

AP - 23

**GENERAL  
CORRESPONDENCE**

**YEAR(S):**

2005-2001

# AP - 23

The following  
correspondence pertains  
to both, William's Pit (App  
# pENV000000AP22) and  
Lattion Pit (App #  
pENV000000AP23)

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

S. P. YATES  
CHAIRMAN OF THE BOARD  
JOHN A. YATES  
PRESIDENT  
PEYTON YATES  
EXECUTIVE VICE PRESIDENT  
RANDY G. PATTERSON  
SECRETARY  
DENNIS G. KINSEY  
TREASURER

August 19, 2005

RECEIVED

Mr. Glenn von Gonten, Senior Hydrologist  
Environmental Bureau  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

AUG 22 2005

Oil Conservation Division  
Environmental Bureau

RE: Stage 1 Abatement Plan Proposals  
Williams Pit Site (AP-22)  
Lattion Pit Site (AP-23)  
Inex Pit Site (AP-24)  
Scripps Pit Site (AP-25)

Dear Mr. von Gonten:

Enclosed please find the amended Stage 1 Abatement Plan Proposals for the above sites. The New Mexico Oil Conservation Division (NMOCD) has required submittal of abatement plans for the subject sites. An amended Stage 1 Abatement Plan Proposal was submitted on February 15, 2005. The OCD disapproved the workplans in letters dated July 18, 2005.

The amended workplans submitted with this letter address OCD's concerns detailed in the July letter including the need for additional soil borings to characterize subsurface conditions within the pit and additional groundwater monitoring wells to determine quality of groundwater downgradient from the pits.

If you have any questions on the submittals, please contact me at 505-748-4181.

Sincerely,

Dan Dolan, CWC  
Environmental Regulatory Agent

Encl.

cc. Tim Gum, OCD Artesia District Office

William Olson  
New Mexico  
Oil Cons, Dept.

02-19-04

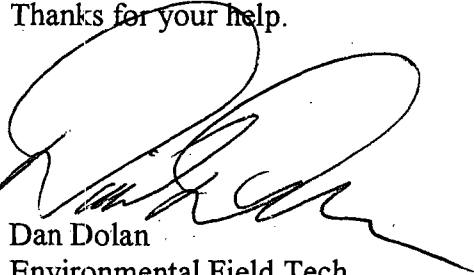
RECEIVED

FEB 25 2004

OIL CONSERVATION  
DIVISION

Bill:

These are the reports that we talked about at the start of this week. Please look them over and give me your opinion and advice on how to attack the problem, this has been going on for a long time, and seeing as this was just given to me, I would like to get them closed as soon as possible, and do it right so we can smile and be proud of it.  
Thanks for your help.



Dan Dolan  
Environmental Field Tech.  
Yates Petroleum Corp.



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**GARY E. JOHNSON**

Governor

**Carol Leach**

Acting Cabinet Secretary

**Lori Wrotenberg**

Director

**Oil Conservation Division**

February 1, 2002

Mr. B.R. Wilson  
1312 South First Street  
Artesia, New Mexico 88210-9733

**RE: YATES PETROLEUM STAGE 1 ABATEMENT PLAN PROPOSALS  
WILLIAMS PIT SITE (AP-22)  
LATTION PIT SITE (AP-23)  
INEX PIT SITE (AP-24)  
SCRIPP PIT SITE (AP-25)**

Dear Mr. Wilson:

The Oil Conservation Division (OCD) has received your October 10, 2000 letter commenting on Yates Petroleum Corporation's (Yates) proposed Stage 1 abatement plans for investigation of the extent of contamination related to former unlined pits at Yates' Williams Pit Site located in Unit C, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico; the Lattion Pit Site located in Unit K, Section 23, Township 18 South, Range 26 East, Eddy County, New Mexico; the Inex Pit Site located in Unit F, Section 26, Township 18 South, Range 26 East, Eddy County and; the Scripp Pit Site located in Unit L, Section 25, Township 18 South, Range 26 East, Eddy County, New Mexico.

Pursuant to OCD Rule 19, the OCD required abatement plans because ground water at each site was found to be contaminated in excess of state standards during prior soil remediation and investigation activities. A review of the OCD's records shows that the water wells that you are concerned about are upgradient of the sites being investigated by Yates and therefore any problems with these wells would not be related to the contamination at the above-referenced sites. However, the OCD welcomes any comments you may have on these sites. Due to your interest in the investigations, you will receive copies of all future OCD correspondence concerning the abatement plan.

The abatement plan is broken into 2 stages, a Stage 1 Abatement Plan Proposal and a Stage 2 Abatement Plan Proposal. The purpose of the Stage 1 Abatement Plan Proposal is for the responsible person to determine the magnitude and extent of contamination that is related to their operations. The rules require that the responsible person provide public notice of the plan and allows a 30 day period

for receipt of public comments. Based upon a technical review of the proposal and consideration of the public comments, the OCD resolves deficiencies in the proposal with the responsible person and issues administrative approval of the Stage 1 Abatement Plan. The responsible person then conducts the investigations at the site and provides a Stage 1 Investigation Report to the OCD for approval.

Once the extent of contamination has been determined, the responsible person is required to submit a Stage 2 Abatement Plan Proposal which contains a proposed plan to remediate the site to state standards. The rule also requires that the responsible person provide public notice of the plan and allows a 30 day period for receipt of public comments and public requests for a hearing on the merits of the plan. A request for a public hearing must be in writing and must include the reasons why a hearing should be held. Based upon a technical review of the proposal and consideration of the public comments, the OCD attempts to resolve deficiencies in the proposal with the responsible person and then determines whether the Stage 2 Abatement Plan is administratively approvable or denied. If the plan is administratively denied, the applicant will be notified and it will be its responsibility to request a hearing appealing the denial. If the Stage 2 Abatement Plan is determined to be administratively approvable, the OCD will notify the applicant and all intervenors of the conditions under which the plan would be approved. Intervenors will be allowed fifteen (15) days from receipt of the determination to notify the OCD whether they still wish to proceed to hearing.

The OCD appreciates your input on environmental and public health issues relating to this abatement plan. If you have any questions or comments, please do not hesitate to contact me at (505) 476-3491.

Sincerely,



William C. Olson  
Hydrologist  
Environmental Bureau

cc: Tim Gum, OCD Artesia District Office  
Lisa Norton, Yates Petroleum Corporation.

MARTIN YATES, III  
1912 - 1985  
FRANK W. YATES  
1936 - 1986



105 SOUTH FOURTH STREET  
ARTESIA, NEW MEXICO 88210-2118  
TELEPHONE (505) 748-1471

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DENNIS G. KINSEY  
TREASURER

Mr. Roger Anderson  
New Mexico Energy & Natural Resources Dept.  
Oil Conservation Division  
1220 South St. Francis Dr.  
Santa Fe, NM 87505

October 19, 2001

**Re: Stage 1 Abatement Plans  
Williams Pit Site (AP-22)  
Lattion Pit Site (AP-23)  
Inex Pit Site (AP-24)  
Scripp Pit Site (AP-25)**

OIL CONSERVATION DIV.  
01 OCT 22 AM 10:49

Dear Roger,

Pursuant to OCD Rule 19.G and your letter dated September 25, 2001, enclosed are:

- 1) Affidavits of Publication from the Albuquerque Journal and Artesia Daily Press
- 2) Certification of written notice via regular mail to:
  - a. Surface owners within one (1) mile perimeter of the sites
  - b. Persons on list provided by the Division
- 3) Certified mail receipts from:
  - a. Eddy County Commission
  - b. New Mexico Trustee for Natural Resources

Yates requests the Division complete their review of the above Stage 1 Abatement Plans Proposals.

If you need additional information, please contact me at 505-748-4185.

Sincerely,

Lisa Norton  
Environmental Coordinator

enc.

cc: Tim Gum, OCD Artesia District Office  
Jeff Minchak, Harding ESE, Inc.

## Certification of Written Notice

Yates Petroleum Corporation (Yates) has submitted a Stage I Water Abatement Plan to the New Mexico Oil Conservation Division (OCD) for four (4) former unlined disposal pits located south of Artesia in Eddy County.

Pursuant to New Mexico Oil Conservation Division (OCD) Rule 19.G, I certify that written notice has been given to:

- (a) Surface owners of record within one (1) mile perimeter of locations - see attached list (via regular mail)
- (b) The Eddy County Commission (via certified mail)
- (c) Persons identified by the OCD Director who requested notification - see attached list (via regular mail)
- (d) New Mexico Trustee for Natural Resources (via certified mail)

Additionally, notice was published in the Artesia Daily Press and the Albuquerque Journal. (see attached affidavits of publication.)

October 19, 2001

Signed

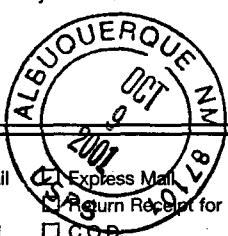
Lisa Norton

Lisa Norton  
Environmental Coordinator

Lina Huerta  
Notary

my commission expires 04-15-04

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Received by (Please Print Clearly) _____ B. Date of Delivery _____</p>
<p>1. Article Addressed to:</p> <p style="font-size: 1.2em;">William Turner NM Trustee for Natural Resources c/o American Ground Water Consultants 610 Gold St. SW, Suite 111 Albuquerque, NM 87102</p>	<p>C. Signature X <i>[Signature]</i> <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Copy from service label)</p> <p style="font-size: 1.2em;">7000 0520 0017 1087 9748</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>



PS Form 3811, July 1999
Domestic Return Receipt
102595-00-M-0952

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<p>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Received by (Please Print Clearly) _____ B. Date of Delivery _____</p>
<p>1. Article Addressed to:</p> <p style="font-size: 1.2em;">County Commissioners 101 W. Greene St. 225 Carlsbad, NM 88220-6219</p>	<p>C. Signature X <i>[Signature]</i> <span style="float: right;"><input type="checkbox"/> Agent <input type="checkbox"/> Addressee</span></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>2. Article Number (Copy from service label)</p> <p style="font-size: 1.2em;">7000 0520 0017 1087 9748</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

PS Form 3811, July 1999
Domestic Return Receipt
102595-00-M-0952

STATE OF NEW MEXICO  
County of Bernalillo SS

Bill Tafaya, being duly sworn, declares and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefor has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for one times, the first publication being on the 9 day of Oct, 2001, and the subsequent consecutive publications on \_\_\_\_\_, 2001.

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 9 day of Oct of 2001.

PRICE 80.13

Statement to come at end of month.

ACCOUNT NUMBER 1899440

CLA-22-A (R-193)



OFFICIAL SEAL  
Samantha Wells  
NOTARY PUBLIC  
STATE OF NEW MEXICO  
My Commission Expires: 10/27/02

*Samantha Wells*

NOTICE OF PUBLICATION  
STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION  
Notice is hereby given that pursuant to the provisions of the Oil Conservation Act, Chapter 1, Article 1, Section 1, of the Constitution of the State of New Mexico, and the Oil Conservation Act, Chapter 1, Article 1, Section 1, of the Constitution of the State of New Mexico, the following information has been submitted to the Director of the Oil Conservation Division, 1200 South Fourth St., Santa Fe, New Mexico 87505, Telephone (505) 476-3440, for publication in the Albuquerque Journal, a newspaper published in the County of Bernalillo, State of New Mexico.  
Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-22) for the Watson Pit Site, located in Unit C of Section 25, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.  
Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-23) for the Lutton Pit Site, located in Unit K of Section 23, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.  
Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-24) for the Inex Pit Site, located in Unit F of Section 25, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.  
Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St., Artesia, New Mexico 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-25) for the Scripps Pit Site, located in Unit L of Section 25, Township 18 South, Range 28 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report; and a schedule for implementation of all investigation activities.  
Any interested person may obtain the information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 1 Abatement Plan Proposal may be viewed at the above address or at the Oil Conservation Division, Artesia District Office, 1301 W. Grand Ave., N. Artesia, New Mexico 88210, Telephone (505) 748-1283, between 8:00 a.m. and 4:00 p.m., Monday through Friday. The Oil Conservation Division is not responsible for the accuracy of the information published herein.

# Affidavit of Publication

NO. 17509

## Copy of Publication:

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The

Artesia Daily Press, a daily newspaper of general

circulation, published in English at Artesia, said county

and county and state, and that the here to attached

### Legal Notice

was published in a regular and entire issue of the said

Artesia Daily Press, a daily newspaper duly qualified

for that purpose within the meaning of Chapter 167 of

the 1937 Session Laws of the state of New Mexico for

1 consecutive weeks/days on the same

day as follows:

First Publication October 9 2001

Second Publication

Third Publication

Fourth Publication

Subscribed and sworn to before me this

9th day of October 2001

Barbara Ann Brown  
Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2003

### LEGAL NOTICE

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

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr. Santa Fe, New Mexico 85705, Telephone (505) 476-3440:

Yates Petroleum Corporation, Lisa Norton Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St. Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-22) for the Williams Pit Site, located in Unit C of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1-mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St. Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-23) for the Lattion Pit Site, located in Unit K of Section 23, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1-mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St. Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-24) for the Inex Pit Site, located in Unit F of Section 26, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1-mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities.

Yates Petroleum Corporation, Lisa Norton Environmental Coordinator, Telephone (505) 748-4185, 105 South Fourth St. Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-25) for the Scripps Pit Site, located in Unit L of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1-mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 1 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division, Artesia District Office, 1301 W. Grand Ave., Artesia, New Mexico 88210, Telephone (505) 748-1283 between 8:00 a.m. and 4:00 p.m. Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted.

Published in the Artesia Daily Press, Artesia, N.M., October 9, 2001. Legal 17509

Land Owners – Section

Thomas Egger Estate  
PO Box 407  
Texico, NM 88135-0407

Thomas & Wanda Faye Wilson  
1312 First Street  
Artesia, NM 88210

TM Griswold  
PO Box 1627  
Lovington, NM 88260-1627

Blanche Widaman  
PO Box 82408  
Lincoln, NM 68501-2408

Mccaw & Nix  
PO Box 440  
Artesia, NM 88211-0440

Alice Martin Morgan  
2112 Kirby NE  
Albuquerque, NM 87112

Charles Martin Inc.  
PO Box 706  
Artesia, NM 88211-0706

Rogers Inc.  
52 Rogers Drive  
Artesia, NM 88220

Donald Fanning & Sons  
52 Fanning Road  
Artesia, NM 88210

Hubert & Thelma Green  
PO Box 1821  
Artesia, NM 88211-1821

N.A. Feters  
252 E. Kincaid Road  
Artesia, NM 88210

George & Mary Anella Anderman  
Anderman Operating Company  
1775 Sherman Street #2080  
Denver, CO 80203-4340

Beverly S. Wilson  
P.O. Box 1534  
Roswell, NM 88202-1534

Cecilia P. Halsey  
P.O. Box 22  
Huntsville, AL 35804-0022

Morris E. Schertz  
P.O. Box 2292  
Roswell, NM 88202-2292

Sue Douglas  
29154 S. Lakeshore Dr.  
Agoura, CA 91301-2872

Delpha Hunter  
2532 E. North  
Decatur, IL 62521

Virginia Kindle Wingert  
2563 NE 107<sup>th</sup> Street  
Seattle, WA 98125-6707

Lynden A. Ruester  
124 Brown Pelican Dr.  
Daytona Beach, FL 32119

Cara Smith  
4120 Thomason Avenue  
El Paso, TX 79904

Eva Prouty  
735 Coleen Drive  
San Jose, CA 95123

**State Land Office  
Hobbs District  
3830 North Grimes  
Suite C  
Hobbs, NM 88240**

**Chris Shuey  
Southwest Research  
& Information Center  
P. O. Box 4524  
Albuquerque, N.M. 87106**

**Director  
State Parks & Recreation  
Villagra Building  
Santa Fe, N.M. 87503**

**Dr. Jay Sorenson  
2800 Charleston NE**

**Albuquerque, N.M. 87110**

**Bob Steele  
Land & Mineral Resources  
P. O. Box 194  
Laguna, N.M. 87026**

**Westinghouse Electric Corp.  
Manager - Uranium Resources Div.  
P. O. Box 355  
Pittsburg, P.A. 15230**

**George Vlahos  
Sierra Club  
212 Tulane SE  
Albuquerque, N.M. 87106**

**Lee Wilson & Associates  
P. O. Box 931  
Santa Fe, N.M. 87501**

**Secretary  
New Mexico Environment Department  
P. O. Box 26110  
Santa Fe, NM 87504**

**Thomas Kellahin  
Kellahin & Kellahin  
P. O. Box 2265  
Santa Fe, NM 87501**

**Director  
Department of Game & Fish  
Villagra Building  
Santa Fe, NM 87503**

**Jackie Jennings  
Core Laboratories, Inc.  
10703 E. Bethany Drive  
Aurora, CO 80014**

**Olson Plunk  
Southwestern Public Service  
P. O. Box 1261  
Amarillo, TX 79170**

**Soil and Water Conservation Bureau  
New Mexico Department of Agriculture  
Agriculture Programs and Resources Division  
Box 30005/APR  
Las Cruces, New Mexico 88003-8005**

**Environmental Affairs  
Public Service Company  
of New Mexico  
P. O. Box 2267  
Albuquerque, NM 87103**

**Governor  
Pueblo of Laguna  
P. O. Box 194  
Laguna, NM 87026**

**State Engineer  
Water Resources Division  
Bataan Building  
Santa Fe, NM 87503**

**State Director  
Bureau of Land Management  
P. O. Box 27115  
Santa Fe, NM 87502-0115**

**NM Citizens  
Clean Air & Water  
John Bartlit, Chairman  
113 Monte Ray Dr., North  
Los Alamos, NM 87544**

**William F. Carr  
Campbell & Black  
P. O. Box 2208  
Santa Fe, NM 87501**

**NM Municipal League  
P. O. Box 846  
1229 Paseo De Peralta  
Santa Fe, NM 87501**

**Jay Lazarus  
P. O. Box 5727  
Santa Fe, NM 87502**

**Director  
Water Resources Dept.  
p. O. Box 1293  
Albuquerque, NM 87103**

**NM Water Well Association  
1205 California NE  
Albuquerque, NM 87110**

**Field Supervisor  
US Fish & Wildlife Service  
2105 Osuna Road, Northeast  
Albuquerque, NM 87113-1001**

**Patricia A. D'Andrea  
P. O. Box 6387  
Santa Fe, NM 87502**

**Bruce S. Garber**  
**Attorney at Law**  
**P. O. Box 0850**  
**Santa Fe, NM 87504-0850**

**Mike Matush**  
**State Land Office Building**  
**Santa Fe, NM 87503**

**Science Applications, Inc.**  
**P. O. Box 3344**  
**Boulder, CO 80303**

**Dr. Harry Bishara**  
**P. O. Box 748**  
**Cuba, NM 87013**

**Director**  
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**P. O. Box 2307**  
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**Santa Fe, NM 87501**

**Lynn Brandvold**  
**NM Bureau of Mines &**  
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**NM Institute of Mining & Tech.**  
**Socorro, NM 87801**

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**El Paso, TX 79978**

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**2825 E. Malvern Drive**  
**Tucson, AZ 85716**

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**USFS Regional Office**  
**517 Gold Avenue SW**  
**Albuquerque, NM 87102**

**Director**  
**Colorado River Comm**  
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**Suite 3100**  
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**Gerald R. Zimmerman**  
**Colorado River Board of Calif.**  
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**Glendale, CA 91203-1035**

**Director**  
**Division of Water Quality**  
**288 North 1460 West**  
**Salt Lake City, UT 84114**

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**Suite 101**  
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**Runnels Building**  
**Santa Fe, NM 87504**

**Chief**  
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**Santa Fe, NM 87503**

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**NM Oil & Gas Association**  
**P. O. Box 1864**  
**Santa Fe, New Mexico 87504-1864**

**Len Oyenque**  
**The Tewa Company**  
**P.O. Box 1261**  
**San Juan Pueblo, NM 87566**

**William Turner**  
**New Mexico Trustee for Natural Resources**  
**c/o American Ground Water Consultants**  
**610 Gold St. SW, Suite 111**  
**Albuquerque, NM 87102**

# Affidavit of Publication

NO. 17509

STATE OF NEW MEXICO

County of Eddy:

Gary D. Scott being duly

sworn, says: That he is the Publisher of The

Artesia Daily Press, a daily newspaper of general

circulation, published in English at Artesia, said county

and county and state, and that the here to attached

## Legal Notice

was published in a regular and entire issue of the said

Artesia Daily Press, a daily newspaper duly qualified

for that purpose within the meaning of Chapter 167 of

the 1937 Session Laws of the state of New Mexico for

1 consecutive weeks/days on the same

day as follows:

First Publication October 9 2001

Second Publication \_\_\_\_\_

Third Publication \_\_\_\_\_

Fourth Publication \_\_\_\_\_

Subscribed and sworn to before me this

9th day of October 2001

Barbara Ann Brown  
Notary Public, Eddy County, New Mexico

My Commission expires September 23, 2003

# Copy of Publication:

## LEGAL NOTICE

NOTICE OF PUBLICATION  
STATE OF NEW MEXICO  
ENERGY, MINERALS AND  
NATURAL RESOURCES  
DEPARTMENT

## OIL CONSERVATION DIVISION

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposals have been submitted to the Director of the Oil Conservation Division, 1220 St. Francis Dr., Santa Fe, New Mexico 85705, Telephone (505) 478-3440:

Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-22) for the Williams Pit Site, located in Unit C of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water

gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities. Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-23) for the Lutton Pit Site, located in Unit K of Section 23, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1 mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities. Yates Petroleum Corporation, Lisa Norton, Environmental Coordinator, Telephone (505) 748-4185 105 South Fourth St., Artesia, New Mexico, 88210, has submitted a Stage 1 Abatement Plan Proposal (AP-25) for the Scripp Pit Site, located in Unit L of Section 25, Township 18 South, Range 26 East, NMPM, Eddy County, New Mexico. An unlined disposal pit was formerly operated at the site. Petroleum-related contamination in excess of New Mexico Water Quality

Control Commission standards has been observed in ground water at the site. The Stage 1 Abatement Plan Proposal presents the following activities: determine site geology and hydrogeology; conduct a registered water well search within a 1-mile radius of the site; install monitoring wells; collect soil samples for field screening and/or laboratory analysis from each boring; collect ground water samples for laboratory analysis from each monitoring well; obtain depth to ground water measurements and calculate the ground water gradient and direction; survey all well locations by a professional land surveyor registered in the State of New Mexico; preparation of a report and a schedule for implementation of all investigation activities. Any interested person may obtain further information from the Oil Conservation Division, and may submit written comments to the Director of the Oil Conservation Division, at the address given above. The Stage 1 Abatement Plan Proposals may be viewed at the above address or at the Oil Conservation Division Artesia District Office, 1301 W. Grand Ave., Artesia, New Mexico 88210, Telephone (505) 748-1283 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on the proposed Stage 1 Abatement Plan Proposals, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written comments may be submitted.

Published in the Artesia Daily Press, Artesia, N.M. October 9, 2001 Legal 17509

MINISTRY OF OIL CONSERVATION 10-8-01  
12 ST. FRANCIS DR.  
SANTA FE, NM 87504

ATTN: Bill DOIL CONSERVATION DIV.

To who it may concern  
OCT 11 PM 1:21

BB & Wanda Wilson own a small farm & grass land every direction from the abatement plan proposal Yates Pt. has submitted to the oil conservators.

The wells I am most concerned about are on my farm to the East of the 4 sites.

I have 2 domestic wells one taste so bad you can't drink the water the other doesn't taste bad but hasn't been tested since it was drilled approx. 3 years ago. We haul drinking water.

I have an irrigation well Arterian that when you first turn it on you can see a blue haze when you look at sprinklers.

When you pull this well the pipe is coated with oil.

About every three years the pipe has to be replaced it is ate up.

I own around 8,000 acres with in 5 miles of this area.

I own several blocks of land in the old Dayton town site if the water is not good I won't be able to sell these.

I have owned some of this land for 30 years. I am familiar with Yates Pt. and how they operate. I have had the misfortune to have to deal with them. They get what they want.

10-8-01

I don't see how they can say that if this water is contaminated that these 4 sites has caused the problem when this disregard for the land owner and environment has occurred in this and other area for years. I understand Yates has had wells since the late 1920 in the Dayton area. The legal description is as follows:

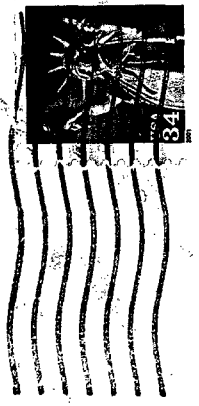
old  
Farm  
wells

				TOWNS.	RANGE.
RA-888A	NE $\frac{1}{4}$	NE $\frac{1}{4}$	SECTION 21	-18S	26E.
RA-888A	NW $\frac{1}{4}$	NW $\frac{1}{4}$	22	18S	26E.

The farm lays in these same areas & legal descriptions own land within  $\frac{1}{2}$  mile from the sites except on the South side. If you need more info. please let me know.

BR Wilson

B. R. WILSON  
1312 SOUTH FIRST STREET  
ARTESIA, NM 88210-9733



Director of the U. S. Conservation Division  
1220 St. Francis Dr.  
Santa Fe N. M. 87505

87505/4000