

(NEDGHT [WJ10-1552631]
App# PLWJ 101 5527144
Mr. Mark Bishop
Operations Foreman
Cimarex Energy Company
701 N. Grimes St.
Hobbs, New Mexico 88240

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APR 27 2010

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27 April 2010

FOR INFORMATION ONLY

Mr. Larry Johnson
OIL CONSERVATION DIVISION
1625 N. French Drive
Hobbs, NM 88240

Re: Carlson Harrison Federal Com. No. 4 Notice of Plugging & Abandonment Location Closure
Environmental Considerations and Incident Compliance for *Corrective Action Plan / Final
Remediation Report*

API No.: 30-025-29358 / U/L L S22 T25S R37E 1650 FSL 660 FWL
1RP No.: 2491

Dear Mr. Johnson:

Cimarex Energy Company of Colorado (Cimarex) herewith provides written notification and appended Form C-141 to the New Mexico Oil Conservation Division (NMOCD) of an unauthorized discharge in the area of the reclaimed pit from sodium chloride percolated to surface as a leachate resulting from the natural effects of wind and water erosion in the immediate area. This condition was discovered in response to the presence of *African Rue* adjacent to and located within the southwest corner of the Carlson Harrison Federal Com. No. 1 pad as well as along the shared access road to the No. 4 location.

The Bureau of Land Management (BLM) also issued a Notice of Written Order (NWO) on 7 April 2010 (NWO No.:10-JA-072W) to Cimarex regarding (1) the handling of the *African Rue* infestation and (2) overall pit compliance, which effected both locations due to their proximity to each other. Subsequently, Cimarex has responded to BLM's NWO with the following measures:

1. Cimarex again entered into an agreement with the Carlsbad Soil and Water Conservation District (CSWCD) for the purpose of participating in the 2010 Noxious Weed Program for treatment of *African Rue* infestations. Cimarex has participated since 2008 in the Program for control and removal of this weed. (See enclosed letters to CSWCD and BLM)

Cimarex has also confirmed with Ray Keller at BLM and Judy Bock with CSWCD that the Carlson Harrison Federal Com. Nos. 1 and 4 have already been sprayed for *African Rue* this season. Therefore, it is now possible to allow heavy equipment into these areas for on going remediation activities per Mr. Keller

2. Cimarex has notified BLM that it has contacted Lea County, NMOCD regarding the alleged pit condition and developed the *Corrective Action Plan (CAP)* and *Final Remediation Report (FRR)* to be executed once approved by NMOCD. (See enclosed letter to BLM)

Predicated on the above history, Cimarex intends to verify the soil conditions and the extent of the chloride contaminant effectuation in the area via sampling, which will include pad and road caliche. Following this, topsoil will either be (1) imported or (2) obtained locally, if free of *African Rue* and compliant with NMOCD regulatory standards for soil chlorides. Furthermore, this location is plugged and abandoned (P&A). Therefore, the CAP and FRR for the pit area shall be included in the overall location closure, which shall assume the same characteristics and sampling requirements applied to the disturbed areas around the location.

When equipment and supporting infrastructure materials or resources have been removed from the location, the site shall be remediated pursuant to applicable regulatory standards. Once completed, the entire reclaimed site, including the pit, shall be reseeded with BLM Seed Mix No. 4 per BLM's reclamation program seed mixtures for this area.

Should you have questions please call (575-602-1002).

Sincerely,



Mark Bishop
Operations Foreman

Enclosures: BLM's NWO, BLM Letters (2), CSWCD Letter (1), Form C-141

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Number 10-JA-073W

Page of

Form 3160-18 (October, 1999)

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF LAND MANAGEMENT NOTICE OF WRITTEN ORDER

Certified Mail - Return Receipt Requested 7009141000021824883

IDENTIFICATION table with fields: IID, Lease, CA, Unit, PA

Main form with fields: Bureau of Land Management Office, Address, Telephone, Inspector, Operator, Attention, Attn Addr, Site Name, Well or Facility, 1/4 1/4 Section, Township, Range, Meridian, County, State

The following condition(s) were found by Bureau of Land Management Inspectors on the date and at the site(s) listed above.

Table with columns: Date, Time (24-hour clock), Corrective Action to be Completed by, Date Corrected, Authority Reference

Remarks:

Remove old heater treater and dispose of properly. The reserve pit area has not reclaimed as per required. Salt affected soils. Submit a plan for the remediation of the pit area. Contact Jim Amos @ 575-234-5909 if any questions.

When the Written Order is complied with, sign this notice and return to above address.

Company Representative Title, Signature, Date, Company Comments

Warning

The Authorized Officer has authority to issue a Written Order in accordance with 43 CFR 3161.2. Written Order correction and reporting time frames begin upon receipt of this Notice or 7 business days after the date it is mailed, whichever is earlier.

Section 109(d)(1) of the Federal Oil and Gas Royalty Management Act of 1982, as implemented by the applicable provisions of the operating regulations at Title 43 CFR 3163.2(f)(1), provides that any person who "knowingly or willfully" prepares, maintains, or submits false, inaccurate, or misleading reports, notices, affidavits, records, data, or other written information required by this part shall be liable for a civil penalty of up to \$25,000 per violation for each day such violation continues, not to exceed a maximum of 20 days.

Review and Appeal Rights

A person contesting a decision shall request a State Director review of the Written Order. This request must be filed within 20 working days of receipt of the Notice with the appropriate State Director (see 43 CFR 3165.3). The State Director review decision may be appealed to the Interior Board of Land Appeals, 801 North Quincy Street, Suite 300, Arlington, VA 22203 (see 43 CFR 3165.4). Contact the above listed Bureau of Land Management office for further information.

Signature of Bureau of Land Management Authorized Officer, Date, Time

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Number, Date, Type of Inspection

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Mr. Mark Bishop
Operations Foreman
Cimarex Energy Company
701 N. Grimes St.
Hobbs, New Mexico 88240

27 April 2010

Mr. Jim Amos
Environmental Supervisor
United States Department of the Interior
Bureau of Land Management
Carlsbad Field Office
620 E. Greene Street
Carlsbad, NM 88220

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Re: Response to BLM NWO No. 10-JA-072W

Carlson Harrison Federal Com. No. 1
API No.: 30-025-11692 / U/L L S22 T25S R37E 1980 FSL 660 FWL

Carlson Harrison Federal Com. No. 4
API No.: 30-025-29358 / U/L L S22 T25S R37E 1650 FSL 660 FWL

Dear Mr. Amos:

Per the Bureau of Land Management's (BLM) recent Notice of Written Order (No. 10-JA-072W) to Cimarex Energy Company of Colorado (Cimarex) regarding the handling of the *African Rue* infestation discovered on the southwest corner of the Carlson Harrison Federal Com. No. 1 and along the roadway to the Carlson Harrison Federal Com. No. 4 this season, please be advised that Cimarex has again entered into an agreement with the Carlsbad Soil and Water Conservation District (CSWCD) for the purpose of participating in the 2010 Noxious Weed Program for treatment of *African Rue* infestations. (See enclosed letter to CSWCD.)

Cimarex has also confirmed with Ray Keller at BLM and Judy Bock with CSWCD that the Carlson Harrison Federal Com. Nos. 1 and 4 have already been sprayed for *African Rue* this season.

Regarding the previously reclaimed drilling pits, Cimarex has contacted Lea County, NMOCD regarding the pit condition cited by the BLM's NWO and developed the *Corrective Action Plan* (CAP) and *Final Remediation Report* (FRR) to be executed once approved by NMOCD. (See enclosed NMOCD documents.) Predicated on the fact that the Carlson Harrison Federal Com No. 4 is currently P&A, Cimarex will simultaneously address any pit issues on this location with the remediation of the location. Carlson Harrison Federal Com No. 1 will be addressed as soon as possible and described in the attached NMOCD documents.

All remediation shall be reseeded with Seed Mixture No. 4. BLM will be apprised of final remediation activities and provided written and/or photographic documentation at that time.

Thank you for your consideration in notifying us. Should you have questions please call 575-602-1002.

Sincerely,



Mark Bishop
Operations Foreman

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Enclosures: NMOCD Documents (CAP/FRR, C-141's), CSWCD Documents

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Randy Hogan
Production Superintendent
Cimarex Energy Company
600 N. Marienfeld St.
Suite 600
Midland, Texas 79701

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15 April 2010

Mr. Jim Amos
Environmental Supervisor
United States Department of the Interior
Bureau of Land Management
Carlsbad Field Office
620 E. Greene Street
Carlsbad, NM 88220

Re: CSWCD 2010 Noxious Weed Program (*African Rue*)

Carlson Harrison Federal Com. No. 1
API No.: 30-025-11692 / U/L L S22 T25S R37E 1980 FSL 660 FWL

Carlson Harrison Federal Com. No. 4
API No.: 30-025-29358 / U/L L S22 T25S R37E 1650 FSL 660 FWL

Dear Mr. Amos:

Per the Bureau of Land Management's (BLM) recent notification to Cimarex Energy Company of Colorado (Cimarex) regarding the handling of the *African Rue* infestation discovered on the Carlson Harrison Federal Com. No. 1 and along the roadway to the Carlson Harrison Federal Com. No. 4 this season, please be advised that Cimarex has again entered into an agreement with the Carlsbad Soil and Water Conservation District (CSWCD) for the purpose of participating in the 2010 Noxious Weed Program for treatment of *African Rue* infestations. Cimarex has participated in this Program for control and removal of this weed from its locations since 2008.

Consequently, Cimarex desires that *African Rue* currently growing on all of the above cited locations be treated in 2010. It is our understanding that spraying for this season has yet begun which will allow us to participate in the benefits of having it sprayed early.

Cimarex is in the process of addressing your other concerns on the above locations, which will be transmitted in writing next week.

Thank you for your consideration in notifying us. Should you have questions please call 432-571-7800 (office).

Sincerely,

A handwritten signature in cursive script that reads "Randy Hogan".

Randy Hogan
Production Superintendent

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Mr. Randy Hogan
Production Superintendent
Cimarex Energy Company
600 N. Marienfeld St.
Suite 600
Midland, Texas 79701

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15 April 2010

Ms. Judy Bock
Assistant District Manager
Carlsbad Soil and Water Conservation District
3219 S. Canal Street
Carlsbad, NM 88220

Re: CSWCD 2010 Noxious Weed Program (*African Rue*)

Dear Ms. Bock:

This transmittal applies equally to the following two (2) locations for the treatment of *African Rue*:

1. Carlson Harrison Federal Com. No. 1
API No.: 30-025-11692 / U/L L S22 T25S R37E 1980 FSL 660 FWL
2. Carlson Harrison Federal Com. No. 4
API No.: 30-025-29358 / U/L L S22 T25S R37E 1650 FSL 660 FWL

Per the Bureau of Land Management's (BLM) recent notification to Cimarex Energy Company of Colorado (Cimarex) regarding the handling of the *African Rue* infestation discovered on the Carlson Harrison Nos. 1 and 4 as cited above this season, please be advised that Cimarex wishes to again enter into an agreement with the Carlsbad Soil and Water Conservation District (CSWCD) for the purpose of participating in the 2010 Noxious Weed Program for treatment of *African Rue* infestations. Cimarex has participated since 2008 in the Program for control and removal of this weed.

Consequently, Cimarex desires that *African Rue* currently growing on the above cited locations be treated in 2010. Enclosed please find our check in the amount of \$2,000.00 to the CSWCD for the purpose of spraying these locations.

Thank you for your assistance. Please advise if there is other pertinent data you may require for these locations.

Should you have questions please call 432-571-7800 (office).

Sincerely,



Randy Hogan
Production Superintendent

Enclosure: Check to CSWCD

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