

District I
1625 N French Dr., Hobbs, NM 88240
District II
1301 W Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S St Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

MAY - 1 2009

Form C-141
Revised October 10, 2003

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

Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

30-015-24989

Release Notification and Corrective Action

MLB0913450649

OPERATOR

☒ Initial Report ☐ Final Report

Name of Company Marks & Garner Production 14070	Contact Quinton Welborn
Address P.O. Box 1089	Telephone No. 575-393-9358
Facility Name Red 12 STATE #23	Facility Type Oil Well

Surface Owner State	Mineral Owner Marks & Garner	Lease No. 30-015-24989
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LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
I	5	17S	27E	2310	S	330	E	Eddy

Latitude _____ Longitude _____

NATURE OF RELEASE

Type of Release Leak	Volume of Release -	Volume Recovered -
Source of Release	Date and Hour of Occurrence	Date and Hour of Discovery
Was Immediate Notice Given? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*

Battery Leak

Describe Area Affected and Cleanup Action Taken.*

Repair leak +
Excavate Hydrocarbon. Clean ground battery.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

OIL CONSERVATION DIVISION


Signature: Quinton Welborn	Signed By Mike Brannan	
Printed Name: Quinton Welborn	Approved by District Supervisor:	
Title: Mgr. VQA-E	Approval Date: MAY 14 2009	Expiration Date:
E-mail Address: QWELBORN@DVLOPMENT.COM	Conditions of Approval: Remediation per OGD Rules & Guidelines	Attached <input checked="" type="checkbox"/>
Date: 5-24-09	Phone: 575-393-9358	

Attach Additional Sheets If Necessary

MLB0913450345

2RP-309

DATE: 4/7/09

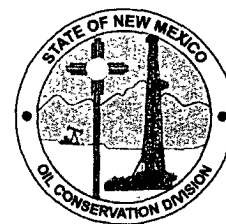


New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Joanna Prukop
Cabinet Secretary
Reese Fullerton
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



Marks and Garner Production LTD Co.
PO Box 1089
Hobbs NM 88241
ATTN: Quinton Welborn

May 14, 2009

Dear Mr. Welborn,

The New Mexico Oil Conservation Division District 2 Office (OCD) is in receipt of an Initial Report Form C-141 reporting produced fluid releases at each of the well sites listed below:

Levers Federal 007	30-015-25091	J-33-16s-29e	OCD Reference: 2RP-304
Levers 003Y	30-015-02787	N-33-16s-29e	OCD Reference: 2RP-305
Red 12 Federal 001	30-015-25058	O-33-16s-29e	OCD Reference: 2RP-306
Cave State 004	30-015-24742	F-04-17s-29e	OCD Reference: 2RP-307
Red 12 State 002	30-015-24966	H-04-17s-29e	OCD Reference: 2RP-308
Red 12 State 003	30-015-24989	J-05-17s-29e	OCD Reference: 2RP-309
Red 12 State 004	30-015-24991	O-05-17s-29e	OCD Reference: 2RP-310

The Form C-141s were submitted by Marks and Garner Production LTD Co (Marks and Garner) as a response to Letters of Violation (LOV) that were issued by OCD District 2 Office.

OCD is requesting that a corrective action work plan proposal (work plan) be submitted to the OCD District 2 Office for each of the sites, not later than **June 15, 2009**.

The work plans are to outline steps proposed to clean up, remediate, and/or haul off contaminated materials that may be present at these sites. The work plans are to be formulated based on vertical and horizontal delineation of contaminants, site ranking, and OCD Rules and Guidelines. Work plan approvals may be subject to like approval by Bureau of Land Management (BLM) in some instances.

A publication is available on the OCD website to aid in the remediation process, and site ranking. It may be located as follows:

www.emnrd.state.nm.us/ocd

Click on each of the items as they appear:

(1) Publications; (2) Environmental Handbook; (3) Miscellaneous Guidelines; (4) Remediation of Leaks, Spills and Releases



May 15, 2009

Page 2

Please include in the work plans any remedial work that may have already been performed at these sites.

Notify OCD 48 hours prior to obtaining samples where analyses of samples obtained are to be submitted to OCD.

If I can be of assistance, please contact me.

Sincerely,

Mike Bratcher

NMOCD District 2

1301 W. Grand Ave

Artesia, NM 88210

575-748-1283 Ext.108

mike.bratcher@state.nm.us