

New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson
Governor

Jon Goldstein
Cabinet Secretary

Jim Noel
Deputy Cabinet Secretary

Mark Fesmire
Division Director
Oil Conservation Division



Response Required – Deadline Enclosed

*Underground Injection Control Program
"Protecting Our Underground Sources of Drinking Water"*

26-Jan-10

LOV NO. 02-09-121

FAIRWAY RESOURCES OPERATING, LLC
538 SILICON DRIVE, SUITE 101
SOUTHLAKE TX 76092

**LETTER OF VIOLATION and SHUT-IN DIRECTIVE
Failed Mechanical Integrity Test**

Dear Operator:

The following test(s) were performed on the listed dates on the following well(s) shown below in the test detail section. The test(s) indicates that the well or wells failed to meet mechanical integrity standards of the New Mexico Oil Conservation Division. To comply with guidelines established by the U.S. Environmental Protection Agency, the well(s) must be shut-in immediately until it is successfully repaired. The test detail section which follows indicates preliminary findings and/or probable causes of the failure. This determination is based on a test of your well or facility by an inspector employed by the Oil Conservation Division. Additional testing during the repair operation may be necessary to properly identify the nature of the well failure.

Please notify the proper district office of the Division at least 48 hours prior to the date and time that the well(s) will be retested so the test may be witnessed by a field representative.

MECHANICAL INTEGRITY TEST DETAIL SECTION

MIDNIGHT MATADOR No.010

30-015-00621-00-00

Expired TA Injection - (All Types)

A-35-17S-27E

Test Date: 1/26/2010

Permitted Injection PSI:

Actual PSI:

Test Reason: TA Status Test

Test Result: F

Repair Due: 5/1/2010

Test Type: Std. Annulus Pres. Test

FAIL TYPE: Other Internal Failure

FAIL CAUSE:

Comments on MIT: Operator reports well will not pass.

SOUTH RED LAKE II UNIT No.019

30-015-00623-00-00

Active Injection - (All Types)

I-35-17S-27E

Test Date: 1/26/2010

Permitted Injection PSI:

Actual PSI: 900

Test Reason: 5-year Test

Test Result: F

Repair Due: 5/1/2010

Test Type: Std. Annulus Pres. Test

FAIL TYPE: Other Internal Failure

FAIL CAUSE:

Comments on MIT: Fluid started coming out of ground around casing as well was being pressured up.



January 26, 2010

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SOUTH RED LAKE II UNIT No.008

30-015-00652-00-00

Active Injection - (All Types)

E-36-17S-27E

Test Date: 1/26/2010

Permitted Injection PSI:

Actual PSI: 1000

Test Reason: 5-year Test

Test Result: F

Repair Due: 5/1/2010

Test Type: Std. Annulus Pres. Test

FAIL TYPE: Other Internal Failure

FAIL CAUSE:

Comments on MIT: Pumped down @14 barrels. Caught 80 psi for a minute while pumping, then immediately dropped. Would not go above 80. Tried again and it would not catch pressure.

In the event that a satisfactory response is not received to this letter of direction by the "Repair Due:" date shown above, or if the well(s) are not immediately shut-in, further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe to show cause why you should not be ordered to permanently plug and abandon this well. Such a hearing may result in imposition of CIVIL PENALTIES for your violation of OCD rules.

Sincerely,



Artesia OCD District Office

Note: Pressure Tests are performed prior to initial injection, after repairs and otherwise, every 5 years; Bradenhead Tests are performed annually. Information in Detail Section comes directly from field inspector data entries - not all blanks will contain data "Failure Type" and "Failure Cause" and any Comments are not to be interpreted as a diagnosis of the condition of the wellbore. Additional testing should be conducted by the operator to accurately determine the nature of the actual failure. * Significant Non-Compliance events are reported directly to the EPA, Region VI, Dallas, Texas.