

3R - 64

**GENERAL  
CORRESPONDENCE**

**YEAR(S):**

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United States Department of the Interior

GEOLOGICAL SURVEY  
BOX 25046 M.S. 977  
DENVER FEDERAL CENTER  
DENVER, COLORADO 80225

RECEIVED

JAN 14 1985

OIL CON. DIV  
DIST. 3

IN REPLY  
REFER TO:

Office of Energy and Marine Geology  
Branch of Oil and Gas Resources

January 10, 1985

Mr. Frank T. Chavez, District Supervisor  
State of New Mexico Energy Minerals Department  
Oil Conservation Division  
1000 Rio Brazos Road  
Aztec, New Mexico 87410

Dear Mr. Chavez,

Below is a tabulation of the most recent gas specimen assumed to be collected from vents near the Roberts' residence in the Farmington area.

ID	Gas Wetness $\frac{C_1}{C_1-C_5}$	$\delta C^{13}$ of Methane (per thousand)	N <sub>2</sub>	% of Total Mixture +			
				C <sub>1</sub>	CO <sub>2</sub>	C <sub>2</sub>	C <sub>3</sub>
Roberts							
	.9405	-34.52	56.42	32.08	9.47	2.03	0.00
air free calc.		$\delta C^{13}$ of CO <sub>2</sub> Peak -41.48	N/A	73.62	21.72	4.60	0.00

As you can see from the composition and stable carbon isotope analyses, the gas very closely approximates the sample we analyzed in late May of 1984 and, again, it is impossible to interpret the source of the gas based on our analyses alone.

You may wish to arrange with outside experts other testing that could more closely pinpoint the source of the gas emanating from these vents.

I will promptly return your cylinder.

If we can be of any further service, please advise.

Sincerely

C. N. Threlkeld

# Gas Leak Victims File \$2 Million Suit

By George Johnston  
Daily Times Staff

Three Farmington residents who were forced from their homes by gas leaks almost three years ago have filed a four-count lawsuit seeking \$2 million from an oil company, the developer of the Valle Grande subdivision and the owners of mineral rights beneath their property.

The suit, filed Tuesday in San Juan District Court by Harold and Edna Roberts and Guinevere Brady, names William G. Allen Jr., Cula Lee Jerome, Virginia Smith, Mossman Gladden Inc. and Amoco Oil Co. as defendants.

Mossman Gladden Inc. planned and developed the Valle Grande subdivision; Allen, Jerome and Smith are owners of mineral rights; and Amoco is the lessee of under-

lying mineral interests on Mrs. Brady's and the Robertses' property in the 2100 Block of Camino Rio.

The plaintiffs are seeking \$2 million on four alternative counts, which means they have four chances to seek the \$2 million. They are not seeking \$8 million. The suit asks \$250,000 for the conversion of the Roberts property, \$250,000 for the conversion of Mrs. Brady's property, \$500,000 for each of the plaintiffs for the negligent infliction of emotional distress and \$250,000 each for injuries incurred by Roberts and Mrs. Brady.

The suit claims that in 1981, Amoco "fracked" wells with acid and water in order to stimulate production from wells adjoining the subdivision. Fracking changed the underlying structure to such an extent that gas percolated not just to the wells, but forced gas through other channels connected with the

plaintiffs' properties, where the gas surfaced in November 1981, according to the suit.

The suit also alleges that as a direct result of the fracking, channels were opened in the geologic substructure to plaintiffs' property, where gas percolated into the atmosphere, where it continues to collect in potentially explosive quantities.

The suit claims that the plaintiffs were forced to leave their homes and live with others. Mrs. Brady suffered a heart attack as a consequence of being moved out of her home, according to the suit. The homes now lie vacant, valueless and subject to attack by vandals, the suit claims.

Count two, which alternatively seeks \$2 million, claims the gas constitutes a nuisance for which all the defendants but Mossman Gladden Inc. are responsible.

The third count claims that Amoco was aware that fracking might release gas from other wells adjoining Mrs. Brady's and the Robertses' properties, but proceeded to frack anyway. The suit claims these actions were reckless and in wanton disregard of the plaintiffs and their property rights.

The fourth count claims that Mossman Gladden Inc. should have known that the subdivision is over a gas formation and that wells within the subdivision had been drilled and fractured with nitroglycerin. This information was not passed on to the buyers. The suit claims Mossman Gladden Inc. did no studies of the effect of fracking on homes, and thus was negligent.

The Robertses and Mrs. Brady were forced from their homes shortly before Thanksgiving 1981 when the Gas Company of New Mexico, on a routine check, found high levels of potentially explosive gas around the two houses.

The Robertses figure it has cost them about \$1,500 a month for rent, insurance premiums and other incidental expenses. Mrs. Brady said her monthly expenses have been about \$750.

Despite the installation of vents around the houses, the gas still exists, although Joe Chavez, supervisor of the Aztec Office of the state Oil Conservation Division, has said the levels are safe and the chance of explosion was unlikely.

An abandoned and improperly capped gas well behind a house two doors from Mrs. Brady and the Robertses was suspected as the source of the leak. It was capped by the Oil Conservation Division, but the gas continued to surround the houses.

And while the Gas Company of New Mexico has refused to resume gas service to the two houses while the situation exists, the city of Farmington said it would allow the residents to move back in if they would sign a letter holding the city harmless should something happen. Neither the Robertses nor Mrs. Brady signed.

The Robertses and Mrs. Brady also exhausted all attempts to get relief from state and federal agencies, including the Oil Conservation Division, state Environmental Improvement Division, the state Energy and Minerals Department and the offices of Gov. Toney Anaya and U.S. Rep. Bill Richardson.

San Juan  
Home Health Care  
FREE  
Blood Pressure Check  
Friday, Nov. 2  
11 AM-1 PM  
Main Office Lobby  
500 West Broadway  
Citizens Bank

DUCKS UNLIMITED  
ANNUAL BANQUET  
Sat., Nov. 3, 1984  
Farmington Civic Center  
6:30 p.m. For tickets  
Call 325-5111 or 327-1033  
(PUBLIC INVITED)

FREE  
REPUBLICAN BAR-B-Q  
SUNDAY, NOV. 4  
4:30 to 8:00 PM  
McGee Park Auditorium  
EVERYONE IS INVITED  
Country Music - Door Prizes

# PANTECHS LABORATORIES

*Pennsylvanian Gas Assoc. with oil*

J P. O. BOX 2439 TEL. 806 669-6821  
 X P. O. BOX 3246 TEL. 806 797-4325

PAMPA, TEXAS 79066-2439  
 LUBBOCK, TEXAS 79452-3246

## SAMPLE DATA

CUSTOMER..... AMOCO PRODUCTION Co.  
 WELL No..... 43  
 OPERATOR..... AMOCO PRODUCTION Co.  
 FIELD..... HOG BACK  
 STATE & COUNTY NEW MEXICO - SAN JUAN  
 SECTION..... 18 (T. 29N) (R. 160)  
 FORMATION..... AKAH  
 SAMPLE OF..... GAS  
 SEP. PRES..... 394 PSIG  
 TEMPERATURE... 99 F  
 SAMPLE DATE... 9-25-85 12:00NOON  
 SAMPLED BY.... AMOCO/BRAD REGSHAW  
 ANALYSIS DATE. 10-4-85  
 ANALYSIS BY... S. HOLCOMB  
 CYLINDER No... RC-2558

## ANALYSIS RESULTS

COMPONENT		MOL %	GPM, *
NITROGEN	N2	43.16	
CARBON D.	CO2	2.99	
METHANE	C1	39.50	
ETHANE	C2	3.93	1.061
PROPANE	C3	2.38	0.669
I-BUTANE	IC4	0.63	0.214
N-BUTANE	NC4	0.90	0.295
I-PENTANE	IC5	0.30	0.116
N-PENTANE	NC5	0.27	0.104
HEXANES	C6	0.19	0.084
HEPTANES+	C7+	0.11	0.053
HELIUM	HE	5.64	

## DISTRIBUTION:

AMOCO PRODUCTION COMPANY  
 3-MR. BRAD SALZMAN; FARMINGTON, NM

## GASOLINE CONTENT (GPM), \*

PENTANES & HEAVIER....	0.357
BUTANES & HEAVIER....	0.866
PROPANE & HEAVIER....	1.535
ETHANE & HEAVIER....	2.596
26 # GASOLINE.....	0.527

## HEATING VALUE, \*\* (GROSS BTU/CF)

WATER VAP. SAT.....	611
DRY GAS BASIS.....	622

## SPECIFIC GRAVITY

CALC., WATER SAT.....	0.822
CALC., DRY BASIS.....	0.826
MEASURED, LAB.....	0.827

\*. 14.65 PSIA & 60 F  
 \*\*. 14.65 PSIA & 60 F

## REMARKS:

*Perf* 6573-6582  
 6610-6616  
 6646-6656  
 6780-6711

*Amoco #43*

*Case 8734*

*Exhibit No. 8*

Pennsylvanian gas  
assoc. with oil  
Case 8734  
Exhibit No 9

REPORT OF ANALYSIS

State New Mexico F.S. No. 5607  
County San Juan Field Hogback  
Well Owner Stanolind Oil Company Name U.S.O. (Sec. 19) #13  
Location: Sec. 19 T. 29N R. 16W Date Completed Testing  
Open flow 7 IGICF Wellhead Pressure 970W

Producing Stratum:

Depth to (feet): 6166'-6632' Thickness (feet): —

Stratigraphic Position of Producing Formation Pennsylvanian

Sampled: Date: 4/13/54 By: R. W. Harman

Mass Spectrometer Run No. 6135 Date of Run April 23, 1954

Analysis:

Methane	<u>24.7</u>	%	Normal Pentane	<u>0.1</u>	%	Oxygen	<u>Trace</u>	%
Ethane	<u>2.5</u>	%	Isopentane	<u>0.0</u>	%	Argon	<u>0.7</u>	%
Propane	<u>1.8</u>	%	Cyclopentane	<u>0.1</u>	%	Helium	<u>7.4</u>	%
Normal Butane	<u>0.6</u>	%	Hexanes Plus	<u>0.2</u>	%	Hydrogen	<u>0.0</u>	%
Isobutane	<u>1.0</u>	%	Nitrogen	<u>59.4</u>	%	CO <sub>2</sub>	<u>1.6</u>	%
						H <sub>2</sub> S	<u>0.0</u>	%

Calculated gross B.t.u./cu.ft., dry at 60° F. and 30" mercury 414 Total

CHECK OF DATA: The well data are accurate:  
( ) Without correction ( ) As corrected above

PERMISSION FOR PUBLICATION:

Permission is hereby granted for the Bureau of Mines to publish the above data, together with similar data released by other operators, as part of a series of papers on analyses of gases from various fields, states, or regions.

Company \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

3  
ar)



STATE OF NEW MEXICO  
ENERGY AND MINERALS DEPARTMENT  
OIL CONSERVATION DIVISION  
AZTEC DISTRICT OFFICE

TONEY ANAYA  
GOVERNOR

1000 RIO BRAZOS ROAD  
AZTEC, NEW MEXICO 87410  
(505) 334-6178

September 7, 1984

Mr. Charles N. Threlkeld  
Office of Energy & Marine Geology  
P.O. Box 25040 Mail Stop 977  
Denver, CO 80225

Re: Latest Gas sample

Dear Mr. Threlkeld:

We feel that the referenced sample was not representative but was contaminated by residuals from previous samples in the same container. I hope this does not inconvenience you but we would like to try one more sample after purging our container with some other gas. What would you recommend as a suitable gas?

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank T. Chavez".

Frank T. Chavez  
District Supervisor

FTC/dj

xc: Operator File



# United States Department of the Interior

GEOLOGICAL SURVEY  
BOX 25046 M.S. 977  
DENVER FEDERAL CENTER  
DENVER, COLORADO 80225

IN REPLY  
REFER TO:

Office of Energy and Marine Geology  
Branch of Oil and Gas Resources

August 22, 1984

Mr. Frank T. Chavez, District Supervisor  
State of New Mexico Energy Minerals Department  
Oil Conservation Division  
1000 Rio Brazos Road  
Aztec, New Mexico 87410

Dear Mr. Chavez:

The sample you submitted in July has been analyzed to reveal the following composition:

$\delta C^{13}$	$\frac{C^1}{\Sigma C_1-C_5}$	Air	$C_1$	$CO_2$	$C_2$	$C_3$	$iC_4$	$nC_4$	$C_5^+$
-43.11	.8692	9.33	78.04	0.89	5.55	3.49	1.15	1.00	0.54

This sample is very characteristic, both chemically and isotopically, of deep production gas around the Farmington area.

To complement our research in the San Juan basin, we would appreciate the section, range, and township coordinates of this sample whenever convenient.

I hope this, as well as previous data, proves to be useful in solving the problem of identifying the source of gas at the Roberts' residence. I'll talk to you soon.

Sincerely,

*Chuck*  
Charles N. Threlkeld

*Contaminated sample*

**RECEIVED**  
AUG 24 1984  
OIL CON. DIV.  
DIST. 3



STATE OF NEW MEXICO  
ENERGY AND MINERALS DEPARTMENT  
OIL CONSERVATION DIVISION

TONY ANAYA  
GOVERNOR

POST OFFICE BOX 2088  
STATE LAND OFFICE BUILDING  
SANTA FE, NEW MEXICO 87501  
(505) 827-5800

MEMORANDUM

TO: PAUL BIDERMAN, SECRETARY  
FROM: W. PERRY PEARCE, GENERAL COUNSEL  
RE: FARMINGTON GAS LEAK

Attached is a letter from the Geological Survey of the United States Department of the Interior to Frank Chavez, our Aztec district office supervisor, indicating that their chemical analysis of the gas escaping around the Brady and Roberts residences in Farmington is not of a similar chemical composition to the gas which occurs naturally in the Fruitland coal bed or the Gallegos Canyon producing formation. On the basis of this analysis, it again appears that the source of this gas is not from a gas well. You will note that the geological survey is conducting additional analyses to try to narrow the source of the gas and I will provide that information to you as soon as it becomes available to me.

June 14, 1984

cc: R. L. Stamets  
Joe D. Ramey  
Frank Chavez

RECEIVED  
JUN 18 1984  
OIL CON. DIV.  
DIST. 3



IN REPLY  
REFER TO:

# United States Department of the Interior

GEOLOGICAL SURVEY  
BOX 25046 M.S. 977  
DENVER FEDERAL CENTER  
DENVER, COLORADO 80225

Office of Energy and Marine Geology  
Branch of Oil and Gas Resources

RECEIVED  
JUN 07 1984  
OIL CON. DIV.  
DIST. 3

June 4, 1984

Mr. Frank T. Chavez, District Supervisor  
State of New Mexico Energy Minerals Department  
Oil Conservation Division  
1000 Rio Brazos Road  
Aztec, New Mexico 87410

Dear Mr. Chavez,

Enclosed please find the chemical composition and stable carbon isotope data on the three samples submitted to our laboratory May 29, 1984. For future reference, these samples were analyzed under Geochem Job #84063.

As you can see in the enclosed analysis ledger, the Tycksen and Gallegos Canyon units are characteristically similar in isotopic composition, are thermogenic in origin, and vary only in gas wetness with the shallower Fruitland coal gas being the drier.

The sample collected at the Roberts' residence bears little resemblance to the deep production samples in either the chemical composition or the isotopic signature of the methane.

Due to the high concentration of CO<sub>2</sub> in the sample which is isotopically light, a number of different interpretations as to the source of the methane could be explained. However, it would be most premature at this time to specifically state a source without assessing the Hydrogen-Deuterium ratio of the hydrogen in the methane. With this confirming value, I feel a source of the methane can probably be determined.

With this in mind, I have submitted the remainder of your sample to an outside laboratory for a  $\delta$ HD on the methane.

I will return your cylinders this week and will notify you when the analysis on the Roberts' sample has been completed.

Sincerely,

*Charles N. Threlkeld*  
C. N. Threlkeld

ID	gas wetness $\frac{C_1}{\sum C_1-C_5}$	depth	$\delta C^{13}$ on methane	N <sub>2</sub>	C <sub>1</sub>	CO <sub>2</sub>	C <sub>2</sub>	C <sub>3</sub>	iC <sub>4</sub>	nC <sub>4</sub>	C <sub>5</sub> <sup>+</sup>
Tycksen #1 (Fruitland)	.9039	900	-42.65	1.03	89.41	0.05	5.67	2.36	0.48	0.52	0.46
Gallegos Canyon Well #94-E (Dakota)	.8343	5866	-41.97	0.93	81.90	0.90	9.28	4.27	0.62	1.29	0.80
Vent Pipe H. Roberts home - As Rec'd	.9606	12	-31.65	70.69	20.49	7.98	0.84				
Vent Pipe H. Roberts home-air free basis	.9606	12	$\delta C^{13}$ on CO <sub>2</sub> Peak Roberts -41.61	N/A	69.91	27.23	2.86				



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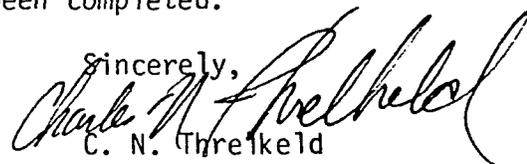
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C. N. Threlkeld

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Tycksen #1 (Fruitland)	.9039	900	-42.65	1.03	89.41	0.05	5.67	2.36	0.48	0.52	0.46
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# Gas Still Keeps Residents Away Two Years Later

By George Johnson  
Daily Times Staff

For many, retirement is a time to enjoy life after years of labor. The house mortgage is clear and children are grown and leaving home.

But for Mr. and Mrs. Harold Roberts and Mrs. Genevieve H. "Winnie" Brady, the last two and a half years of their retirement have been a nightmare.

The Robertses and Mrs. Brady were forced from their homes shortly before Thanksgiving 1961 when Gas Company of New Mexico crews, on a routine check, found high levels of potentially explosive gas around the two houses in the 2100 block of Camino Rio.

The Robertses and Mrs. Brady have yet to return home.

Instead of being able to enjoy their homes free and clear, they have spent thousands of dollars in an apartment and rental home. Their homeowners insurance has been canceled and instead they are saddled with a tremendously expensive "high risk" liability policy should something happen.

But the Robertses and Mrs. Brady are not the only ones adversely affected by the situation. Property values along Camino Rio in the Valle Grande Subdivision have plummeted and some home-

owners are finding it difficult to sell in an already slow housing market.

The problem is that no one can find the source of the gas, and therefore no one can, or wants to, take responsibility for the situation.

And the Robertses and Mrs. Brady are left in the middle.

"It's not like we have a bad automobile that we can unload," said Roberts, a retiree from El Paso Natural Gas Co. We are forced to keep the house, make payments on it and the liability insurance. Even if we tore the house down, we would still be responsible for the land," he added.

The Robertses figure the situation has cost them about \$1,500 a month for rent, insurance premiums and other incidental expenses. Mrs. Brady said it has cost her about \$750 monthly.

At the time the gas was detected, said Roberts, the house was appraised at about \$100,000. Now, he says, it's worthless.

Another expense, say the Robertses, was additional medical bills. "This thing has been a big strain," Mrs. Roberts said.

And Mrs. Brady, a retired teacher, suffered a heart attack a week to the day she was forced to move.

In an effort to get some help, Tim Foster of 1401 Camina Contenta presented a petition, signed, he said, by 97 percent of the Valle Grande residents, to the Farmington City Council last Tuesday night. The council could offer little but sympathy.

Although the source of the gas has not been determined, Joe Chavez, supervisor of the Artec Office of the state Oil Conservation Division, said during the meeting that his office has determined the levels of gas surrounding and under the houses are safe and the chance of explosion is unlikely.

The city of Farmington told the residents in May 1962 in a letter that they could move back in and have full city utility service if the residents would not hold the city responsible for any incident. But despite the OCD's and city's findings, the Gas Company of New Mexico feels differently. A letter to both the Robertses and Mrs. Brady, and signed by the gas company attorney Sarah Smith, states that a potential catastrophic situation exists and no gas service will be resumed until the unwanted gas is removed.

Dave Davis, chief engineer for the gas company, said Thursday that the gas has been monitoring the gas levels as an ongoing process and the potential is still there for disaster.

"Our own internal policies don't allow us to tap the meter under these conditions. We feel great legal vulnerability for those residences



(Staff Photo)

## Dangerous Neighborhood

Workers found high levels of gas around two houses on Camino Rio.

where the gas concentrations are so high. Legally, we just can't take the chance," Davis said.

But despite the gas company's reluctance to resume service, the company has suggested the residents use propane or convert to all electric appliances if they want to return.

In the letter from the city, it listed five ways, including use of a gas detector, in which the residents could minimize the danger. Fire Chief Al Connors said he has no problem with the residents moving back. Even though the danger is not there, he said, however, the potential continues. "For us to say it's safe, we can't guarantee that," Connors added.

Chavez also suggested the residents could get around the gas company by either purchasing bottled gas or going all electric.

But for Mrs. Brady, that is not enough. She has refused to sign the letter from the city as requested and said she would not move back into her home, even if a gas detector is installed. "Even with a gas detector, you could imagine what it would be like waiting for that thing to go off," she said. She also mentioned that many times fire alarms send false alarms.

And referring to the gas company's letter, she quotes their

terms "dangerous, catastrophic hazard. I think those are very strong words."

The Robertses, who first lived with his sister, then in a motel before moving into a rental house, also feel uneasy about moving back in. As for buying bottled gas, Roberts said a flame from that is the same as from natural gas. "If we moved back in, the insurance would be even higher since it is rated as an environmental hazard."

And, said Mrs. Roberts, "if that would happen to pocket, it could be an explosion just like what happened in Colorado," referring to a similar recent incident in La Salle, Colo. However, that case is different in that the gas source had been traced to a gas well.

The Robertses says the whole situation has "been a terrible ordeal. We have good neighbors and we hate to hurt them."

Even though Roberts has been told that chances of this occurring are one in a million, he, his wife and Mrs. Brady were that one, and "it just has wiped us out," he said.

Despite apparently exhaustive efforts by the city, OCD, state Environmental Improvement Division and state Minerals and Energy Department, no source for the mysterious gas can be found.

Shortly after the gas was discovered, the OCD found a nearby gas well that had been drilled in 1955 and improperly abandoned and

capped. The OCD spent \$250,000 to cap the well, but the gas continued. Also investigated and ruled out were gas company lines, a sewer line under the street, an underground coal mine and an abandoned water well.

According to Chavez, a local consultant analyzed the contents of the gas and found it to be mostly methane with a small amount of ethane, which is inconsistent with the makeup of natural, sewer or swamp gas.

But the Robertses feel that the OCD has only tried to cover its past mistakes with the nearby well — something Chavez disputes.

"It's not our policy to witness the capping of every well in the basin. Ninety-nine point nine percent of the operators are honest, but sometimes we have stinkers as you do in any business. I have talked to a witness who said the well was not plugged properly. But plugging the well was not done to cover our mistakes."

Chavez added that a lot of time and effort went into not only finding the source of the gas, but to also install vent pipes around the property.

Even though the OCD has a fund, collected from operators, to pay for incidents such as this, the Robertses and Mrs. Brady won't see any of the money since the gas has not been traced to a well.

After no source of the gas could be found, the gas was declared an act of God, and the Robertses' and Mrs. Brady's regular homeowners insurance was immediately canceled. Although difficult, the residents, with the help of their insurance agency, were able to obtain the high risk, although more expensive, insurance. That insurance, however, does not protect the homes from vandalism, fire or other damage. It just protects the owners from liability in case something happens.

Chavez, at Tuesday night's meeting, said his office just doesn't have the technology to deal with a natural phenomenon, although the idea of paving the two lots had come up.

But maybe the technology does exist, according to an EID official, that would adequately vent the gas and allow the residents to move home.

Richard Perkins, the EID's program manager for the groundwater surveillance section, said his staff has recommended more vent pipes be installed and new technologies be investigated. Those technologies, he said, include underground gravel-filled wells and trenches that would serve as conduits to capture and move out the gas. "Maybe the new technology could change the situation a bit," Perkins said.

Federal and state financial aid have also been investigated with discouraging results. Richard Buffington, off U.S. Rep. Bill Richardson's Farmington office, said all they could do was set up a meeting among the Robertses, Mrs. Brady and officials of the EID and Energy and Minerals Department. Federal aid was looked into, but nothing could be found. Foster told the City Council that former Gov. Bruce King, on his last day of office, declared it a disaster situation, but that executive order has not been acted on by Gov. Toney Anaya.

But Bob Gold, communications chief for the governor's office, said he could not find any executive order or any outstanding order for Farmington since 1961.

And John Randing, special projects coordinator for the governor, said he did not know of any source of state or federal funds. "It would appear not to be identified with state or federal funds because it involves personal property," Randing said. "It poses a special problem, but the governor's office will continue to pursue the problem," he added.

Meanwhile, the Robertses and Mrs. Brady wait, paying rent and high insurance premiums, and wondering if they will ever get to go back to the places they call home.

"I would just love to see this thing solved and over with," said Roberts. "It's kind of hard to be retired and have to start all over again."

**LoRene's Pharmacy Footnotes**

by Lorene MacCallum

The status of a drug can change. Sometimes a drug, once considered safe and prescription-only, is reclassified after experience has determined that it satisfies the over-the-counter requirements. Among the drugs that have been permitted to over-the-counter (OTC) status in the last decade is topical hydrocortisone, skin medication. Topical hydrocortisone, available in creams, lotions and ointments, is used to be prescribed before attaining OTC status. For irritation, itching and relief due to sunburn, poison ivy and other minor skin ailments. It is now available to an estimated 25 million Americans afflicted with skin ailments, who can now treat themselves at lower cost greater convenience with the OTC remedy.

Here at LORENE'S PHARMACY we don't stress often enough the importance of consulting with us before purchasing an over-the-counter medicine. We will always take the time to outline its benefits, disadvantages and how helpful it can or can't be to your specific problem. You will find us at 391 W. Aschra where we are open Mon. - Fri. 9:30 A.M. - 8:00 P.M. 225-1177. Help for Child, Visa, P.C.D. cards, paid prescriptions, 30-day return cards and prescriptions for Counsel employees welcomed.

The cold medicines that are strong enough to remedy your particular symptoms no more.

**Valley Vite Dance Week!**

## Bardacke May Seek High Court Reversal of Federal Trespass Ruling

SANTA FE (AP) — New Mexico Attorney General Paul Bardacke says the state may ask the U.S. Supreme Court to reverse a ruling by a federal appeals court that establishes the right of the federal government to sue a state for trespass on Indian pueblo land.

"We are considering an appeal," Bardacke said. "We haven't decided yet."

The 10th U.S. Circuit Court of Appeals in Denver earlier this month overturned the dismissal of a claim by the Santa Ana Pueblo that the state of New Mexico had trespassed on pueblo land at Coronado Monument just outside Bernalillo.

The appeals court gave the state 60 days to file a petition if it wants to take the matter to the Supreme Court.

U.S. District Judge Santiago

Campos of Santa Fe dismissed the claim last year, basing his decision on the 11th Amendment to the U.S. Constitution, which sets forth states' sovereign immunity from lawsuits which they do not agree to litigate.

The United States, in its role as trustee for Indian tribes, filed the lawsuit on behalf of the pueblo in federal court in 1960. The lawsuit named the University of New Mexico, Museum of New Mexico and New Mexico State Parks and Recreation Division as defendants.

The lawsuit contended that the state agencies had taken over 11 acres of Santa Ana's land for picnic grounds at the Coronado Monument, which is located near Bernalillo on the west bank of the Rio Grande, along New Mexico 61.

"The decision has the potential

for pretty far-reaching consequences unless it is reversed," said Douglas Seegmiller, defense attorney for UNM.

Bardacke said if the state doesn't take the case to the Supreme Court, Campos will have to reconsider it.

"It's a very favorable decision for the pueblo," said Santa Ana tribal administrator Roy Montoya. And, "It's a very favorable decision for Indian rights," said Tom Luebben, Santa Ana's attorney.

Luebben said the pueblo has indicated it is willing to negotiate a land exchange with the state rather than to further pursue the matter in court.

## Yogurt Company Files Lawsuit

ALBUQUERQUE (AP) — This Can't Be Yogurt Inc. has filed a countersuit in federal court here against I Can't Believe It's Yogurt and its Dallas shareholders Bill and Julie Brice that asks for an \$18 mil-





TONY ANAYA  
GOVERNOR

STATE OF NEW MEXICO  
GOVERNOR'S CABINET  
SANTA FE  
87503

JOSEPH GOLDBERG  
SECRETARY  
FOR HEALTH & ENVIRONMENT

May 17, 1984

RECEIVED

MAY 23 1984

OIL CON. DIV.  
DIST. 3

The Honorable Bill Richardson  
United States Representative  
129 Federal Bldg., Cathedral Place  
Santa Fe, NM 87501

ATTENTION: Barbara Honnell

Dear Representative <sup>B.H.</sup> Richardson:

This will confirm information provided to Barbara Honnell of your staff in a telephone conversation on May 2, 1984 with Richard Perkins, Environmental Improvement Division, concerning Ms. Guinevere H. Brady's quest to reoccupy her home. Since November 1981, Ms. Guinevere H. Brady has been unable to occupy her home in Farmington, New Mexico, because of the presence of high levels of gas detected on her property. Since that time various local, state and federal entities have attempted to identify the source of the gas, a means of eliminating the danger, and a procedure for allowing Ms. Brady's return to her house.

Possible sources of the gas include one or more abandoned natural gas wells in the area, a naturally occurring natural gas pocket, a defective natural gas service line, decomposing landfill materials, an abandoned coal mine, and decomposing sewage. The Oil Conservation Division has capped the only known abandoned gas well in the area, and the Gas Company of New Mexico has determined that its pipeline is not at fault. The Mining and Minerals Division has eliminated the possibility of a coal mine as the source. The Environmental Improvement Division was asked to investigate the possibility of the gas originating from a functioning or abandoned sewer or septic tank.

The EID sought information from OCD, the City of Farmington, the Gas Company of New Mexico, and the firm which sealed the abandoned gas well. That information, which includes an analysis of the gas, indicates that the gas is probably not sewer gas, nor is it likely that it originates in a landfill or abandoned septic tank. Neither does it appear to be pipeline gas. It appears to be raw natural gas and is most likely to originate either from an as-yet-undiscovered abandoned natural gas well or a natural gas pocket.

Although the Health and Environment Department has no jurisdiction in this matter, there is a staff agreement with Energy and Minerals Department personnel that the house can be made safe for occupation by taking certain preventive measures. Among those which have been suggested are:

1. installation of a gas detection device with alarm;

Representative Bill Richardson

Page -2-

May 17, 1984

2. sealing the soil below the crawl spaces under the house;
3. provide active ventilation of the crawl space;
4. relocate the furnace (a source of ignition) from under the house; and
5. vent gas from the soil.

To date, six perforated PVC pipes have been installed to vent gas from the soil around the house. Further ventilation of the soil might be accomplished by the addition of more and deeper vent pipes placed at an angle to extend under the house. Also, additional deep trenches could serve to reduce gas buildup in the soil. According to Ms. Brady, the gas is spreading. Such trenches might act as a barrier to that spread, depending on the movement, depth and extent of the source of the gas.

If it is possible to make occupancy of Ms. Brady's house safe, and assuming that safety can be confirmed by the various concerned parties, the problem becomes one of restoring utility service and allowing Ms Brady to resume living in her house. The City of Farmington, which supplies power and water to the house, is willing to restore service when the State determines that the house is safe, and if Ms. Brady will assume any liabilities associated with resumption of service. The Gas Company of New Mexico, because of liability concern, will not specify under what conditions it will restore service, except to say that the location must be safe for such service restoration.

The next step would seem to be to implement a combination of the previously mentioned preventive measures. At such time as these measures can be shown to have eliminated the hazard, water and electric service would be restored. If the Gas Company is satisfied with the effectiveness of these measures, gas service also would be restored. If the Gas Company is not satisfied, an alternative fuel such as propane could be supplied.

I hope that my staff's analysis of this situation provides you with the overview that you wanted. If you need any further information, please give me a call.

Very truly yours,



Joseph Goldberg  
Secretary

JG/SA/ps

cc: Guinevere Brady  
Steven Asher, Director, Environmental Improvement Division  
Susan Carlson, Public Service Commission, Santa Fe

Representative Bill Richardson

Page -3-

May 17, 1991-

Joe Ruiz, Gas Company of New Mexico  
Dave Davis, Gas Company of New Mexico  
Dwight Arthur, Farmington City Attorney  
Joe Ramey, Director, Oil Conservation Division  
Ed Kelley, Director, Mining and Minerals Division  
Paul Biderman, Secretary, Energy and Minerals Department  
Frank Chaves, District Supervisor, Oil Conservation Division, Aztec, NM



STATE OF NEW MEXICO  
**ENERGY AND MINERALS DEPARTMENT**  
OIL CONSERVATION DIVISION  
AZTEC DISTRICT OFFICE

TONY ANAYA  
GOVERNOR

1000 RIO BRAZOS ROAD  
AZTEC, NEW MEXICO 87410  
(505) 334-6178

May 3, 1984

Mr. Dwight D. Arthur  
City of Farmington  
P.O. Box 900  
Farmington, NM 87499

Re: Hydraulic Fracturing

Dear Dwight:

The presence of ethane gas indicates the possibility of coal seam gas.

The only incidences of hydraulic fracturing reaching the surface that I know of have been accompanied by eruptions of gas, oil, water, and sand in large quantities. We have reviewed the fracturing records of the wells in the area and can find no data which support the theory that fracturing is the cause of the gas seep. We have also reviewed the pressure histories of the wells in the area and arrived at the same conclusion. We have thoroughly searched the area and can find no damaged pipelines.

I talked to Mr. Bill Smith, Director of the Colorado Oil and Gas Division, about the gas eruptions in the La Salle area. The incident you referred to was not caused by fracturing and it appears might not have been caused by oil and gas activity in the area. They have not ordered the cessation of fracturing, but have only made a minor alteration to their cementing requirements.

If you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Frank T. Chavez".

Frank T. Chavez  
District Supervisor

FTC/dj

xc: Operator File ✓



# INTER-OFFICE MEMORANDUM

## CITY OF FARMINGTON

To: Those Listed Below

Date: April 26, 1984

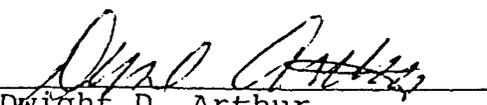
From: Dwight D. Arthur, City Attorney

Subject: Gas Seepage -- Valle Grande Subdivision

I received a telephone call on April 19, 1984, from Mr. Tucker Atterberry (phone 327-4039) who advised that he, as a consulting geologist, had utilized a portable gas chromatograph to analyze gas coming up around the Brady and Roberts residences. He advised that gas from around the residences contained both methane and ethane gas but gas from the City sewer and the natural gas line did not contain ethane gas which may indicate the gas is not from the same source.

Mr. Atterberry stated that when a well is fractured it is under a great deal of pressure and that the fracturing activities of adjoining wells could have dislocated old pipeline distribution systems in the area.

Apparently there is a case in Colorado where a gas leak was caused by fracturing activities which resulted in an explosion in a house and caused the State of Colorado to order all fracturing activity in the area to cease.

  
Dwight D. Arthur  
City Attorney

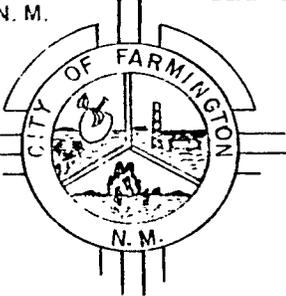
DDA/tlm

cc: William Manchester, City Manager  
✓ Frank Chavez, Oil Conservation Division  
Hoby Clay, City Engineer  
Al Conners, Fire Chief  
Ken Carlisle, Insurance Department  
Bob Metzler, Public Works Director  
Bob Randolph, Chief Building Inspector  
Bobby Mowles, Personnel Director  
Steve Mack, Customer Service Director

RECEIVED

APR 30 1984

OIL CON. DIV.  
DIST. 2



April 26, 1984

Mr. Tim Foster  
1401 Camina Contenta  
Farmington, NM 87401

Re: Gas Seepage  
Valle Grande Subdivision

Dear Mr. Foster:

The seventh paragraph of the Petition which was presented to the City Council on April 24, 1984, made reference to findings from soil samples and beliefs of petroleum and chemical engineers, geologists and employees in the oil and gas industry.

Would you please furnish this office with copies of findings from soil samples and reports of the engineers and geologists referenced in the Petition.

Thank you for your attention.

Very truly yours,

  
Dwight D. Arthur  
City Attorney

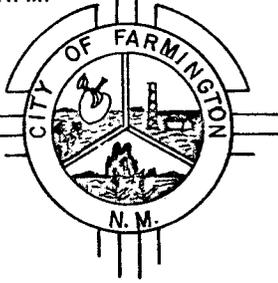
hs

- xc: Mrs. Brady
- Mr. Roberts
- ✓ Frank Chavez
- W. Manchester
- Hoby Clay
- Bob Randolph
- Bob Metzler
- Steve Mack
- Bobby Mowles
- Ken Carlisle
- Al Corners

**RECEIVED**  
APR 27 1984  
OIL CON. DIV.  
DIST. 3

UTAH COLO.  
ARIZ. N.M.

CITY OF FARMINGTON, NEW MEXICO  
CITY ATTORNEY  
505 / 327-7701



April 26, 1984

Mr. Frank Chavez  
Energy & Minerals Department  
Oil Conservation Division  
Aztec Division Office  
1000 Rio Brazos Road  
Aztec, N.M. 87410

Re: Natural Gas -- Valle Grande Subdivision

Dear Frank:

On behalf of the City Council of the City of Farmington, I would like to take this opportunity to thank you for taking time out of your busy schedule to attend the Manager's Report and the City Council meetings to discuss the above mentioned subject.

Very truly yours,

  
Dwight D. Arthur  
City Attorney

hs

RECEIVED

APR 27 1984

OIL CON. DIV.  
DIST. 3

## Mobile Home Lessor Allowed To Keep Rental Temporarily

By George Johnston  
Daily Times Staff

Garner Withers will get to keep a rental mobile home as a non-conforming use on a lot zoned M-1, light industrial, district, but only for 18 months.

The Farmington City Council, in a lengthy session Tuesday night, went against the Planning and Zoning Commission recommendation after hearing Withers' pleas of financial hardship.

Withers originally had a mobile home on the lot — grandfathered-in as an existing, although non-conforming use — in addition to a site-built residence, at 433 East Broadway. He moved the mobile home, in an effort to be "a good citizen" and sell the lot as M-1. However, when he couldn't sell the lot after nine months, he moved another mobile home on it. Since more than 30 days had passed, the mobile home lost its recognized non-conforming status, and a special use permit was then required.

The confusion over the permit, Withers said, arose when he purchased the new mobile home and the dealer told Withers he would take care of all the permits, meaning all the moving permits.

Dayton Lee of Central Mobile Homes told the council he told

Withers he would take care of the permits, referring to the state moving permits. "If we had stopped for 30, 40 or 50 minutes, we would have figured it out and saved him this problem," Lee told the council.

Withers told the council he is facing financial hardship in that he is unemployed, is paying on the new mobile home, the Broadway lot and his home mortgage, and he needed the income from the mobile home rental. "We did give up income from the property to try to sell it. We are already paying notes on the mobile home, and I'm without work," Withers said.

"We're kind of in a hell of a mess, but we got there because we were trying to be good citizens and tried to go M-1. Please don't tell us that by being good citizens we worked our way into a trap," Withers pleaded.

Councilman W.W. "Bill" Irvin then went into a 30-minute grilling of Principal Planner Joe Schmitz concerning zoning laws, zoning for the area in question and requirements for mobile homes. During one part of the questioning, Irvin said he had made four trips to the Cottonwood Heights Subdivision, where he noticed that minimum distance between dwellings and minimum street setbacks were not in accordance with zoning ordinance requirements. "We've made a shambles of the ordinance with Cottonwood Heights, haven't we?" he asked Schmitz. "We make exceptions. I just wonder if it (Withers' lot) can't be used for manufacturing, maybe it is improperly zoned," Irvin said.

Councilman Franklin Roberts said there were four problems that concerned him. These include the area not being zoned for mobile homes, the fact that past special use permits based on hardship have been issued for limited times such as six, 12 or 18 months, establishment of a precedent and the fact the request is illegal, according to the zoning ordinance.

Councilman Manuel Hastings then asked Withers the financing terms on the mobile home, and Withers replied two years.

Hastings, who had made an original motion to deny the petition, then changed his motion to allow a special use permit for 18 months,

since that is the maximum special use permit on city record. The ordinance passed unanimously.

In other action the council:

- Approved a petition from Los Hispanos de San Juan for a special use permit in a C-2, general commercial, district to allow a carnival May 29 through June 3 at Palmer Plaza, 1001 W. Broadway, subject to certain conditions.
- Denied a request from James Sanders for abandonment of an alley between Silver Avenue and Spuce Street.
- Held a public hearing on proposed use for federal revenue sharing funds in which no one appeared.
- Approved a resolution authorizing City Manager William Manchester to file an application for federal fiscal year 1984 Community Development Block Grant.
- Authorized for initial introduction an ordinance amending the city code pertaining to trash pickup, including a restructuring of rates to allow apartment complexes and mobile home parks to be charged according to occupancy.
- Tabled until the May 22 meeting bids for financing the purchase of telephone equipment. Manchester told the council in an earlier department head meeting that a new system from AT&T that would better suit the city's needs might be available in a month and he recommended the bids be tabled until that system becomes available.
- Approved a resolution in memory of Mrs. Jackie Kurtz and presented the resolution to her husband, Russell, and daughter, Shana.
- Heard a proclamation from Mayor Dee Montano declaring this week Youth Week and recognizing Tuesday as Youth in Government Day.
- Approved a temporary liquor license request from K.B. Dillon's to Bowlero Lanes May 5 and 6 for a bowling tournament.
- Approved David Smith, a city animal control officer, as a limited commissioned police officer.

## Valle Grande Residents Seek City Council's Aid

By Times Staff Writer

Residents of the Valle Grande area sought help from the Farmington City Council Tuesday night, but got no satisfaction.

It was just another chapter in a two-and-one-half-year story of two families forced from their homes because of mysterious gas at potentially explosive levels surrounding two residences in the 2100 block of Camino Rio.

Tim Foster, a resident of the area who represented Valle Grande residents, presented the council with a petition signed, he said, by 97 percent of the area's residents, asking the city to help move Mr. and Mrs. Harold Roberts and Mrs. Guinevere H. Brady back into their homes.

But the council told them there was little the city could do — the same as what the other two agencies involved have also said.

Frank Chavez of the state Oil Conservation Division said after several hundred hours of research and \$250,000 they have not been able to determine the source of the gas, even though his office has determined it is not in explosive concentrations.

And the Gas Company of New Mexico, despite the Oil Conservation Division's findings of safety, still refuses to turn on the gas so the residents can return home.

"We need help to determine where the gas is coming from," Foster said. "Neither the gas company nor the state claims it's theirs," he added. "What would happen if a kid threw a firecracker at the house and it (the house) exploded?" Foster asked.

But Chavez said that his division spent many man hours with their geologists and local consultants and they still can't determine the source of the gas. Even though a nearby well that was drilled and improperly abandoned in the 1950s was capped, the gas still is leaching from the ground, he said.

"It is not coming from any oil and gas wells in the vicinity. We have never detected explosive levels of gas either within or under the house. The amount of gas is so small it won't bubble when it rains," Chavez said.

There has been no appreciable change in the gas levels during the past two years, Chavez added.

"That may not give you any peace of mind because you're not familiar with the industry as I am, and it's your home, not mine," he said.

Chavez also said that it is possible the gas has been there for a long time — even when the houses were constructed. "It could happen anytime, anywhere in the world."

Mayor Dee Montano then asked City Attorney

Dwight Arthur who was responsible for not allowing the residents to move back.

Arthur replied that his office sent them a letter stating the city would turn on water and electricity if the residents would not hold the city responsible for the gas.

Mrs. Montano then read from a letter from the Gas Company telling the Robertses and Mrs. Brady that they would not resume gas service until the leaking gas is removed.

"We're asking the city to help by stopping the gas leak," said Foster.

"I don't know what we can do," said Mrs. Montano. "One party says the level of the gas is very low and the other says it can't turn on the gas until the problem is removed."

The only representative of the Gas Company at the meeting was attending for another matter and had little to offer. "This is very impromptu. As for me being the spokesman for the gas company, no comment," said John Horn. "It's not the retail gas. That's as much as I can say," adding that the matter has been referred to the gas company's attorneys. The letter, it was noted, was written by gas company attorneys.

"It's not that we don't care," said City Manager William Manchester. "It's just that we don't know what to do."

In response to a question from Councilman W.W. "Bill" Irvin, Chavez said the mineral rights owner can't be held responsible unless he caused the situation.

Foster then said it sounded like a stalemate had been hit and asked the city to bring all the people involved to see if something can be done.

But Mrs. Montano replied that \$250,000 has already been spent and Chavez said numerous meetings of all involved have already been held. "Perhaps all we haven't done is give you peace of mind. At this time we do not have the technology available to stop a natural phenomena."

Foster told the council that former Gov. Bruce King had declared the situation a disaster his last day in office, but Gov. Tonye Anaya has refused to recognize that declaration. Appeals to federal officials have also yielded little.

After more questions to Chavez from the audience and further discussions about paying the lots, Foster told the council that he and his group would be back. The next time, he said, they would be asking for \$250,000 from the city to find the cause of the leaks and stop them.

The leaks were first discovered Nov. 16, 1981, by gas company crews on a routine check.

**MILLEN**  
MEMORIAL  
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Also Available Standard 16.96  
In 5 Gal. Semi-Dwarf 18.95

**SPECIAL THIS WEEK**  
Apricot Standard 6.95  
Pear Semi-Dwarf 9.95

## Four Corners Mental Health Seeks Help

By Times Staff Writer

Four Corners Mental Health appealed to the Farmington City Council Tuesday night for assistance in preparing an application for the Community Development Block Grant program.

But Mayor Dee Montano said the city is in the process of preparing an application for its own projects and would prefer to concentrate on that.

Clark Johnson of Four Corners Mental Health said his agency would like to seek \$130,000 from the state to purchase two buildings, but the city has not shown any interest in helping it apply. "We would like you to reconsider your position," Johnson said. Under the CDBG program, a city or county government may apply for a grant of its own and

(Related Story, Page A3)

can assist a non-profit agency in an application.

"We need this kind of help from the city. Some of our clients are bizarre in their behavior and need special attention. We need the city as a landlord because not everyone wants tenants like ours," Johnson said.

Mrs. Montano said, however, that since the city is pursuing a grant of its own, that will entail a lot of work in itself.

Johnson replied that his agency had checked with the county and was informed that it (the county) has a long waiting list of agencies seeking the funds.

"I hope you can understand our

position at this time," said Mrs. Montano. "We felt it is not fair to our application to be sponsoring another one at this time."

Even though Johnson said his agency would prepare all the paperwork, City Manager William Manchester said the city is still working on a grant for an agency

from last year.

Johnson then asked the council if Four Corners Mental Health could seek assistance through the city's portion of federal revenue sharing funds. The council was receptive to that idea, and Johnson said he would revise his proposal and submit it to the council at a later date.

## Harrison's Name Will Be Struck From Primary Ballot

By Times Staff Writer

George Harrison's name will be struck from the Democratic primary election ballot following a Monday hearing in Santa Fe on a challenge to his nominating petitions for district attorney.

Santa Fe District Court Judge Bruce Kaufman entered a judgment that Harrison's petitions contained an insufficient number of valid signatures.

The challenge was filed by attorneys for Bill Birdsall, his Democratic primary opponent and now an unopposed candidate in either the primary or general election for the post.

Harrison announced last week that he would not contest the challenge.

Val Jolley, attorney for Birdsall, said that despite the lack of a contest, "We still had to put our case on."

The court found that Harrison's petitions contained 94 signatures of people not registered in the district, 8 signatures of persons registered in a party other than the Democratic Party, 19 signatures by persons who also signed Birdsall's petitions, and 13 signatures that were duplicated on Harrison's own petition.

Of the 138 signatures challenged, a total of 134 were ruled invalid, leaving Harrison with 301 valid names — 20 fewer than the statutory requirement.

Harrison had filed 435 signatures with the secretary of state's office.

Jolley said he called two witnesses. Hoyt Clifton, director of the state Bureau of Elections, and William Cunningham, secretary-treasurer of Birdsall's campaign committee and one of the original people involved in checking petitions.

We wish to express sincere appreciation to the fine people who so graciously gave of their hearts during the loss of our beloved Husband and Father.

**ALFRED H. BOWMAN**

Signed, Mrs. Alfred Bowman, John, Art, Ben & Dave Bowman and Families.

FLORAL CONTRIBUTORS:

Utah International Employees, June A. Bowman, Ella M. Bates & Family, Donna Holland, Beverly Hatfield, Rico Motor Company, Leo Denesone, Judge Alfred Hardy, Mr. & Mrs. Stanley Barros Sr., Elsie R. Nelson, Notah & Pauline Begay & Family, Dorothy Ann, Sandra Miller, Marilyn Smith, Clyde Denesone, Alfred Newman & Family, Jean & Melvin Bell, Edison, Kathleen & Bee, Mr. & Mrs. Frank Curley, Sr., & Family, Peter McDonald & Family, Elsie Begali & Family, Brenda Lovin, Diane Bowman, Eddie Denesone, Mr. & Mrs. Verlin Sisson, James E. Arviso & Family, The children of Harry A. Bowman, and all others who contributed.

CONTRIBUTORS OF FOOD, TABLE DECORATIONS AND UTENSILS:

**VALLEY** STARTS 3 DAYS THURSDAY! ONLY!

PETITION LETTER

RECEIVED

APR 19 1984

OIL CON. DIV.  
DIST. 3

To: City of Farmington  
From: Residents of Valle Grande Estates  
Re: Gas leaks in Subdivision

We, the residents of Valle Grande Estates and other concerned citizens, petition the City of Farmington, New Mexico to take investigative and corrective action in the matter of gas leaks in the subdivision.

The leaks at two properties, 2109 Camino Rio and 2113 Camino Rio, in the subdivision were found in mid November of 1981 by the Gas Company of New Mexico while on routine check of their gas lines.

The methane gas soil saturation embraces an area of about 50' wide by approximately 400' long and includes soil under sidewalks, streets and residences.

The Gas Company proved conclusively that the gas was not from their lines.

The area Oil Conservation Division plugged an abandoned well in the area and placed soil vents at the two residences, both operations to no avail.

In May of 1982 both the city and state declared the leaks a natural phenomenon. No concrete efforts to ascertain the source or relieve the plight of the citizens have been made since that time.

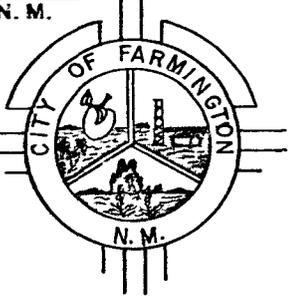
Based on findings from soil samples and beliefs of Petroleum and Chemical Engineers, Geologists and employees in the oil and gas industry, we do not concur with the May opinions of City Attorney, Dwight Arthur, or District Supervisor, Frank T. Chavez, District Oil Conservation Division, Energy and Minerals Department of the State of New Mexico, that the gas leaks are a natural phenomenon or Act of God.

to the two homes



UTAH COLO.  
ARIZ. N.M.

CITY OF FARMINGTON, NEW MEXICO  
CITY ATTORNEY  
505 / 327-7701



April 17, 1984

**RECEIVED**  
APR 19 1984  
OIL CON. DIV.  
DIST. 3

Mr. Frank Chavez  
Energy & Minerals Department  
Oil Conservation Division  
Aztec Division Office  
1000 Rio Brazos Road  
Aztec, NM 87410

Re: Natural Gas -- Valle Grande Subdivision

Dear Frank:

Mrs. Brady has asked to be placed upon the Agenda for the City Council meeting to be held on Tuesday, April 24, 1984, for the purpose of presenting a petition to the City Council pertaining to the above matter.

The City Manager has asked if it would be possible for you to appear at the Manager's Report Meeting before the City Council on Tuesday, April 24, 1984, at 5:00 p.m. to explain the technicalities of the natural gas problem to new members of the City Council and has asked if you might be available to answer any questions which might arise at the City Council meeting which begins at 7:30 p.m. The Managers Report to the City Council Meeting is held in Room 102 (Administration Office) of the City Hall building. Parking is available in the visitors' parking area at the east end of the City Hall building.

As per our telephone conversation this morning, this letter is written confirmation of the meeting times, and also that you have informed me that you will be available to attend both meetings.

Thank you for your attention.

Very truly yours,

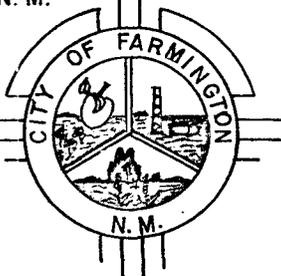
  
Dwight D. Arthur  
City Attorney

DDA/tlm

- |                   |             |
|-------------------|-------------|
| cc: W. Manchester | R. Metzler  |
| H. Clay           | B. Randolph |
| A. Connors        | B. Mowles   |
| K. Carlisle       | S. Mack     |

TAH COLO.  
RIZ. N.M.

CITY OF FARMINGTON, NEW MEXICO  
CITY ATTORNEY  
505 / 327-7701



April 12, 1984

Mr. Frank T. Chavez  
District Supervisor  
Energy and Minerals Department  
Oil Conservation Division  
1000 Rio Brazos Road  
Aztec, N.M. 87410

Re: Natural Gas Leak-Valle Grande Subdivision

Dear Frank:

The City of Farmington, in connection with its plans for sewer extension, replaced the sewer in Camino Rio in front of the Roberts and Brady residences.

Apparently a representative of a state agency which I am informed may have been the State Environmental Improvement Agency, inspected the Brady and Roberts premises and stated that, since the City had replaced the sewer line, the City was obviously responsible for damage to the Brady and Roberts property.

Since it is possible that construction of the sewer line may have resulted in a change of conditions, it would be appreciated if the Oil and Gas Commission could send a technician to recheck the levels of gas in the testholes previously made around the Roberts and Brady property, retest the gas levels in the City's sanitary sewer system, and retest the gas levels in and under the houses upon the property.

I have discussed this proposal with City Engineer Hoby Clay, Building Inspector Bob Randolph and Fire Chief Al Connors.

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DIST.

Mr. Frank T. Chavez

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April 12, 1984

Hopefully you will be able to honor our request and in such event, I would appreciate your coordinating such tests and the reports thereof with the above named individuals.

With my thanks and regards to you, I am

Very truly yours,

  
Dwight D. Arthur  
City Attorney

hs

xc: W. Manchester, City Manager  
R. L. Metzler, Public Works Director  
H. Clay, City Engineer  
B. Randolph, Building Inspector  
A. Conners, Fire Chief  
B. Mowles, Personnel Director  
K. Carlisle, Insurance Dept.  
S. Mack, Customer Service Director

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On the Bus to Visit New Mexico Legislators

## San Juan BPW To Santa Fe

It was rush, scrambled luggage, laughter and "Wait for me" Monday when the San Juan Business and Professional Women boarded a chartered bus for the New Mexico Business and Professional Women's legislative breakfast in Santa Fe.

The San Juan BPW had the largest representation in the state for the annual opportunity to meet state legislators and give them viewpoints from a business woman's outlook. Thirty eight business women from the area boarded the bus taking along several guests.

Richard Buffington, aid to Bill Richardson, was on board as "chaperone and guide," Assistant City Attorney Ray Archambeau, and owner of Mane Master, Phil Hutton accompanied the group. Two husbands, Steve Jacquez and Joe Hopper accompanied the bus load and according to Hopper, "Learned a lot."

Primary purpose of the trip was to meet with other women in business, do some networking on women's issues and attend a session of the legislature.

Sen. Christine Donisthorpe sponsored a reception Monday evening to allow San Juan BPW members an opportunity to meet other women in the legislature.

It was during this reception that Winnie Bradey of Farmington put on a sign board and began her campaign for legislation concerning dangerous gas leaks.

Mrs. Bradey is one of the home owners evicted by a gas leak in April 1982 that has not been solved. Two homes on Camino Rio remain empty because of the gas leak and it has not been determined to be the responsibility of any agency.

Several other members of the group were on the trip to meet legislators on particular issues. For example:

Both Motcalf wanted to talk on respiratory care legislation.

Johnnie Byrd was interested in the state of events for highway bypass legislation.

Steve and Toni Jacquez wanted to check on school funding and ways it was to be used.

Betty Buffington wanted to know more about changes pending in cosmetology regulations as well as appointments to the cosmetology board.

Marge Atkinson was talking about funding for counseling programs for children who have been abused or who are in domestic violence situations.

Lela Holmes was moving on insurance discrimination measures. The Santa Fe BPW provided a hospitality room and had made arrangements for a seminar on insurance discrimination.

Many of the legislators and visitors met informally following the workshop for further discussion.

The Tuesday morning breakfast involved more than 200 BPW representatives and legislators. Tables were set up so a representative or senator was at each table with the visitors. Keynote speaker for the day was the national president of BPW, Paula Nadenwald, who was visiting New Mexico after a trip to Washington, D.C. She was returning to her Hillsbro, Wash., home.

Ms. Nadenwald's theme was the "Feminization of Poverty" with statistics to back her statements on the change in the group of people in the poverty level and ways to prevent the continued trend.

A highlight of the visit to Santa Fe was the opportunity to visit the Roundhouse and watch the representatives in action. About 50 bills were introduced in the hour before the House recessed to meet in joint session with the Senate for an address by U.S. Sen. Pete Domenici, R-NM.

The session ran a little longer than regularly scheduled. The Farmington contingent ate lunch together and returned by bus to Farmington.

Conversation and activity on the return bus was much calmer than the previous afternoon.

The officers attending the two-day affair felt the legislators had listened courteously to the words of the BPW members and had, perhaps, been influenced favorably by them.



Winnie Brady Uses Sign Board for Emphasis





# FARMINGTON FIRE DEPARTMENT

ALBERT W. CONNERS  
FIRE CHIEF

July 18, 1983

Mr. Frank Chavez  
Oil Conservation Commission  
1000 Rio Brazas Road  
Aztec, New Mexico 87410

Dear Frank:

I was recently contacted by Mr. Harold Roberts, one of the home owners in the Valle Grande Subdivision, that experienced the gas percolation situation last year.

He indicated two areas of concern.

First, he felt that children or vagrants may be playing around the abandoned premises he owns there, as evidenced by cigarette butts, etc., he says he found on the back side of the house. I am forwarding a note to the Farmington Police Department so they can keep an eye on this situation.

His second concern centered around what he felt was a distinct increase in the amount of gas he smells in the area, especially around the relief vents that were installed in the area.

You may want to check on this reported increase, as Mr. Roberts feels there has been a recent change.

If I can be of any assistance, please feel free to contact me.

Yours truly,

*A. W. Conners*

A. W. Conners, Chief  
Farmington Fire Department

cc: W. Manchester, City Manager  
H. Clay, City Engineer  
D. Arthur, City Attorney  
K. Carlisle, Employee Benefits/ Insurance D  
C. Shields, Chief of Police  
B. Davis, Gas Company of New Mexico

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**SMOKE ALARMS SAVE LIVES** OIL CON. DIV.  
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# INTER-OFFICE MEMORANDUM

CITY OF FARMINGTON

To: Calvin Shields, Chief of Police

Date: July 18, 1983

From: A. W. Conners, Fire Chief *awc*

Subject: Suggested Close Patrol

Mr. Harold Roberts, former resident of 2113 Camino Rio, contacted me regarding his concerns that children or vagrants have been around his presently abandoned residence, which is in an area of gas seepage or percolation through the ground.

I indicated to him I would pass on to the Police Department his concerns in this matter, with the idea that you might institute a close patrol or some other action you feel may be appropriate.

If you have any questions in this regard, please feel free to contact me.

AWC/cls

cc: W. Manchester, City Manager  
H. Clay, City Engineer  
D. Arthur, City Attorney  
K. Carlisle, Employee Benefits/Insurance Dir.  
F. Chavez, Oil Conservation Commission  
B. Davis, Gas Company of New Mexico

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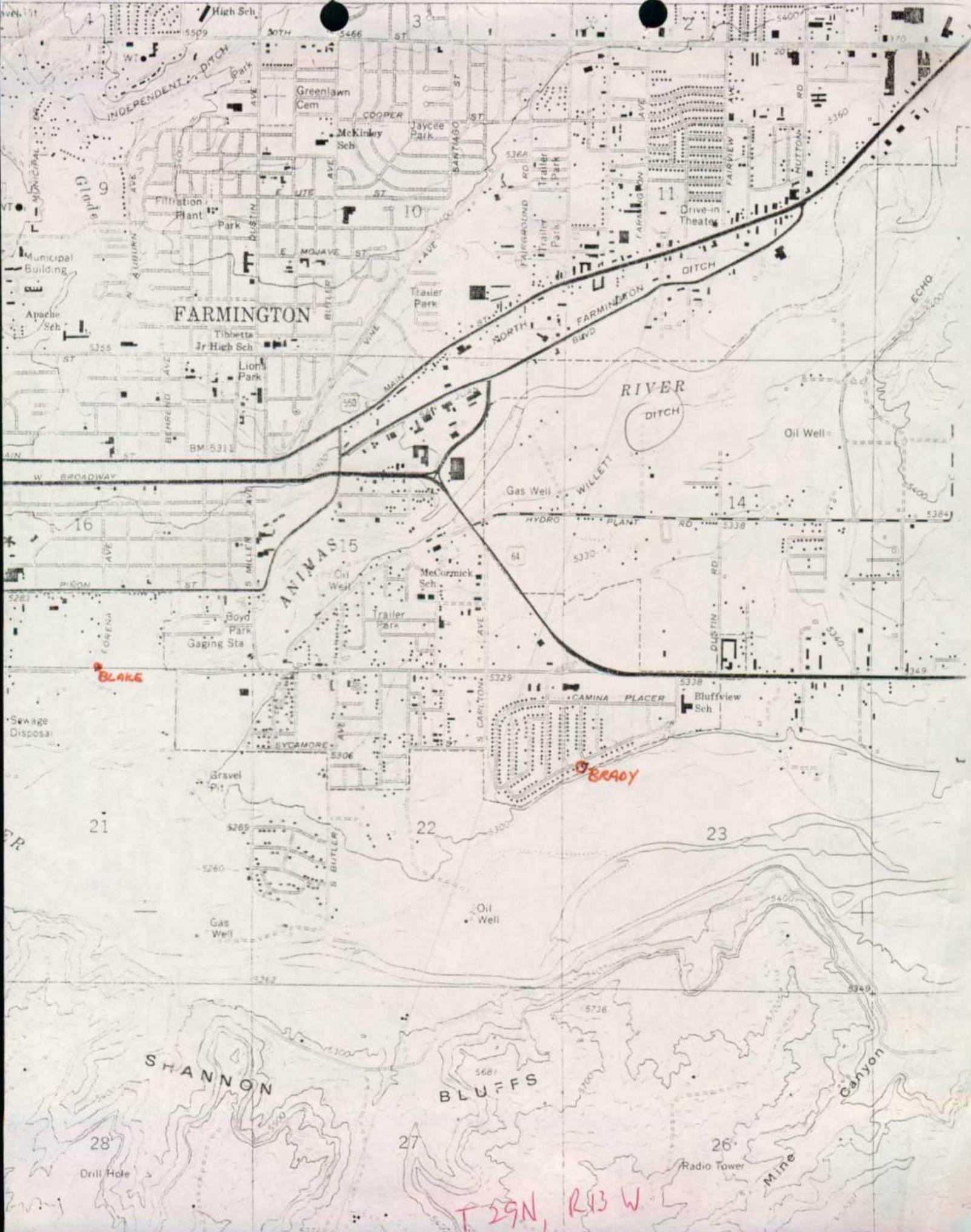
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