

Submit a single copy to
Santa Fe Office

State of New Mexico
Energy Minerals and Natural Resources

Form C-133
Revised May 27, 2007

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

AUTHORIZATION TO MOVE PRODUCED WATER

Transporter Name F&M CONSTRUCTION, INC.

Address

Office Location (If different)

479 WOLVERINE DRIVE

BAYFIELD, CO 81122

Phone Number(s) 970-884-0109

State Corporation Commission Permit No. 20071431367

**Please attach a copy of the New Mexico Public Regulation Commission (PRC) Warrant for Transportation Services, if a corporation name or LLC has not been established with the PRC or a partnership has not been established with the New Mexico Secretary of State Office. In accordance with Section 51 of 19.6.2 NMAC, "the division may deny approval of a form C-133 if:*

- (1) the applicant is a corporation or limited liability company, and is not registered with the public regulation commission to do business in New Mexico;*
- (2) the applicant is a limited partnership, and is not registered with the New Mexico secretary of state to do business in New Mexico;*
- (3) the applicant does not possess a carrier permit under the single state registration system the public regulation commission administers, if it is required to have such a permit under applicable statutes or rules; or*
- (4) the applicant or an officer, director or partner in the applicant, or a person with an interest in the applicant exceeding 25 percent, is or was within the past five years an officer, director, partner or person with an interest exceeding 25 percent in another entity that possesses or has possessed an approved form C-133 that has been cancelled or suspended, has a history of violating division rules or other state or federal environmental laws; is subject to a commission or division order, issued after notice and hearing, finding such entity to be in violation of an order requiring corrective action; or has a penalty assessment for violation of division or commission rules or orders that is unpaid more than 70 days after issuance of the order assessing the penalty."*

NOTE: It is the responsibility of each holder of an approved Form C-133 to familiarize its personnel with the content of Sections 51 and 52 of 19.15.2 NMAC and to assure operations in compliance therewith. Failure to move and dispose of produced water in accordance with Sections 51 and 52 of 19.15.2 NMAC are cause for cancellation of Form C-133 and the authority to move produced water.

I hereby certify that the information above is true and complete to the best of my knowledge and belief.

Signature Matt Foltz

Date 9/8/09

Printed Name MATT FOLTZ

Title PRESIDENT

E-mail Address _____

(This space for State Use)

Approved by [Signature]

Title Environmental Engineer

Date 9/25/09