for your consideration of the foregoing comments and please do not hesitate to contact me if you have any questions or need additional information. Sincerely. As a licensed NM Realtor for nearly 30 years, I have serious concerns about the lack of information available to property owners regarding who owns the rights to minerals beneath their homes, and how the surface owners' rights may be adversely affected. With the push by Tecton to acquire mineral rights in the Galisteo Basin, it is now clear to many that there is no tracking system a homeowner may rely on to have accurate information as to who owns the subsurface rights under his feet. There is no notification when subsurface rights are being transferred and there is little if any record of such transfers. I earnestly believe that to retain property values and security for homeowners throughout New Mexico, the State must change the way in which subsurface rights are recorded and transferred. Surface owners should be notified when property beneath them is being transferred and should have the opportunity to purchase those subsurface rights ahead of corporations, in order to preserve the security of their homes, families and chosen lifestyles. It is apparent to those of us in the real estate industry that sales of property in and near the Galisteo Basin screeched to a halt the moment news of Oil and Gas Drilling in the region hit the news. There is no doubt that drilling near homes, in an area that lies close to two major cities, will have severe economic repercussions on individuals as well as businesses throughout the region. If one is tempted to allow drilling on property where the surface owners have willingly ceded their subsurface rights that temptation abates the moment one thinks of the repercussions of fracking on a fragile, tenuous underground system of aquifers. As a Realtor, I have seen For Sale signs on myriad properties around the Galisteo Basin during the height of the recent drought. Water is scarce in any case. Shatter the earth, trample the scarce springs and wetlands, and there won't be life for any person or species out there. Finally, the proposed State Park in the Galisteo Basin, to preserve ancient sites and to educate the public about the unequalled wealth of archeological history in the area, will also be negatively impacted by the arrival of oil and gas rigs. We could have a clean, attractive industry that will bring in environmentally conscious, education-based tourism, rather than a damaging, short-lived, invasion of machinery that will benefit already rich corporations more than	Pamela Christie

COMMENT	NAME
anyone else. I understand that we need oil, but the amount of oil (unknown) that might be available in the Galisteo Basin does not warrant the negative impact to everyone in and near the proposed mining area. Thank you very much. We are COUNTING on you to highly limit oil & gas drilling permits, with the proper studies, in Galisteo Basin (GB) & Santa Fe county for these TOP 10 REASONS: 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells located along significant surface faults. Principal recharge areas are major arroyos, basinward mnt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing	Betsy Siwula-Brandt

COMMENT	NAME
protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/inducedq/iis.html. We live in a rift basin with late active Tertiary faulting-- which has seismological consequences. "An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning	

COMMENT	NAME
radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scared of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors), versus last quarter-- any future drilling in the area would have even deeper impacts. I am opposed to drilling in the Galisteo basin for oil and gas. The important resources are water, the natural beauty (for the film industry) and archaeological sites: property values and the taxes they produce, wildlife. Non destructive energy development of the area would include, wind and solar power. Sincerely. Can an instance honestly be cited where oil and gas exploration and extraction has taken place in this country that has not resulted in negative impact on the quality of water, quality of life, environmental health, and ecology of said area? If so, we need to be made aware of it. If not, we need to avoid making the same mistakes. Why not extend the current moratorium and make the Galisteo Basin and Santa Fe County permanently off limits to the oil and gas industries? We are COUNTING on you to highly limit oil & gas drilling permits, with the proper studies, in Galisteo Basin (GB) & Santa Fe county for these TOP 10 REASONS: 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mnt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until	Jo Whaley Jill Epstein Wolfgang Brandt

COMMENT	NAME
SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/induceq/iis.html. We live in a rift basin with late active Tertiary faulting-- which has seismological consequences. "An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "ite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences	

COMMENT	NAME
on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors) , versus last quarter-- any future drilling in the area would have even deeper impacts. There have been many comments made regarding the [potential] impacts of Oil and Gas drilling in the Galisteo Basin. These include potential spills (historically they have occurred repeatedly), Breakage in frac drilling operations, also a recent history of such operations shows that these have happened, cross contamination of aquifers, (the Galisteo Basin is highly under researched and the geology is not as well know as it should be, and disruption of the fragile ecosystem by means of surface disruption (an obvious form of pollution), not to mention that the entire basin once was home to one of the largest populations of aboriginal or otocetan peoples in the Southwest and according to some experts was 10x the size of Mesa Verde. There is however one area that has not been covered: The routine cleaning and degreasing of oil rigs and exploration platforms. If a public citizen were to routinely degrease equipment by the same methods as used by the O & G industry and pour those solvents such as benzene, diesel fuel and other VOC compounds (many of them 'proprietary') into the Basin, they could be fined heavily and the damage in the forms of aquifer or subsurface plumes would be irreversible. The agencies such as the NMED must control these issues, so that, such as lined pits, these contaminants can not be poured on our earth. The destruction of the Galisteo Basin would be the destruction of the capital of NM. I have been a resident of Santa Fe County for over 20 years and have lived in the Galisteo Basin for 16 years, where I built my dream home and my wife and I raised our only child. Every reason you have been given is enough to say no - forever. The only "Yes" reason is to line the State and County Coiffers with [temporary] funds from O & G industry. But on every level the State and County will loose in the long run. According to Tecton - at best there is 25 years worth of fuel here. Then what? There will be no Tourism left, the roads ruined, the environment devastated and by the time these companies are leaving a mess behind, the	Michael Lancaster

COMMENT	NAME
health effects will just be beginning to demonstrate themselves, i.e. cancer, blood diseases, taratogenic disease, systemic problems, and costs that will go on for years to come and may even effect future generations. Combine that with the real loss of revenue: real estate devalued, property tax decreased, tourism and the art market destroyed (state wide as almost all tourism is focused first on Santa Fe), and you will have made one decision [allowing a few people to get rich at our (yours and mine) expense]. And again what for? The industry has already said this might be enough oil to last the US 2.4 to 4 days and will take 20 years to extract! I am writing this on behalf of my family: Barbara Harnack, Amrit Lancaster and myself - Michael Lancaster. No drilling here - please. If you have to allow it, then make this an example by creating the toughest regulations in the World. To Whom It May Concern; While I did not write the following points, I couldn't do it any better. Please consider: We are COUNTING on you to highly limit oil & gas drilling permits, with the proper studies, in Galisteo Basin (GB) & Santa Fe county for these TOP 10 REASONS: 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with.	Richard Buckley

COMMENT	NAME
We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/induceq/iis.html. We live in a rift basin with late active Tertiary faulting--which has seismological consequences. "An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported' (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in	

COMMENT	NAME
residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors), versus last quarter-- any future drilling in the area would have even deeper impacts. Thank you. 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mnt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented	Michael Kaufman

COMMENT	NAME
with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/induceq/iis.html. We live in a rift basin with late active Tertiary faulting-- which has seismological consequences. "An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences	

COMMENT	NAME
on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors) , versus last quarter-- any future drilling in the area would have even deeper impacts.	Thomas Seamster
New Mexico Energy, Minerals and Natural Resources Department The State of New Mexico should be setting annual budgets on all its major resources including water, gas, oil, and minerals to ensure wise resource usage for at least the next 100 years. We need extra protection for areas that are heavily dependent on ground water. One such area is the Galisteo Basin that will not be supplied with any public water system according to the current version of the Santa Fe County Growth Management Plan. Please let me know: 1) What the New Mexico Energy, Minerals and Natural Resources Department can do to ensure that the groundwater in the Galisteo Basin remains potable for the next 100 years. 2) What types of monitoring and reporting should be required on a regular basis from those permitted to explore or drill for gas or oil in critical areas such as the Galisteo Basin. Thank you for your help.	Arthur Lynn
AS residents of Galisteo, we strongly oppose drilling in the Galisteo Basin!! The oil or gas obtained is not worth the damage it will do to the environment and the health hazards to the residents...Sincerely. Tecton and the other exploiters from Texas and elsewhere need to stay out of the Galisteo Basin! It's not like we benefit locally by having lower energy prices/costs---it probably goes to India and China. Plus, the supply, while it sounds like a lot, is good only for a day or a week or so of domestic oil/gas use. Why disrupt thousands of people, thousands of acres, the air, water, wildlife, noise level, tourism, real estate, archeological sites, and the quality of life, for ONE DAY of energy and for ONE REASON: The economic windfalls of these corporate executives ---based on antiquated, predatory mining laws? I live in Cerrillos. I have never done anything to Tecton but they threaten my air, water, property values (all my nest egg is in my home), quiet, way of life, and peace of mind. There are some areas that are fragile, unique, and unsuitable for	Jack Williams

COMMENT	NAME
oil/gas development. The Galisteo Basin is one of them. NO to destroying my neighborhood, property values, and most important, water. TO: NM Energy, Minerals and Natural Resources Department FR: Fred and JJ Milder, Galisteo, NM RE: Oil and Gas Development in Santa Fe County and the Galisteo Basin DATE: April 15, 2008 In the best interests of the public, for the continued growth and prosperity of New Mexico, the State needs to adopt a set of comprehensive plans, either by legislation, or by executive order, detailing a reasonable balance between various activities and land uses in the State. Perhaps nowhere in the State is this more true than in Santa Fe County and in the Galisteo Basin in particular. A plan for development and shared land use needs to be established in SF County and the Galisteo Basin because the County is: 1) the seat of the State government, 2) an area that is the generator of and dependent on tourism for its economy, 3) the second largest art market in the country, with the majority of artists living in the County, and the majority of the buyers from outside the State, 4) an area with high real estate values, bringing associated, valued economic activity and taxes to the State, 5) an area inclusive of a broad range of cultures and particularly, active Native American communities and ancient Native American dwelling places and archaeological treasures, 6) an area that the majority of the residents have chosen to live in because of its unique combination of cultures, sophistication, openness, urban and recreational activities, natural beauty, and healthy environment. In the Galisteo Basin, several of these components are heightened in importance. The Galisteo Basin is an extremely fragile and unique region of the State. Native Americans lived in Galisteo and the area abounds with documented and undocumented ruins and artifacts. Almost none of these are physically protected. The region is home to many native animal, bird and reptilian species, and is on the migratory path of numerous bird species. It is a region of expansive vistas, several natural parks, significant horse-keeping and riding activity and many local artists. The Basin contains significant undeveloped areas, but even these are well utilized for quiet and non-invasive activities by the locals, the neighboring communities' populations, and even our educational institutions because of their pristine quality. The Basin also contains several areas of higher density populations, and includes the planned communities comprising The Galisteo Basin Preserve, being developed by The Commonweal Conservancy, in conjunction with State and County planners. The Galisteo Basin Preserve communities run the gamut from village, to individual small acreage homes, to larger landholdings with single homes and conservation easements, to guaranteed never-to-be-developed open space. The Galisteo Basin Preserve epitomizes the shared-use, conservation-oriented, intelligent development that can occur and benefit the entire area when time, thought and effort go into a development plan. In the Galisteo Basin, one item of extreme importance to the health of the community and region, both literally and figuratively, is water. Availability of potable water is critical. There is no surface water available for use in the Basin. There is also no municipal water. All home owners, and indeed all business, live off of well water. The larger aquifer is broken into several smaller aquifers by rock formations and the geo-hydrology is complex. Any intrusion into an aquifer has the potential of destroying the potable water source for tens to over a thousand homes. And obviously, a contamination of one of these aquifers could take years to correct, even with an active response. Our family lives on the West Basin Preserve in Galisteo, which is the smallest community of Commonweal's Galisteo Basin Preserve. Our deed covenants and conservation easement include leaving our entire property undeveloped, with the exception of the region immediately surrounding our house. For one, this is to	Fred & JJ Milder

COMMENT	NAME
preserve animal habitat and view shed. But also, we cannot participate in any activities on our property that will encourage erosion. We cannot plant or otherwise introduce any non-native plant species, with the exception of our courtyard garden. We cannot use well water for irrigation. We are required to be entirely off-grid as regards electricity and heat. We are not allowed any above-ground utilities. (Indeed, we have no utilities provided sub-surface either.) We cannot have industrial or commercial activities on our property. Not insignificantly, we are the closest home to Petroglyph Hill, a recognized and surveyed Native American archeological site which, nevertheless, is not even fenced or otherwise protected. For the County's benefit, we keep an eye on activity on Petroglyph Hill for the Santa Fe County Open Space division. In the past, there have been petroglyph artifacts defaced and even stolen from the area. Also not insignificantly, we are the closest active well to the proposed Tecton drilling site off of County Road 42. Our well taps the aquifer that Tecton will be drilling through. When you include our neighbors within a reasonable 3-mile radius from Tecton's site, there are 20 or more active wells in the area. If oil and gas development is allowed into Santa Fe County nearby Santa Fe, and in particular into the Galisteo Basin, all of the above will change for the worse. Oil and gas development brings with it much more than a few well heads and tax revenue to the State. In this instance, it will ultimately destroy the key reasons why Santa Fe County and the Galisteo Basin are the attractive and vibrant regions they are. Consider: • The only water resources in the Basin are obviously threatened, there being many well documented cases of aquifer contamination due to drilling and extraction. • Roads will need to be built throughout the region to accommodate the collection of the oil. Who will ultimately pay for the new roads and their increased usage? • With the increased traffic of large trucks and the introduction of incessant industrial activity throughout the Basin, artists and others will move away and find other places to live and work. • The natural beauty of the area will be destroyed by roads, noise, nighttime lights, air pollution (no electrical power is available to most of the region's potential drilling sites), waste disposal, continuous industrial activity and vista destruction. • The health of the area residents will be directly threatened by a panoply of potential pollution and contamination issues, particularly given the proprietary claims of the oil and gas industry for the various solutions they use for drilling, fracking and extraction, and their exclusion from the federal Clean Water Act. • Tourists will cease to come here for quiet relaxation, enjoyment of nature, the health benefits of a pristine environment, cultural interest or art purchase. Given that the largest producer of wealth and economic activity in the County and the State is tourism, including nature activities and the cultural and art markets of the region, this cannot be overemphasized. • Real estate transactions in Galisteo Basin have already come to a standstill, with several contracted transactions having even been terminated. Real estate values all over the County will be negatively impacted, driving away the market for first and second homes, as wealthy individuals will look for less disturbed areas to vacation. A tax loss to the County (property taxes) and the State (transaction and GRT) will result. • Animal habitats will be destroyed and/or disturbed. • Native American ruins and artifacts will, at best, be disturbed, and at worst, be destroyed or stolen. • Increased traffic from other areas of the country will intentionally or inadvertently bring non-native plant and animal species to the area, potentially threatening our own fragile native species. • A population of transient workers, largely from elsewhere, will move temporarily in and out of the area. (This has been elsewhere previously documented.) These workers are less likely to value the reasons why the local population is here and will likely contribute to degrading the environment, whether by casual roadside trash disposal, intentional theft of valuable	

COMMENT	NAME
and unprotected archaeological artifacts, or other undesirable behaviors. In summary, the State has the responsibility to act in the overall best interests of its population, at times overriding the rights of both residents and non-residents. The State has long been properly exercising this responsibility and power in the form of regulations, exclusions, and limitations on various industrial, commercial and private activity. In the case of the Galisteo Basin, the State should justifiably feel compelled to impose well thought-out limitations and exclusions on development. And for oil and gas development, there can be only one conclusion – it should be completely excluded from the region. Oil and gas are finite energy sources. This is an opportunity for the State to use the Galisteo Basin oil and gas moratorium to develop a plan of thoughtful, shared land use including green industries, preserved open space, and renewable energy. The plan could be a positive model for the next administration, the entire country, and even the world, demonstrating what can and must be done to create a sustainable economic base while protecting land, wildlife, public health and natural habitats, and simultaneously decreasing global warming. TO: NM Energy, Minerals and Natural Resources Department FR: Fred and JJ Milder, Galisteo, NM RE: Oil and Gas Development in Santa Fe County and the Galisteo Basin DATE: April 15, 2008 In the best interests of the public, for the continued growth and prosperity of New Mexico, the State needs to adopt a set of comprehensive plans, either by legislation, or by executive order, detailing a reasonable balance between various activities and land uses in the State. Perhaps nowhere in the State is this more true than in Santa Fe County and in the Galisteo Basin in particular. A plan for development and shared land use needs to be established in SF County and the Galisteo Basin because the County is: 1) the seat of the State government, 2) an area that is the generator of and dependent on tourism for its economy, 3) the second largest art market in the country, with the majority of artists living in the County, and the majority of the buyers from outside the State, 4) an area with high real estate values, bringing associated, valued economic activity and taxes to the State, 5) an area inclusive of a broad range of cultures and particularly, active Native American communities and ancient Native American dwelling places and archaeological treasures, 6) an area that the majority of the residents have chosen to live in because of its unique combination of cultures, sophistication, openness, urban and recreational activities, natural beauty, and healthy environment. In the Galisteo Basin, several of these components are heightened in importance. The Galisteo Basin is an extremely fragile and unique region of the State. Native Americans lived in Galisteo and the area abounds with documented and undocumented ruins and artifacts. Almost none of these are physically protected. The region is home to many native animal, bird and reptilian species, and is on the migratory path of numerous bird species. It is a region of expansive vistas, several natural parks, significant horse-keeping and riding activity and many local artists. The Basin contains significant undeveloped areas, but even these are well utilized for quiet and non-invasive activities by the locals, the neighboring communities' populations, and even our educational institutions because of their pristine quality. The Basin also contains several areas of higher density populations, and includes the planned communities comprising The Galisteo Basin Preserve, being developed by The Commonweal Conservancy, in conjunction with State and County planners. The Galisteo Basin Preserve communities run the gamut from village, to individual small acreage homes, to larger landholdings with single homes and conservation easements, to guaranteed never-to-be-developed open space. The Galisteo Basin Preserve epitomizes the shared-use, conservation-oriented, intelligent development that can occur and	Fred & JJ Milder

COMMENT	NAME
benefit the entire area when time, thought and effort go into a development plan. In the Galisteo Basin, one item of extreme importance to the health of the community and region, both literally and figuratively, is water. Availability of potable water is critical. There is no surface water available for use in the Basin. There is also no municipal water. All home owners, and indeed all business, live off of well water. The larger aquifer is broken into several smaller aquifers by rock formations and the geo-hydrology is complex. Any intrusion into an aquifer has the potential of destroying the potable water source for tens to over a thousand homes. And obviously, a contamination of one of these aquifers could take years to correct, even with an active response. Our family lives on the West Basin Preserve in Galisteo, which is the smallest community of Commonweal's Galisteo Basin Preserve. Our deed covenants and conservation easement include leaving our entire property undeveloped, with the exception of the region immediately surrounding our house. For one, this is to preserve animal habitat and viewshed. But also, we cannot participate in any activities on our property that will encourage erosion. We cannot plant or otherwise introduce any non-native plant species, with the exception of our courtyard garden. We cannot use well water for irrigation. We are required to be entirely off-grid as regards electricity and heat. We are not allowed any above-ground utilities. (Indeed, we have no utilities provided sub-surface either.) We cannot have industrial or commercial activities on our property. Not insignificantly, we are the closest home to Petroglyph Hill, a recognized and surveyed Native American archeological site which, nevertheless, is not even fenced or otherwise protected. For the County's benefit, we keep an eye on activity on Petroglyph Hill for the Santa Fe County Open Space division. In the past, there have been petroglyph artifacts defaced and even stolen from the area. Also not insignificantly, we are the closest active well to the proposed Tecton drilling site off of County Road 42. Our well taps the aquifer that Tecton will be drilling through. When you include our neighbors within a reasonable 3-mile radius from Tecton's site, there are 20 or more active wells in the area. If oil and gas development is allowed into Santa Fe County nearby Santa Fe, and in particular into the Galisteo Basin, all of the above will change for the worse. Oil and gas development brings with it much more than a few well heads and tax revenue to the State. In this instance, it will ultimately destroy the key reasons why Santa Fe County and the Galisteo Basin are the attractive and vibrant regions they are. Consider: • The only water resources in the Basin are obviously threatened, there being many well documented cases of aquifer contamination due to drilling and extraction. • Roads will need to be built throughout the region to accommodate the collection of the oil. Who will ultimately pay for the new roads and their increased usage? • With the increased traffic of large trucks and the introduction of incessant industrial activity throughout the Basin, artists and others will move away and find other places to live and work. • The natural beauty of the area will be destroyed by roads, noise, nighttime lights, air pollution (no electrical power is available to most of the region's potential drilling sites), waste disposal, continuous industrial activity and vista destruction. • The health of the area residents will be directly threatened by a panoply of potential pollution and contamination issues, particularly given the proprietary claims of the oil and gas industry for the various solutions they use for drilling, fracking and extraction, and their exclusion from the federal Clean Water Act. • Tourists will cease to come here for quiet relaxation, enjoyment of nature, the health benefits of a pristine environment, cultural interest or art purchase. Given that the largest producer of wealth and economic activity in the County and the State is tourism, including nature activities and the cultural and art markets of the region, this cannot be overemphasized. • Real estate transactions in Galisteo Basin	

COMMENT	NAME
have already come to a standstill, with several contracted transactions having even been terminated. Real estate values all over the County will be negatively impacted, driving away the market for first and second homes, as wealthy individuals will look for less disturbed areas to vacation. A tax loss to the County (property taxes) and the State (transaction and GRT) will result. • Animal habitats will be destroyed and/or disturbed. • Native American ruins and artifacts will, at best, be disturbed, and at worst, be destroyed or stolen. • Increased traffic from other areas of the country will intentionally or inadvertently bring non-native plant and animal species to the area, potentially threatening our own fragile native species. • A population of transient workers, largely from elsewhere, will move temporarily in and out of the area. (This has been elsewhere previously documented.) These workers are less likely to value the reasons why the local population is here and will likely contribute to degrading the environment, whether by casual roadside trash disposal, intentional theft of valuable and unprotected archaeological artifacts, or other undesirable behaviors. In summary, the State has the responsibility to act in the overall best interests of its population, at times overriding the rights of both residents and non-residents. The State has long been properly exercising this responsibility and power in the form of regulations, exclusions, and limitations on various industrial, commercial and private activity. In the case of the Galisteo Basin, the State should justifiably feel compelled to impose well thought-out limitations and exclusions on development. And for oil and gas development, there can be only one conclusion – it should be completely excluded from the region. Oil and gas are finite energy sources. This is an opportunity for the State to use the Galisteo Basin oil and gas moratorium to develop a plan of thoughtful, shared land use including green industries, preserved open space, and renewable energy. The plan could be a positive model for the next administration, the entire country, and even the world, demonstrating what can and must be done to create a sustainable economic base while protecting land, wildlife, public health and natural habitats, and simultaneously decreasing global warming.	Sonya Bergschneider Benson
I am writing to inform you that I am strictly against oil drilling in the Galisteo Basin. I am a businesswoman in Madrid and live nearby off of the grid. The oil drilling that has been proposed has raised several concerns, one of the most important being the threat to ground water. No matter what the oil company claims, they cannot guarantee that the purity of the ground water can be unhindered in immediate future nor long-term. There are so many reasons that I object, and in no way do I support this endeavor. Please hear my objection and protect this habitat for beauty and wildlife alike. Sincerely, We are COUNTING on you to highly limit oil & gas drilling permits, with the proper studies, in Galisteo Basin (GB) & Santa Fe county for these TOP 10 REASONS: 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using	Susanne Hoffman-Dooley

COMMENT	NAME
seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mnt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, and amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/inducedq/iis.html. We live in a rift basin with late active Tertiary faulting--which has seismological consequences. "An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured	

COMMENT	NAME
hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors) , versus last quarter-- any future drilling in the area would have even deeper impacts. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after	Lois Gilbert

COMMENT	NAME
producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mnt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/inducedq/iis.html. We live in a rift basin with late active Tertiary faulting-- which has seismological consequences. "An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state	

NAME	COMMENT
NAME	PARKS: Many areas are VERY fragile due to expansive Anasazi ruins/relics.... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years; just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors) , versus last quarter-- any future drilling in the area would have even deeper impacts. We are COUNTING on you to highly limit oil & gas drilling permits, with the proper studies, in Galisteo Basin (GB) &

Richard Khanlian

COMMENT	NAME
Santa Fe county for these TOP 10 REASONS: 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mnt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/inducedq/iis.html. We live in a rift basin with late active Tertiary faulting--	

COMMENT	NAME
which has seismological consequences. " An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley. " 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many	

COMMENT	NAME
people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors) , versus last quarter-- any future drilling in the area would have even deeper impacts. Dear New Mexico Energy, Minerals and Natural Resources Department, We attended the March 29th, 2008 input event at SFe Community College "concerning the issue of oil and gas development in Santa Fe County and the Galisteo Basin." We spoke at length with Glenn Von Gonten of OCD for which we wish to thank him for his time and his willingness to take notes of our concerns. In addition to his notes (that we wish to make sure are entered into the record) we wish to add or reiterate ours here. First, please embrace THE PRECAUTIONARY PRINCIPLE (Raffensperger, Montague, and others) that says, "When an activity raises threats of harm to human health or the environment, precautionary measures shall be taken, even if some cause-and-effect relationships are not fully established scientifically". "The precautionary principle always inquires about alternatives. Is there a less dangerous option?" "The precautionary principle advocates zero degradation of the environment because of the uncertainty of risk assessment. Why? The webs of ecological relationships are too complex for science totally to disentangle." We support: 1) Strong pit regulation (no pits) and mandatory, carefully designed, "closed loop" systems. 2) Funding for more enforcement officers to guarantee regulation of oil/gas wells. 3) Full funding for OCD attorneys and staff. 4) Full disclosure of all intended fracturing fluids and an out-right ban on any pollutants. 5) Prohibition of directional drilling near boundaries of protected areas. Unannounced monitoring should occur where directional drilling is allowed to guarantee they are kept within bounds. 6) Agency's ability to limit oil/gas wells to guarantee that subsidence will not occur. 7) Complete protection of the aquifers, and air and environmental factors via the use of the precautionary Principle. 8) Establishment of criteria for areas that are not appropriate for industrial oil and gas exploration and production, such as where populations are dependent on ground water, wildlife and parklands, or where there are fragile ecosystems or archeological sites. Thank you for the opportunity for input.	Ross Lockridge & Ann Murray
To the New Mexico Energy, Minerals, and Natural Resources Department April 15, 2008 I am writing to express my gratitude to the Governor and those who advised him for having the vision to place a temporary moratorium on oil and gas drilling in Santa Fe County and the Galisteo Basin. This has provided essential time for citizens, county council members, and all of the New Mexico State agencies to get understand the grave risk to the water supply and to study the environmental impacts in other regions of the West impacted by oil and gas. Here are some aspects that I thank you, in advance, for considering as we move forward. 1. Protection of groundwater: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water	Kathe Andrews

COMMENT	NAME
production can also be a huge problem in producing tight reservoirs. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. Permitting: NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. County Code: NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). 5. Conservation area: The Galisteo Basin has been deemed a "conservation area": Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. Many sites are at risk. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. 7. Significant potential damage to tourist industries in Santa Fe county. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. There must be code that guides use of heavy equipment, chemicals, and traffic impact. 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability with no escape routes for any emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Property values, already sliding due to housing markets - can they afford another hit without significantly damaging the local economy? Finally, it is possible that New Mexico can provide vision and example for the rest of the United States in balancing the business interests of oil and gas companies with the water requirements of growing populations, in the face of antiquated mineral rights laws. Providing these companies with simplified avenues and incentives for alternative energy investments in New Mexico could be the answer to preserving limited water while enhancing our local economy, building a technically savvy workforce, and using natural resources in a profitable yet sustainable way. Respectfully yours. Dear NM Energy, Minerals & Natural Resources Dept.: I strenuously object to allowing anyone to drill in Santa Fe County, including the Galisteo Basin for the following reasons: 1. Threat to our ground water: As President Mikhail Gorbachev expressed last night at the Lenseic: All of us on the planet have an inherent right to drinking water and this right	Gail Buono

COMMENT	NAME
needs to be formally established through the United Nations. Oil and gas drilling endangers the aquifer. We need extensive hydrogeological studies from the NM government, NOT from industry sources to determine the mapping of existing aquifers in Santa Fe county and how drilling would impact our most cherished of resources. 2. Surface Owners Protection Act: This is not enough protection for land owners. After all, the landowners pay the property taxes NOT the drilling companies. Land owners should have the right to reject drilling on their land. 3. Real Estate Values, the Art Market, and Tourist Industry will be damaged by drilling and these are important sources of revenue for our area. Thank you. In Santa Fe County we of course live in a very windy (as I write this) area that is becoming increasingly dry; i.e., any stray spark can initiate a disastrous wind-driven brush fire. (Think Southern California.) Given this level of fire risk, what can or does your department do to protect those of us living in this area from the many potential fire-causing risks generated by a oil/gas operation – everything from a careless workman's discarded smoldering cigarette butt, to a spark from a welding torch, to a dry tumbleweed blown through flaring methane into tinder-dry brush. By the time a local volunteer fire department can get collected and respond, it would already be a disaster-in-the-making. Therefore, what actions can you – or are you – taking to ensure that this potential gas/oil operations-caused fire tragedy can or will not occur in Santa Fe County? One Los Alamos-type disaster is quite enough. Thank you for your attention to this potentially-threatening issue.	Douglas Stewart
Santa Fe Association of REALTORS® April 15, 2008 New Mexico Energy, Minerals and Natural Resources New Mexico State Engineer New Mexico Department of Game and Fish New Mexico Economic Development Department New Mexico Department of Transportation New Mexico Environment Department New Mexico Indian Affairs Department New Mexico Department of Cultural Affairs New Mexico Department of Health New Mexico Tourism Department New Mexico Department of Agriculture RE: Comments on Santa Fe County Oil and Natural Gas Drilling The Santa Fe Association of REALTORS® is the largest trade association in the community with over 1,100 members engaged in all aspects of residential and commercial real estate. The Santa Fe Association of REALTORS® has adopted Quality of Life Principles which help guide the organization on policy positions. These guiding principles were used in the review of a proposed County of Santa Fe ordinance and the development of comments; particularly, those related to private property rights, quality of life, and the protection of our air, water and land. REALTORS® believe that property rights are the fundamental tenant upon which our nation was founded and strongly support the right of each individual to own, use and transfer real property. The Association is very concerned with the impact on property values, land use and the region's real estate market with increased oil and natural gas exploration and drilling. In 2006, home construction and real estate activities provided the highest number of private sector employment gains in the County of Santa Fe. These industries have produced significant economic benefits to the county and any deleterious impacts on real estate from new or expanded oil and gas drilling should be fully addressed. A recent study found that on average property owners who sell their homes during the active drilling phase of gas exploration can expect to bear a 15 percent loss of value. The property value loss is caused by a combination of quality of life impacts resulting in less owner enjoyment of the property, lending institution uncertainty and buyer risk aversion. The study also revealed that the unpredictable nature of where and when new drilling activity would occur caused risk adverse buyers and lenders to be cautious about where they would conduct business. Thus,	Donna M. Reynolds - Acting Director

COMMENT	NAME
owners in close proximity to gas activity are completely unable to sell their homes or must sell them at significant losses. Another study found that selling a property with an active well can reduce the property value by 22%. Anecdotal reports from local Realtors can demonstrate that in certain cases value loss can be far more severe than the averages suggested in these studies. And yet neither of the studies took place in a community like Santa Fe known internationally for its unique housing, art, ambiance, pristine environment and culture. A Land Value Study could provide the analysis needed to document the economic impacts on property values and the real estate industry from the proposed drilling. These economic impacts need to be addressed before the county or the state of New Mexico permits the expansion of existing or new drilling sites. Such a study of land values, economic impacts, proposed solutions or mitigation strategies would: • develop a statistically valid model that documents and quantifies variations in Santa Fe County property values; • demonstrate how property characteristics, parcel location and other factors influence residential property value; • identify possible industrial land uses (oil and natural gas drilling) that hypothetically impact property values, test these hypotheses including best- and worse- case scenarios and quantify the impact of these used on residential property values; • expand the explanation of property value variations with non-statistical; anecdotal information; and • identify policy alternatives that could be employed to mitigate the impact of industrial activities on residential property values including the development of a compensation fund to provide relief to impacted property owners. It will be important for the state of New Mexico to evaluate the economic data under various best- and worse- case scenarios to ascertain the full range of economic impacts. For example, a scenario with minimum oil and gas drilling exploration but water contamination or other environmental degradation occurred during the drilling phase that will impact present and future property values. Or a scenario, where ample oil/gas resources are found and extracted with many drilling sites as well as gas pipelines established highly impacting quality of life issues such as pollution, noise, traffic and view-sheds. In researching property value impacts from oil and gas drilling, the Association found that new, productive oil and gas drilling can produce serious and complex housing issues. As a community attracts rapid growth from this industry expansion, it will need to provide affordable housing for oil and gas industry workers. Affordable housing is a major issue facing the Santa Fe community. In fact, the Association is in the process of establishing a "Housing Dialogue" in collaboration with the City and County of Santa Fe as well as other key stakeholders to address current housing needs. Rapid growth from oil and gas drilling will certainly exacerbate housing affordability in the area. To address these land value concerns, the Association urges the state of New Mexico to add the requirement of providing a thorough and comprehensive economic impact report, to include the above-suggested study elements, before permitting new oil and gas exploration or drilling in Santa Fe County. The Santa Fe Association of REALTORS® is vitally concerned with ensuring that our neighborhoods and communities offer a safe and healthy environment to preserve and enhance our quality of life. The Association believes it is imperative that the state of New Mexico provide strong, transparent measures to protect the health and safety of our residents from known and potential environmental hazards associated with oil and gas drilling. The most prudent method of protecting residents would be to prohibit the use of toxic or hazardous chemicals in the drilling and fracturing process. Not only should chemicals that have harmful effects on humans be prohibited but transparency should be provided through an independent analysis of any chemicals and methods used in the drilling process to determine harm. The Association urges the state of New Mexico to	

NAME	COMMENT
Wilson L. Good	prohibit the use of toxic or hazardous chemicals in the drilling and fracturing process to protect the health and safety of its residents and seek an independent analysis of chemicals used to determine harmful effects on humans. The Santa Fe Association of REALTORS® recognizes the importance of water as one of the cornerstones of private property rights and supports the preservation of this fragile, natural resource to protect our existing and future housing stock. The Association is concerned with the proposed County of Santa Fe setback provisions that would permit drilling within 200 feet of water wells. This is a relaxation of their existing Mining Ordinance which requires a setback of 500 feet from any mining operation. The current ordinance also does not address alternative extraction techniques such as hydraulic fracturing that can impact groundwater. Additionally, the proposed local ordinance does not require the applicant to provide evidence that they have sufficient water rights, with proven water availability, to accommodate normal operations or emergency requirements. The protection of our groundwater and aquifers is vital to the long term economic health of our region. To fully protect our precious water resources, the Association urges the state of New Mexico to require a setback for water wells that will ensure that they are adequately protected from contamination, establish requirements for the use of alternative extraction techniques and provide evidence that the applicant possesses water rights sufficient to accommodate normal and emergency operations. The Santa Fe Association of REALTORS® recognizes the superb landscape and natural amenities in which New Mexicans are privileged to live and are firmly committed to protecting that quality of life. The Association is concerned with impacts on quality of life from oil and gas drilling including but not limited to site contamination, noise, traffic, dust and diminished view-sheds. These quality of life impacts must be fully mitigated. Noise can be produced from subsurface explosions, drilling operations, truck traffic, rig construction, pumps and product hauling. Regular and consistent truck traffic will generate significant dust and readily wear down existing roadways. Some of the private roads and driveways in the region are nearly impassable in wet and icy weather and will experience further degradation. The Association urges the state of New Mexico to require best management practices that include: setback requirements that mitigate for excessive noise and visual impacts; requiring crews to work only during certain hours; the provision of landscaping around well pads; use of pneumatic pumps that are quieter than conventional ones; housing compressors in structures to reduce noise; use of closed loop systems and extensive groundwater testing to prevent point source water pollution; and requiring the applicant to provide for the repair and maintenance of county roads, community roads and private driveways for regular and emergency access. Lastly, the Santa Fe Association of REALTORS® is concerned with locally proposed laws that provide for variances to the ordinance provisions and limitations on the public review process. The County of Santa Fe is no longer establishing a Mining Plans Review Board designed to bring a variety of technical expertise and public oversight to the application review process. These duties are now assigned to a single individual, Oil and Gas Inspector, who may only have a contractual relationship with the county. To strengthen the ordinance, the Association has urged the County of Santa Fe to clearly denote that all variance requests will be subject to public notice, comment and public hearing for each well application and to include the review, approval and oversight of multiple entities that include all relevant technical and professional fields as well as members of the public. On behalf of the Association, I respectfully urge your consideration of these comments. Sincerely yours. From: Wilson L. Good and Suzanne Fuqua The extraction of oil and gas from the earth is a process that cannot be done

COMMENT	NAME
without having many far-reaching and long-term effects on people and the environment. The extractive industries have always left a path of devastation and destruction wherever they have gone. The extent of the damage they leave behind depends on the degree of "reclamation" they are forced to perform. It is never 100%, or even close. The benefits to the industries are great. The benefits to the citizens who live in the mined and drilled areas are short-term and far outweighed by the long-term (essentially permanent) costs of environmental contamination and reduced quality of life. The ways in which oil/gas drilling would have negative effects in Santa Fe County are so numerous it makes one wonder how the county and the state can even seriously consider granting any permits to allow drilling. And these negative effects will occur even if Tecton comes up with little or nothing from its efforts. Let's look at some of the negative impacts and consider the costs in each of these areas against even the most optimistic potential benefits to the county and to the state. 1) We live less than two miles from the San Marcos Pueblo, an archeological site which has yet to be excavated. According to Tecton's map, this ancient pueblo lies within the area which they have targeted for drilling. There are other archeological sites within the Galisteo Basin, many no doubt still undiscovered. 2) We live in an area where the most residents get their water from a private well or a shared well. A few residents already have to haul their water in from a commercial source because water is not available where they live. Tecton has made it clear that it intends to use fracturing as the method by which to get to the oil and gas that may or may not lie under the surface. Based on the experience of many other communities in this state and throughout the country, the pollution of our aquifers is a near certainty. Whatever damage is caused to the aquifer will be compounded by this violent assault on the geological and hydrological formations. 3) We chose to live in Santa Fe County twenty years ago. One of the reasons we chose to live here was an economy based on clean, dependable economic foundations, state government, educational institutions, and tourism. We had recently left western Colorado, where the economic boom in oil shale exploration had suddenly turned to a bust. 4) Our real estate values are a reflection of the quality of life we enjoy. We have watched real estate prices in Santa Fe County rise over the past twenty years. If drilling is allowed to proceed in the Galisteo Basin, we will see real estate values plummet throughout the county. 5) We have come to appreciate the quality of life that is available in this fragile ecosystem, with its clean air, clean water, and quiet, wide open spaces not yet contaminated by human activities. "Noises", to the extent that we hear them, are mostly the sounds of nature -- birds, coyotes, wind, rain, and people living. Oil and gas drilling and extraction would forever change all of this. Instead, we would hear the constant sound of pumps, drilling rigs, construction equipment, and heavy truck traffic bumping up and down our roads which were not built to take this kind of traffic. 6) Our roads are designed to carry mostly residential traffic to the places where people live. The presence of oil and gas activities would cause the deterioration of these roads as well as the need to build many new roads whose sole purpose would be access to the drilling sites. The new roads, of course, would cause permanent damage to our environment in addition to air pollution from the dust they would produce. 7) We do not understand how the ownership of minerals under the ground gives any person or company the right to cause substantial damages to surface owners and to society in their pursuit and extraction of those minerals, without full compensation. If Tecton and other such companies were required to provide "full compensation", there is no amount of oil under the ground, at any price, that would justify their efforts to extract it...because our clean air, clean water, relatively undisturbed ecosystem, our clean economy, and our quality of life are PRICELESS! And irreplaceable. 8) We are asking	

NAME	COMMENT
Susan H. Bell	that a thorough, objective cost/benefit study be done by a reputable consulting firm. The current moratorium should be extended as far into the future as needed to complete the study. The purpose of such a study should be to determine what price and what limitations Tecton (and others) should be prepared to accept for conducting their "legal" activities in Santa Fe County. We, the people who live here, deserve no less. It is our home. And it's your home, too. Of all our natural resources water is by far the most important. Our water for all citizens of NM must be protected. I have a friend in La Veta CO who lives in a community which has had all the private water wells impacted by drilling. Coal bed methane wells have poisoned wells and where wells are not rendered un potable it has reduced the water level causing pumps to burn out. Land owners are forced to install cisterns to receive trucked in water when their wells run dry or are poisoned. There are not enough protections in place to protect our water. The assurances by Tecton and others in the industry that aquifer pollution by the fracturing process is not enough. Nor is a \$10,000 bond. The amount of water used in the drilling process has not been clarified. The figures vary widely according to the source... from 70,000 to 300,000 gallons per fracture. Why should the he city of Santa Fe restrict landscape watering and prohibit washing of automobiles if this amount of water is cavalierly allocated to the drilling companies. The Surface Owners Protection Act is nowhere near enough to protect landowners. The \$50,000 bond proposed by the County of Santa Fe, though it is higher than the \$10,000 bond Tecton posted for Black Ferrill #1, cannot come close to restoring the fragile landscape & appurtenant roadways destroyed by a well drilled, responsible well. How much would it cost to restore a landscape destroyed by an accidental spill or to hold a bankrupt wildcat company accountable? Drilling in Santa Fe County poses the question zoning. Well sites in the Galisteo Basin are in areas zoned residential. No commercial development is allowed here. Why is this huge industrial venture even allowed here with the roads, the pipelines, the trucks, the traffic needed to support drilling?
Rhonda Baker	April 15, 2008 Dear State Agencies, Departments and Decision-Makers, My property was singled out 7 months ago by Tecton Energy for drilling proposed exploratory oil wells. The well location was within 0.5 mile of neighboring residences and 8 water wells, far too close to human habitation and to our scarce water sources. Recently, a drill pad location has been marked out on the land without permission or prior contact. Over the past 7 months, I have committed significant financial resources in hiring legal and technical resources, in addition to my own time in research and letters. I applaud the State and County moratoriums which provide time for conducting necessary research, consultation with technical professionals, and the formation of those right and prudent decisions which will impact Santa Fe County for the far future. The properties in question are designated, by the County, as an "extreme" fragile environment, a "conservation" land, with little rainfall and sparse sub-surface water resources. Moreover, the land around Gold Mine Road is today more like a rural-suburb than the nearly-empty ranch land of the past century. Things have changed. I am concerned about protecting diminishing water resources, preservation of the land, wildlife, the archaeological and historical significance of the area and artifacts, and the future of Santa Fe County as a unique entity in the world. Santa Fe County is aware of its worldwide reputation, and that unique historic, natural, and cultural image is at risk should the oil and gas industry be approved in the County. This industry is difficult to regulate while giving adequate protection to nature and people. Enforcement is also a huge concern based on the industry's past reputation. They have far deeper pockets than the taxpayers. It brings a different type of worker to the area, and it can change the fabric of the society. Please take a look at northern Alberta. I hope that these

COMMENT	NAME
few comments about water resources, nature, land, history, archaeology, society, culture, regulation and enforcement, are of assistance in your efforts. Thank you very much for doing the hard detailed work and whatever is required in order to make the right decisions in this issue. Things are different today, and people are not as willing to see the things that make a place special, be thrown over in the cause of oil. Sincerely. We are COUNTING on you to highly limit oil & gas drilling permits, with the proper studies, in Galisteo Basin (GB) & Santa Fe county for these TOP 10 REASONS: 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. SAFE DRINKING WATER IS A FUNDAMENTAL AND INALIENABLE RIGHT FOR ALL LIFE ON THE SURFACE. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist JOHN SHOMAKER confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mountain slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical EIS studies, produced sources unaffiliated with og, must be completed and protective restrictions enforced before even one new permit is granted. One new permit opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. There is NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based	Linda Spier

NAME	COMMENT
	on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For example, there are fracturing techniques are so extreme that they are known to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/induceq/iis.html. We live in a rift basin with late active Tertiary faulting-- which has seismological consequences. " An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state: The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB--does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing

COMMENT	NAME
job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors), versus last quarter-- any future drilling in the area would have even deeper impacts.	E. Franklin Hirsch
Living in the Galisteo Basin it is naturally of great concern to me and my neighbors that the Tecton Company not be allowed to test drill in the hopes of finding gas and oil (which has a supposed maximum of supplying the Country with one day's Needs): 1) This is primarily a residential area with a few thousand people living in there who rely upon private wells. There is a chance that in spite of the precautions taken the basic aquifer and water supply could be contaminated. What then? 2) Supposedly the basin is one of the most significant archeological areas in the country. Has there been a study to determine the possible impact of drilling upon this area? The only compelling reasons for drilling are, of course, financial for those involved with the oil companies and the few receiving compensation from this (some non-residents who sold or leased their mineral rights) and the tax monies that would flow to the State, etc. I realize there is a need for this nation to become more self-dependent on oil but why choose such an obvious vulnerable and unsuitable area (especially with the small potential)? There were those that opposed drilling in the uninhabited Artic and won because of the threat to the tundra and wildlife!! This makes us, the people who live in the Basin, of less importance than the animal inhabitants and fauna of the Artic - i.e., except we can appeal for help to departments like yours and of course vote! Thanks for your consideration. Based upon a two-year study funded by the 2004 New Mexico Legislature,* the Santa Fe Conservation Trust urges the protection of the Galisteo Basin from the negative impacts of fossil fuel exploration and extraction. We believe that such activities will damage or destroy irreplaceable habitat, protected open spaces, important archaeological and cultural sites, local economies, and a way of life rooted in respect for the land. Results of the study revealed that all nine of Tecton's initial targeted well sites occur in areas of extreme sensitivity, most of them near streams, wetlands, and springs rife with archeological sites, vegetation, and wildlife. These waterways also serve as critical groundwater recharge zones for water wells in the Basin. Several well sites occur on or near established or pending conservation easement properties, and Tecton Bruce Black #5-1 is located at the site of an ongoing wetland and stream rehabilitation project funded through Governor Richardson's River Ecosystem Restoration Initiative. The implications for wildlife are clear, and the study provides hard data that compel the Santa Fe Conservation Trust to take the position that neither gas nor oil production can occur in the Galisteo Basin without permanently destroying the land and water resources on which its fragile ecosystem and our current and long-term economy depend. We urge Governor Richardson and NMEMNRD to support the permanent protection of	Rici Peterson

NAME	COMMENT
Steven Smith	the irreplaceable natural resources of the Galisteo Basin and the Rio Grande Rift from damage from oil and gas drilling activities. Very truly yours, Rici Peterson Executive Director Santa Fe Conservation Trust www.sfct.org *Rep. Max Coll and Senator Phil Griego, proponents. The study (The Galisteo Watershed Conservation Initiative: a Green Infrastructure Plan for the Preservation of an Extraordinary New Mexico Landscape), was managed by the Office of the State Engineer, overseen by Santa Fe County, UNM, and the Interstate Stream Commission, and carried out by the non-profit Santa Fe Conservation Trust and Earth Works Institute. The results are intended for use by State and County decision-makers and by the public, including landowners and the conservation community, to support land use decisions that protect the Basin's irreplaceable values. Copies are available upon request. We are landowners in the Galisteo Basin, in the specific area that is being targeted by Tecton. While we have a clear direct interest in this debate it is also true that it is a debate that should be engaged in by all citizens of Santa Fe County, and all of Northern New Mexico. If allowed to proceed, it is clear that Tecton and its various corporate followers will not rest until they have wrested every penny of profit for themselves and their investors at the cost of our health, welfare, economy, and the unique way of life that we all treasure. In such a pristine, ecologically fragile and historically important region as the Galisteo Basin, it is imperative to enact the strictest possible guidelines for potential oil, gas and mineral development. While it is legally true that lessors of mineral rights have the right to the exploitation of those resources, it is only because of the vestige of 19th century mining law that is in no way relevant for the 21st century. It is the right and duty for County and State governments to establish restrictions on such development to protect the health and welfare of all citizens, including protection of increasingly scarce and essential water sources, preservation of human and wildlife habitat and protection of what may be some of the most valuable archaeological and historical sites and artifacts in all of North America. This kind of industrial development would be an absolute disaster for the economy of Santa Fe County, and the entire northern New Mexico region. It would destroy the increasingly active and growing creative aspects of our economy including arts and culture, the burgeoning film industry and the enormous amount of business based on tourism. Who could possibly expect that creative artists, producers, directors, and culturally and environmentally curious tourists from throughout the world would continue to bring their money and its attendant economic benefits to our region if it becomes a polluted, water-deprived wasteland? The oil and gas industry is increasingly vocal in its efforts to bully our county into submission. They raise the "benefits" of economic development and job creation at the same time as they threaten legal action if we attempt to prevent them from what they feel is their God-given right. In fact, their proposed benefits are not local job creation, it is the importation of outside workers, many of whom come with documented negatives such as drug abuse, violence and complete disregard for local culture and values. Tecton's record in Canada is testament to their callous attitude toward the communities that they invade. In short, there is no assessment of oil, gas or mineral development that could, in any way, be construed as a positive benefit for Santa Fe County. To Whom It May Concern: I am a lifelong resident of the Galisteo Basin and strongly oppose any kind of oil-related well drilling. My opposition is based upon many concerns. These include: 1. Damage to the surface lands due to roads, drilling pads, foot-traffic, transport of materials and product; 2. Damage to the health and connectivity of the ecosystem as a result of the above-mentioned concerns; 3. Damage to archeological and other historically and culturally sensitive sites;

Jack Dant

COMMENT	NAME
4. Damage to personal property (my family owns land within the proposed drilling area; 5. Unintentional damage to subsurface water resources as a result of any kind of drilling; 6. The waste of water resources to drill; 7. The promise of wind and solar energy as viable energy alternatives to polluting fossil fuels; and 8. A deep concern for the life experience of all animals and plants but especially my children who will be unable to enjoy the true beauty of the Galisteo Basin if it is peppered and polluted by wells, rigs, and roads. Please, PLEASE do not drill these sacred and wild lands. They provide more for all untouched than raped by greedy private corporations. Sincerely. A couple of more points: Re: SAFE DRINKING WATER IS A FUNDAMENTAL AND INALIENABLE RIGHT FOR ALL LIFE ON THE SURFACE. The oil industry is currently exempt from the Federal Safe Drinking Water Act as well as exempt from surface water run-off into non-navigable water courses = 100% of New Mexico's arroyos, streams and rivers. The Galisteo Basin not only drains several thousand square miles into the Rio Grande River, it also serves as a major groundwater recharge zone for Santa Fe County. And there are no existing health studies of long-term, low-level exposure to VOCs which are released from fractured earth and in the fracturing chemicals mixed with water and sand used by the industry. EIS studies need to take into account topography and wind patterns.	Linda Spier
To Whom It May Concern: I am a lifelong resident of the Galisteo Basin and strongly oppose any kind of oil-related well drilling. My opposition is based upon many concerns. These include: 1. Damage to the surface lands due to roads, drilling pads, foot-traffic, transport of materials and product; 2. Damage to the health and connectivity of the ecosystem as a result of the above-mentioned concerns; 3. Damage to archeological and other historically and culturally sensitive sites; 4. Damage to personal property (my family owns land within the proposed drilling area; 5. Unintentional damage to subsurface water resources as a result of any kind of drilling; 6. The waste of water resources to drill; 7. The promise of wind and solar energy as viable energy alternatives to polluting fossil fuels; and 8. A deep concern for the life experience of all animals and plants but especially my children who will be unable to enjoy the true beauty of the Galisteo Basin if it is peppered and polluted by wells, rigs, and roads. Please, PLEASE do not drill these sacred and wild lands. They provide more for all untouched than raped by greedy private corporations. Sincerely.	Carrie McConaughy
I am very concerned about pollution of groundwater and changes in sub-surface rock strata as a result of oil and gas exploration and development in the Galisteo Basin, and elsewhere in New Mexico. Water will be the most important issue of the 21st century. We need to be certain that our water resources will not be harmed or come second to energy needs. Thank you.	Nancy E. Woodward
We are COUNTING on you to highly limit oil & gas drilling permits, with the proper studies, in Galisteo Basin (GB) & Santa Fe county for these TOP 10 REASONS: 1. We MUST protect our ground water ABOVE ALL: Oil and gas drilling depletes surface & formation water. We have a state recognized endangered aquifer in the Galisteo Basin. In the desert, water is more important than oil. Estimates of 70,000 to 300,000 gallons of water (per fracturing interval) are required to drill each wild cat well. Given the extreme Low porosity/permeability reservoir in the GB, many zones will need fracturing per well. This is demonstrated by the 44 exploration wells already drilled in the GB in the 1970's, 80's. In addition, the wells may be re-fractured multiple times after producing. Our state cannot afford this water burden or the chance that our precious ground water could be contaminated under any circumstances. There are documented studies from Colorado, with a very	Carola Clift

COMMENT	NAME
similar kind of reservoir to ours, where oil/gas companies have polluted the ground water through failed fracturing techniques. Tecton's Exploration wells are located in "sweet spots" in GB with high natural fracture densities using seismic & geophysical technologies. Expert hydrologist confirmed (12-19-07 report) that all 8 Tecton exploration wells are located along significant surface faults. Principal recharge areas in the area are major arroyos, basinward mnt. slopes, and major fault zones. "Such development severely alters recharge environment, causes shifts in surface runoff directions, or in amount of water available for recharge." Wildcat locations are on same "sweet spot" fault/fracture zones drilled by surface owners for groundwater. The hydrologist states "such locations should be considered unsuitable." Unwanted water production can be a huge problem in producing tight reservoirs. Anadarko drilled a 2,300 foot lateral section (Rockies), the well produced at times over 1,000 barrels per day. Key nearby unconventional plays in CO, WY are known to produce water. These problems deplete our ground water resources, and put our shallow & deep aquifers at risk for future water supply. 2. Surface Owners Protection Act (SOPA): We see this act as only a beginning. We all know that this is NOT enough protection for landowners. We understand that Tecton must post a \$10,000 bond to protect the leased property (including polluting or destroying a well). A new water well is now running between \$25-30K in the area. This does not include other damage that will occur to the land from Tecton. It would be UNJUST for officials to grant new permits until SOPA is supplemented with appropriate liability limits. 3. NO permits due to extensive environmental, economic impact, hydrogeological & archaeological studies & expertise required: Critical studies must be completed and protective restrictions enforced before one new permit is granted. One new permit only opens the floodgates for more, because it has passed the county's system. This is a serious new industry — one which the county has very little, if any experience with. We applaud the Governor and the county for hiring an independent group of experts to study this issue and to take the time needed—even beyond 12 months, to 18 months if necessary to do the in-depth studies necessary. 4. NO existing county code written on prudently governing oil/gas drilling: It's been 30 years since there was any exploration drilling in our county. The county code is primarily based on hard-rock mining code. The county needs to write extensive new code. This is due to all of the new and changing oil and gas technology. Some of it is very new and untested for long-term consequences on the environment (especially horizontal drilling and new fracturing techniques that Tecton will use). For ex., fracturing techniques are so extreme to have caused minor earthquakes in Colorado whereby operators had to change their fracturing protocol so that any earthquakes caused by fracturing could no longer be detectable by humans on the ground. There are 133 references of induced earthquake activity due to injection fracturing techniques by the Seismological Society of America http://www.nyx.net/~dcypser/induceq/iis.html. We live in a rift basin with late active Tertiary faulting-- which has seismological consequences. "An earthquake with strong local effects occurred on May 18, 1918, in Santa Fe County. At Cerrillos, people were thrown off their feet, a break in the earth's surface was noted, and fallen plaster was reported (intensity VII - VIII). Similar effects were noted at Stanley." 5. Conservation area: The Galisteo Basin has been deemed a "conservation area". Development is restricted in much of the area (for instance strict covenants restrict splitting the land up in less than 40 acres because of severe water, plant and archeological concerns). It is also being conserved for new state PARKS. Many areas are VERY fragile due to expansive Anasazi ruins/relics... many of which have not even been discovered yet. There are multitudes of threatened archeological sites. Tecton has incorrectly called it "an existing	

COMMENT	NAME
mining area." There hasn't been any mining here in over 20 years, just required reclamation work to restore the area after severe mining damage in the past. 6. High risk wildcat program too risky for our state. The kind of reservoir, fractured hard rocks, Tecton is exploring for is BY FAR the riskiest in the business. This kind of reservoir is very unpredictable, usually with a chance of success of 2-5%. It is NOT like the San Juan Basin or Permian Basin higher quality reservoirs. The chance for oil is even less than the chance for gas, as these are "tite rocks" that need BOTH native porosity and connected fractures for permeability. This is why the standard 40 acre spacing to develop the reservoirs in GB—does not work. Tecton has stated that 10 acre spacing would ultimately be needed to develop it at the Petroleum Club in Santa Fe; they do not hide this fact. However, Tecton has not publicly released the reservoir quality details or the low chance of success. They are only promising huge returns to the county, when in reality there is a 90%+ likelihood of failure. Where is the rest of the data that they are not supplying? The combined HIGH risk wildcat drilling AND HIGH risk surface access risk is too much for our state. The new SOPA will be used to delay Tecton's surface access in court because any drilling has impact on SURROUNDING areas too. It impacts our real estate values. There is a high chance of damaging our pristine high desert environment without the income return promised. 7. Real estate values, our tourist and art market will be damaged: These are the few economic pluses our county can count on. They are proven economic drivers. The risk of drilling consequences on these highly valued assets is too high for the state. When these risky wildcats don't pan out, the most likely case, the damage to our prestigious area is already done. Our area will be devalued without ANY monetary gain for the county. Our community group has documented economic impacts, in a study led by Mr. Craig Wingate with available county and expert data, and is available in PDF format upon request. 8. Double standards in Residential Zoning: These wells are in residential areas, with R1 ZONING, where commercial businesses are strictly forbidden. How can the heavy traffic, air and noise pollution, and visual impact be allowed for this kind of mega-drilling COMMERCIAL operation? There would be a double standard as to what residents are allowed to do versus an unregulated commercial industry. The amount of fracturing job equipment is extraordinary (Oil/Gas Investor): "In addition to vast network of pipe at the surface, there is a fleet of pumping trucks, truck-mounted blenders, sand containers and fracture-fluid tanks and other support vehicles. Massive amounts of fluid are pumped into the well to crack the rock and improve flow." 9. Turquoise Trail National Scenic Byway has no escape routes: The residential County Roads 55, 55A, and 42 (a well is located very close to our waste station) and the private roads affected --all have limited passing and turning radius capability. The huge trucks and equipment necessary to carry out the exploration would not even be able to turn onto these roads without major reconstruction. There are no escape routes for any other emergency situation (a house is on fire?) to get around an oil spill or fatal accident. 10. Many people have their life savings tied up in their homes and land and could lose all their valuable investment appreciation over this. Just the scare of future oil and gas drilling has significantly impacted real estate sales in the area. With Property Sales values in Santa Fe already falling down 15 % this quarter (Board of Realtors), versus last quarter-- any future drilling in the area would have even deeper impacts.	
I attach below comments that were submitted to the New Mexico Department of Game and Fish, the New Mexico Environment Department, and the New Mexico State Engineer. I have also submitted comments to the Historic Preservation Division, but unfortunately these comments are not available to "cut and paste" in this comment. Comment	Steven Sugarman

COMMENT	NAME
to New Mexico Department of Game and Fish All care should be taken to carefully preserve the biological integrity and function of the few remaining riparian areas in New Mexico. The state should prohibit all drilling activities - surface and underground - that will have any possibility of adverse impact on the habitat values of the riparian areas in the Galisteo Basin. Currently, I live at 347 County Road 55A. On my property, there is an approximately 1/4 mile long stretch of the Galisteo River that is perennial, even in the driest years. Although there are small patches of salt cedar and Russian olive along this perennial stretch of river, the vast majority of the river is a cottonwood gallery and willow forest. This small remnant of riparian habitat with perennial water is home to innumerable bird species, as well as a healthy population of small and large mammals including coyotes, mountain lions, and bobcats. (Of interest, the river on my property never freezes; there is water available for wildlife year-round.) The adverse impacts of oil and gas drilling on riparian habitats are well documented. In southeastern New Mexico, the U.S. Fish and Wildlife Service has conducted studies that show that bird populations and species variety are greatly diminished in areas that are near to oil and gas facilities, presumably as a result of degraded air quality. Also, fragmentation effects have been widely observed in connection with oil and gas developments and the noise associated with drilling, trucking, and compressor stations has an adverse effect on nesting and breeding behavior of birds, and the use of the area by large mammals. An even more significant concern is the possible impact to the perennial river associated with drilling. In Colorado, directional drilling and hydraulic fracturing have led to methane seeps in surface water, as the previously trapped gas rises through fissures to the surface. In other instances, surface water is lost as a result of newly opened fractures that form a pathway through the existing aquitard. Clearly, a State like New Mexico cannot afford to put its now limited riparian areas at risk in any way, shape, or form. I recommend the following: (1) I have reviewed the maps that the Santa Fe County planning department is using to define ecologically sensitive areas, and the County's mapping of critical wildlife areas is grossly deficient. For example, the maps now in the possession of the County do not show the location of existing riparian areas or perennial surface water. Unfortunately, the County simply does not have the capacity - the financial resources or the expertise - to map ecologically critical areas. The State should assist the County in developing comprehensive data about the existence of high quality riparian and riverine habitats in the Galisteo Basin. (2) Once high quality riparian and riverine habitats are identified, the NMDGF should work with the Oil Conservation Division to develop a rule for the Galisteo Basin that provides ample and permanent protection for these habitats from oil and gas development activities. In the past, the Oil Conservation Division has recognized unique and irreplaceable ecological resources (e.g. the aquifer underlying Otero Mesa) and has adopted site-specific rules to protect those resources. A similar rule should be developed collaboratively between the NMDGF and the Oil Conservation Division to assure that there is no risk of harm to riparian and riverine habitats. Thank you for your consideration of these comments and for doing all that you can to assure that the biological resources of the Galisteo Basin are adequately protected. Comment to the New Mexico Environment Department I understand that there is jurisdictional "gray area" with respect to which state agency -- the Oil Conservation Division or NMED's Surface Water Quality Bureau - has regulatory jurisdiction over the impacts of oil and gas development activities on surface water resources. I urge NMED to act aggressively to assert its authority to assure that the State's surface water resources are fully protected from the adverse impacts of oil and gas developments. In the past, oil and gas wildcatters have drilled adjacent to the riverbed of the	

COMMENT	NAME
Galisteo River without any apparent regard for the potential impacts of their operations on the quality of the River. Such activities should be categorically prohibited. I live at 347 County Road 55A in the Galisteo Basin, and my property is one of the properties where Tecton has indicated it wants to drill one of its first 8 exploratory wells. Running over my property is an approximately 1/4 mile long stretch of the Galisteo River that has running water throughout the winter (regardless of how low the temperatures go) and throughout the summer (regardless of how dry the year is). If oil and gas operators are allowed to drill in near proximity to this resource, its unique and irreplaceable value would be forever lost. I am attaching here below a comment that I am submitting to the New Mexico Department of Game and Fish in connection with oil and gas drilling. The observations that I make with respect to the fragile resource values of the Galisteo River are equally relevant to the New Mexico Environment Department. Finally, I note that there is an existing Memorandum of Understanding between the NMED and the OCD with respect to the regulation and protection of groundwater quality. I urge the NMED and the OCD to work collaboratively to develop an MOU dealing specifically with surface water issues to assure that this precious resource is not put at risk of harm from oil and gas drilling activities. Comment to New Mexico State Engineer As sources of M&I water become ever more scarce in New Mexico, it is important that the State protect all potential sources of water in New Mexico including deep groundwater. I understand that the Dakota Formation contains significant amounts of useable water. It is also the case that Tecton (and presumably other wildcat drillers) desire to drill into the Dakota Formation to explore for oil and gas resources. It is imperative that the State do everything possible to assure that deep groundwater resources are not degraded by oil and gas development. I urge the State Engineer to lobby for a legislative "fix" that would vest the Engineer with statutory authority to protect deep groundwater from the adverse impacts of oil and gas development. Furthermore, the proposed oil and gas drilling in the Galisteo Basin poses an especially high risk of harm to the groundwater that is currently being used by the area's residents as the only source of domestic water. There is significant anecdotal evidence of the various ways in which drilling and hydraulic fracturing have impaired domestic wells. While an EPA study concluded that hydraulic fracturing poses no threat of harm to domestic wells, that study has been widely criticized as biased and not based on the best available science. I urge the State Engineer to take the lead in performing an objective and comprehensive analysis of the potential impacts of oil and gas development on currently utilized sources of groundwater. Particularly in an area like the Galisteo Basin, where individual domestic wells are the only available source of domestic water, it is essential that the State Engineer do everything within his authorities to assure that aquifers and "pockets" of fresh water are not put at any risk of harm. The comment that I sent to the Historic Preservation Division is similar to the above comments in that it discusses the unique and irreplaceable cultural and archaeological resources of the Galisteo Basin, and urges the Historic Preservation Division to work collaboratively with the Oil Conservation Division to develop a Memorandum of Understanding and a site-specific OCD rule for the Galisteo Basin that will assure that the area's priceless cultural resources are not degraded in any way by oil and gas development. Clearly, insofar as the State's protection of the varied and extraordinary resources of the Galisteo Basin are concerned, the Department of Energy, Minerals, and Natural Resources is on the "frontline." Because the Department is best situated to see the "big picture" - that is, the way that oil and gas development fits into New Mexico's economy, but it incompatible with the resources and existing uses of the Galisteo Basin - the Department Secretary should assure that the	

COMMENT	NAME
most protective possible rules are developed to guard against all possible economic, environmental, and cultural harm from oil and gas development. After spending many years as the vice president of the local water coop and learning the history of our area, I believe it to be a travesty to start drilling oil, gas or any other mineral related substances again. A moratorium was placed on these practices 20 years ago due to the same processes, all with the same outcome. All drilling operations cause damage to our fragile ecosystem here. It is an arid desert and water, flora and fauna come at a premium. The area in question has become a bedroom community of both Santa Fe and Albuquerque in the past 20 years also. Home (and taxpayer) numbers have rose from 100's to many thousands. Without the taxpayers you will have only the oil companies monies and no voters. How will we run the state without government workers if we all have to move away due to drilling in our backyards? If you want the drilling....do it in your own backyard, please. The whole idea that our state still uses the archaic system of the "state owns the mineral rights" and the landowner has no rights to protect their investment, chaps my hide. Please take a moment to consider the ramifications of a decision to allow any kind of mineral or oil drilling in this picturesque Galisteo Basin and remember that this is the area surrounding the "Turquoise Trail Scenic Byway". A project that this state worked hard and used taxpayer's monies to establish. To say we would not see the drilling rigs, trucks and equipment would be a lie by any means, and you know it. Please, protect the interests of your public constituents as you have been hired to do. Dear interested party or agency agent, Regarding the proposed expansion of oil and gas development in Santa Fe county and the Galisteo Basin, I wish to express some significant concerns. I am a professional sound engineer and County landowner/taxpayer. I work full time in the film industry and have a studio located in the County. The uniquely quiet sonic landscape of Santa Fe County is a major draw for film production. It is a truly valuable resource to keep in mind. I can speculate about the noise effecting larger production's decision to shoot here, but I know the acoustic impact of the proposed oil/gas rigs will force me to relocate my business. The old ordinances were very strong and specific regarding noise mitigation. I would ask that any new regulations are at least as strong and specific. Thank you for your consideration! There is much which need be said. But the short of it is the lack of conducive quality which the proposed drilling presents. If New Mexico, and particularly the Galisteo basin, had unlimited water resources such as Minnesota or Michigan we would not be here today. The fact is, this is all about water, or rather the lack of it. In the first public meeting last summer Tecton's president Bill Dirks said, "If we inadvertently damaged or destroyed the aquifer, we will replace it". My question is, how would you go about replacing or providing, in perpetuity a water source for an entire area such as the Galisteo Basin that contains thousands of households and agricultural uses? Any of us that have lived in New Mexico any length of time knows that it is impossible to find vast quantities of water at any price. The oil industry has probably the worst reputation, and well deserved, for failing to follow through on any promise. The Exxon Valdez oil spill of 1989 resulted in the largest financial penalty in US history ... over 5 billion dollars, which to this day Exxon has not paid. The oil and gas industry is all about profits regardless of any damage done to people, property or the environment. The industry typically will never do the right thing unless they see there is no other option. None of us are naive here. We all know that the most powerful influence in the New Mexico State Legislature has been the oil and gas industry for many years. We also are well aware that many of the members of the legislature have been bought and paid for and regularly do the bidding of this group. In the last	Lori and Dan Levacy Michael Wiese Eliot Gould William Manns

COMMENT	NAME
legislative session they went to great lengths to reduce the budget and legal personnel in the Oil Conservation Division. It was only with intense public pressure was most of the money and jobs were restored to the very important state division. We also know that should any of you defy the will of the oil and gas industry in New Mexico your jobs and department budgets will be on the line. If it was not for Bill Richardson and his personal stand on the Galisteo Basin and desire to see more environmentally responsible drilling regulations including the recent closed loop rules the industry would in a heartbeat set out to remove any individual that got in their way. We all know that the oil and gas industry believes it has the right to drill wherever it wants and virtually anywhere in the West, including the Galisteo Basin. It does not see the Galisteo Basin as being any different than any other community they've destroyed elsewhere in the Rockies. Personally, I have traveled to every state in our Union and virtually every worthwhile community. I have also worked in over two dozen countries in Asia and Europe. Based on a lifetime of experience I can unequivocally state that the Galisteo Basin and Santa Fe are unique. There is not another county in the country that has the impressive history that stretches back to antiquity, coupled with the incredible culture oasis that Santa Fe has evolved into. The cultural evolution took over 400 years to achieve. That is why this is the richest, most cultured, best educated community in New Mexico. The pittance in oil revenues that the State or County could possibly receive is insignificant when compared to the 1.3 billion dollar annual tourist industry that Santa Fe County enjoys. This does not include the several billion more dollars that many of these tourists spend on the second or third homes they have established here. It's a simple fact that there is not a single tourist based community such as Santa Fe that co-exists with oil and gas production. These are two incompatible industries. We all know times are changing. The oil and gas industry is on its last legs in the US. The only product they can hope to extract will be in small quantities and in difficult if not impossible areas to extract. The oil and gas industry today is proceeding in the West with the blessing of the Bus administration and utilizing the split estate situation the federal Government established in the west during the 1870's. When the concept of the split estate first became law the population of New Mexico was 91,874 people, or about 1/2-person per square mile. The only extractable minerals at that time were copper, silver, gold, and lead. Oil or gas were not even marketable commodities. Though other Federal laws have been update with the passage of time, the 1874 Mining Act and split estate laws remain the same. Our society has moved past these antiquated regulations in favor of more environmentally responsible behavior by the Government, industry and the citizens. Laws that were deemed necessary and reasonable 130 years ago are no longer relevant in today's society. US Senator Jeff Bingaman said to a friend in a personal conversation he felt, "Santa Fe is perhaps the only county in America that had a chance at standing up against the oil and gas industry and telling them their presence would not be tolerated". What is going on in Santa Fe County now is dangerous. It is dangerous to the oil industry. Corporate boards at Mobile, Exxon and every other major producer are watching intensely the public's outrage, the County's response and the State government's reaction. The industry wants no regulation at all. They want to see the Oil Conservation Division reduced to nothing more than a rubber stamp for permitting. They do not care at all about any environmental damage or personal health damage short or long term. What I am most worried about is what can you do to make sure the ordinance that Santa Fe County will pass towards the end of this year will not be struck down in the state legislature. What can you do to ensure the rights of counties in New Mexico to regulate, through zoning laws oil and gas exploration are not eliminated by the state legislature? We	

COMMENT	NAME
know the industry will be doing everything it can including TV, radio, print ads, lobbyists, campaign contributions and other means to see that counties lose the right to protect itself from and regulate the industry. We are all aware the oil and gas industry including New Mexico Oil & Gas Association and the Independent Petroleum Producers Association are terrified other counties will begin adopting similar ordinances as Santa Fe is proposing. I trust you will pass your findings, conclusions and summaries along, not only to the Governor, but also to the Santa Fe County Commissioners, Planning Division, press and citizens. In closing I request that you stick your necks out and you actually take a stand. Protect the citizens, their health, the land, the economic and cultural community and preserve for future generations. On January 10, 2007, the Environmental Protection Agency designated a 3,000 square mile area a "Sole Drinking Water Source," the first such designated area in New Mexico. The proposed oil and gas extraction operations appear to be contained in this EPA-designated area. - What aid will that EPA designation provide in physically protecting the fresh water source in the designated area? - What legal protection at either State or County level is currently available for fresh water sources? - With public health and safety hanging in the balance, what policies and procedures are in place for ongoing testing of all fresh water sources in areas endangered by any sort of oil/gas extraction operations by a State and County-permitted organization? What would be the i) results, ii) responses, and iii) consequences of a fresh water source, such as an underground aquifer, being polluted, contaminated, or damagingly diminished by any aspect of oil or gas extraction operations by a State/County-permitted organization? It has been stated in the press and by Santa Fe County commissioners that the proposed oil and gas extraction operations in Santa Fe County would use a "closed-loop system". - How are the products resulting from using such a closed-loop system disposed of? - Where is it disposed of? - Is it an open or closed disposal area/system? - How is the environment area surrounding the disposal area protected, including any habitations? Is air quality considered an aspect of the protection process? - Who is responsible for providing such protection: State, County, or permitted organization? - Who is responsible for monitoring the on-going efficacy of that system? And What are the physical and legal consequences if the protective system(s) fail(s)? What will you do to protect our wells and aquifers from pollution? I live on land limited to 80,000 gallons of water use per year. One well may use enough water to be equal to 1000 households. Water is our most precious commodity and scarcer than oil and more essential for survival. How will you value water loss in your bond requirements? How will you "decontaminate" an aquifer? How current is your information regarding location of aquifers and are these maps and information available to the public? How will you coordinate your activities with the other agencies? First, thanks to Mark Fesmire and the OCD for their courageous fight to protect this state from further pollution by the oil industry. Please keep up the good work. How can you strengthen pollution controls? How can you impose a more	Douglas Stewart
	Douglas Stewart
	Kathleen Richkind
	Kathleen Richkind

COMMENT	NAME
significant financial indemnity on the oil drilling, given their record windfall profits? How can you impose more stringent restrictions on the drilling activities to set up a greater protective distance from homes? Increase light and noise pollution protection as well. Protect our wells and surface water. How can you change the current secret process of leasing mineral rights? Please put some protections in place for surface owners who do not own their mineral rights. The current situation reflects archaic frontier law. First of all, congratulations on winning the appeal of implementing revised rules governing waste pit standards. I believe the ruling reflected the public's changing perception of the weighting of the health and safety of our environment and water resources, and the need for extractive drilling and their resultant products. I would also suggest that there are areas of this country that must be totally exempt from mineral extraction or from further extraction. The Galisteo Basin is one of these as is the San Luis Valley in Colorado, currently fighting their own battle against oil drilling, areas northwest of Denver opposing hard rock mining, and in our San Juan Basin where oil and gas drilling has been given far too much latitude at the expense of ranchers and residents. The issue of the dominance of the mineral estate over the rights of tax paying surface owners will be changing. I believe the New Mexico Department of Energy would be within its rights to charge tax to leaseholders of mineral rights. This would ensure public knowledge of ownership and leases, and give the department more resources for code enforcement and court costs. The leases seem to be obtained for very little cost and maximizes financial risk to exploration costs. Surface owners are required to pay tax and gives the property owner some rights of enjoyment but also rules regarding development, and in some cases very stringent rules. There are, of course, cases where the surface owner is not permitted to develop the property in the way they see fit. There is usually no compensation paid to the property owner, and the issue of condemnation or taking has been broadly interpreted by the courts. We look forward to the assistance of new counsel to the County of Santa Fe to help with this issue. The Galisteo Basin has some 250 drilled water wells of record and the remainder of the Ortiz Mine Land Grant has 365 permitted water wells. When an application is received by the Dept. of Energy, I believe reference must be made to the Office of the State Engineer and the NM Dept. of the Environment, and in some cases it will be clear that no drilling or further drilling will be permitted because of issues overseen by those agencies. Also, in the case of the Galisteo Basin, permission for hard rock mining has already been denied. Tecton Energy Inc. chose to proceed with their lease with area mineral rights owners of lessees for their own corporate reasons knowing full well that the Ortiz Mines Corp. lease was of questionable value. I believe that the above named agencies are within their right to caution applicants about possible issues which may interfere with their right to proceed to extraction. We the public will be more and more active in our opposition to mineral leases granted on public lands and to extraction through private land. We also require more notice of applications in highly visible ways (1/4 page newspaper ads, public and private radio PSA's) which should also extend to all levels of the application process including the county level. Please know that we fully support any efforts applied in your departments that will protect our quality of life in New Mexico and that as concerned citizens many of us will be fully available to represent the public on issues opposed by the mining industry.	Barbara Briggs