

Bratcher, Mike, EMNRD

From: Brad Mahanay [brad.mahanay@wickphillips.com]
Sent: Wednesday, March 24, 2010 4:19 PM
To: Macquesten, Gail, EMNRD
Cc: Bratcher, Mike, EMNRD; VonGonten, Glenn, EMNRD; Mario Dolan; Karen Cook
Subject: RE: Well transfer from Tennison to Giant

Thanks, Gail. We will.

From: Macquesten, Gail, EMNRD [mailto:gail.macquesten@state.nm.us]
Sent: Wednesday, March 24, 2010 4:47 PM
To: Brad Mahanay
Cc: Bratcher, Mike, EMNRD; VonGonten, Glenn, EMNRD
Subject: RE: Well transfer from Tennison to Giant

Brad-

I just got off a conference call with Mike Bratcher of Artesia and Glenn von Gonten, the acting bureau chief for OCD's environmental bureau in Santa Fe. None of us is aware of a remediation plan submitted for the Hanagan pits.

It is best if you will work directly with Mike on the remediation issues. Remediation issues are usually handled at the district level. Normally remediation cases come to Santa Fe if there is an indication that ground water has been impacted, and we don't have that in this case. During our conversation today, Mike indicated that he will want Giant to provide a C-144 for the pit, and will want Giant to do additional delineation to determine how to best address the contamination issues. You can reach Mike at 575 748-1283.

Thanks- Gail

From: Brad Mahanay [mailto:brad.mahanay@wickphillips.com]
Sent: Wednesday, March 24, 2010 12:46 PM
To: Macquesten, Gail, EMNRD
Cc: Prouty, Jane, EMNRD; Fesmire, Mark, EMNRD; Mario Dolan; Karen Cook; Bratcher, Mike, EMNRD
Subject: RE: Well transfer from Tennison to Giant

Gail, we understand that Giant is now Operator of Record for the Tennison wells. Thank you for that.

Now we need to start on the remediation of the Hannigan well. There is a plan for remediation submitted that is being reviewed by your Santa Fe office. I believe the Mike Bratcher of Artesia is still waiting to hear back from Santa Fe on the plan's approval. Could you help us get a response?

From: Macquesten, Gail, EMNRD [mailto:gail.macquesten@state.nm.us]
Sent: Wednesday, March 10, 2010 3:30 PM
To: Mario Dolan; Brad Mahanay; Karen Cook
Cc: Prouty, Jane, EMNRD; Fesmire, Mark, EMNRD
Subject: Well transfer from Tennison to Giant

Mario – Thanks for your call. You are right – in one of my earlier e-mails I described the process for transferring wells when the operator of record is deceased, and I said that Jane would go on line and do the transfer. That is how our process worked in the past. After seeing that e-mail Jane told me that the process has changed. We now authorize the new operator go on-line himself and do the transfer. This provides us with better documentation of the transfer. By making the new operator part of the process, we also avoid the problem we have had with new operators (such as

Carter County) thinking that the OCD has somehow "taken care of" the transfer, and that the transfer has gone through when in fact it has not. The actual process is very much the same, except that instead of Jane signing on for the deceased operator, the new operator is authorized to sign on for the deceased operator. Jane can walk you through it.

If we need to change the procedure in order to accommodate the Receiver, please call our division director, Mark Fesmire. He would be the one to decide if our policy with regard to well transfers can be changed in this situation. His number is 505 476-3460, or you can reach him by the e-mail above.

Thanks- Gail

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