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**PERMITS,
RENEWALS, &
MODS**



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

October 1, 2004

Lynn Ward
Duke Energy Field Services
10 Desta Dr
Suite 400-West
Midland, TX 79705

Dear Ms. Ward:

The New Mexico Oil Conservation Division (NMOCD) has received Duke Energy Field Service's (DEFS) request, dated September 21, 2004, for a temporary permit to discharge water used to hydrostatically test new pipeline. The NMOCD reference for this permit is HI-090. This request is hereby approved with the following conditions and understandings:

1. The test water (394,800 gallons) will be discharged in the SW/4 NE/4 of Section 27, Township 32 North, Range 8 West, and will take place on or about September 30, 2004.
2. The test water will be discharged at a controlled rate and into a structure that will prevent erosion.
3. The water has been used to hydrostatically new pipe.
4. Fresh water will be used which you have obtained from the public water supply for the City of Aztec, NM.
5. The discharged fluids will not be allowed to migrate to a water of the state or a water of the U.S.
6. DEFS is the landowner at the site, and the discharge will be maintained within the boundaries of your property.

Pursuant to WQCC Regulation 20 NMAC 6.2.3106.B, this approval will allow DEFS to discharge without an approved discharge permit for a period not to exceed 120 days commencing September 30, 2004. Discharge must cease within the 120-day period, or a formal discharge permit will be required. Pursuant to WQCC Regulation 20 NMAC 6.2.3114, an application fee (\$100) and a temporary permit fee (\$150) are due at time of application. These fees have been received by the NMOCD. If this site is to be used for more than one discharge, DEFS must make a separate application for the additional discharge.

This approval does not relieve DEFS of liability should their operation result in pollution of surface water, groundwater, or the environment, nor does it relieve DEFS of its responsibility to comply with any other federal, state or local regulations.

If there are any questions, please contact Ed Martin (505) 476-3492 or emartin@state.nm.us

Sincerely,

A handwritten signature in black ink, appearing to read "Roger C. Anderson", with a long horizontal flourish extending to the right.

Roger C. Anderson
Environmental Bureau Chief

Cc: NMOCD Aztec Office