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Mark Fesmire

Division Director

Oil Conservation Division



AUGUST 3, 2010

Patricia Esquibel
Rights of Way and Water Resources Bureau
State Land Office
310 Old Santa Fe Trail
P.O. Box 1148
Santa Fe, NM 87504-1148

RE: Monument Site #5 (Section 25, Township 19 South, Range 36 East)

Dear Ms. Esquibel:

I am responding to your letter of November 23, 2009. I apologize that it has taken me so long to reply. This site was closed by the Oil Conservation Division (OCD) in 1997 and we no longer have any paper copies of this file, so I cannot check to see what might have been in the records. However, as a general rule, OCD does not take over monitor well because of the liability associated with them. On occasion, OCD has requested that a monitor well be turned over to the surface owner, but we no longer do that either. If you have any questions, please contact me at (505) 476-3488.

Sincerely,

Glenn von Gonten

Acting Environmental Bureau Chief

GvG/gvg





1R 113

PATRICK H. LYONS
COMMISSIONER

State of New Mexico
Commissioner of Public Lands

310 OLD SANTA FE TRAIL
P.O. BOX 1148
SANTA FE, NEW MEXICO 87504-1148

COMMISSIONER'S OFFICE

Phone (505) 827-5760

Fax (505) 827-5766

www.nmstatelands.org

November 23, 2009

Mr. Glen Von Gonten
Hydrologist, Environmental Bureau
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

Re: Monument Site #5: SE¼NE¼ of Section 25, Township 19 South, Range 36 East

Dear Mr. Von Gonten:

In July of 1998, our offices received a letter from KEI regarding a remediation site that they were monitoring for Texas-New Mexico Pipeline Company listed as Monument Site #5. The letter stated that that NMOCD had requested that the three monitoring wells on site be turned over to OCD for future testing. We do not have any documentation that OCD accepted the transfer of ownership on this site. Would you please review the enclosed copies of correspondence from KEI to OCD and from OCD to TNMPL and inform us of your position.

Thank you in advance for your time, and attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Esquibel", is written over the typed name "Patricia Esquibel".

Patricia Esquibel
Rights of Way and Water Resources Bureau

Enclosures
cc: File WD-74

-State Land Office Beneficiaries -

Carrie Tingley Hospital • Charitable Penal & Reform • Common Schools • Eastern NM University • Rio Grande Improvement • Miners' Hospital of NM • NM Boys School • NM Highlands University • NM Institute of Mining & Technology • New Mexico Military Institute • NM School for the Deaf • NM School for the Visually Handicapped • NM State Hospital • New Mexico State University • Northern NM Community College • Penitentiary of New Mexico • Public Buildings at Capital • State Park Commission • University of New Mexico • UNM Saline Lands • Water Reservoirs • Western New Mexico University



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION
2040 S. PACHECO
SANTA FE, NEW MEXICO 87505
(505) 827-7131

January 25, 1999

CERTIFIED MAIL
RETURN RECEIPT NO: Z-274-520-600

Mr. Tony Savoie
Texas-New Mexico Pipe Line Company
P.O. Box 1030
Jal, New Mexico 88252

**RE: CLOSURE REPORT
MONUMENT SITE #5**

Dear Mr. Savoie:

The New Mexico Oil Conservation Division (OCD) has completed a review of the following Texas-New Mexico Pipe Line Company (TNMPLC) documents which were submitted on behalf of TNMPLC by their consultant KEI:

- December 21, 1998 "GROUND WATER MONITORING EVENT, TEXAS - NEW MEXICO PIPE LINE COMPANY, MONUMENT SITE 5, MONUMENT, NEW MEXICO, JOB NO. 610057-6-5" which was recieved by the OCD on January 22, 1999.
- September 16, 1998 "GROUND WATER MONITORING EVENT, TEXAS - NEW MEXICO PIPE LINE COMPANY, MONUMENT SITE 5, MONUMENT, NEW MEXICO, JOB NO. 610057-6-5".
- September 10, 1998 "CLOSURE REPORT, MONUMENT SITE 5, UNIT G, SECTION 25, TOWNSHIP 19 SOUTH, RANGE 36 EAST, LEA COUNTY, NEW MEXICO, JOB NO. 610057-2-5".

These documents contain the results of TNMPLC's investigation, remediation and monitoring of soils and ground water resulting from a crude oil pipeline spill at TNMPLC's Monument No. 5 site. The documents also request closure of remediation and monitoring activities.

The above referenced closure request is approved.

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Mr. Tony Savoie
January 25, 1999
Page 2

Please be advised that OCD approval does not relieve TNMPLC of liability if remaining contamination poses a future threat to ground water, surface water, human health or the environment. In addition, OCD approval does not relieve TNMPLC of responsibility for compliance with any other federal, state or local laws and regulations

If you have any questions, please contact me at (505) 827-7154.

Sincerely,



William C. Olson
Hydrologist
Environmental Bureau

xc: Chris Williams, OCD Hobbs District Supervisor
Mike Matush, State Land Office
Theresa Nix, KEI

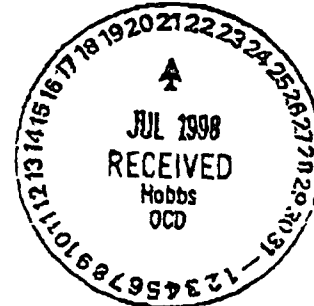


5309 Wurzbach, Suite 100
San Antonio, Texas 78238
(210) 680-3767
(210) 680-3763 FAX

July 9, 1998

COMMISSIONER OF PUBLIC LANDS
P. O. Box 1148
Santa Fe, New Mexico 87504-1148

Re: Application for Water Exploration/Development
Texas - New Mexico Pipe Line Company
Site No. 5
Lea County, New Mexico
KEI Job No. 610057-2-5



Dear Sir/Madam:

Texas - New Mexico Pipe Line Company (TNMPL) submitted a State of New Mexico Commissioner of Public Lands Application for Water Exploration/Development for 3 wells at Site No. 5 dated May 21, 1998. TNMPL also submitted a check in the amount of \$930.00 for one year's rental.

The New Mexico Oil Conservation Division (OCD) has given TNMPL verbal approval to close the site because further investigation demonstrated TNMPL did not cause the ground water impact. However, OCD requested that TNMPL not plug the wells at the site. OCD would like to utilize these wells for future surrounding area investigations. Therefore, as requested by OCD, TNMPL requests transfer of well ownership to OCD and all rights and responsibilities to OCD.

If you have any questions, please contact me at (210) 680-3767.

Respectfully,

Theresa Nix

Theresa Nix
Project Manager

Enclosure

cc: Tony Savoie, TNMPL
Wayne Price, OCD Hobbs ✓
Bill Olson, OCD Santa Fe

<http://tnmpl610057/cto5/misdelosstateid.doc>

*2/10/05
see Carlos Nix*