

6017 711 - 15

**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION**

CASE NO 15695

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION  
COMPLIANCE AND ENFORCEMENT BUREAU FOR A COMPLIANCE  
ORDER AGAINST NORMAN L & LORETTA E GILBREATH, FOR WELLS  
OPERATED IN RIO ARRIBA AND SAN JUAN COUNTIES, NEW MEXICO**

**APPLICATION**

The New Mexico Oil Conservation Division Compliance and Enforcement Bureau ( Bureau ) through its undersigned attorney hereby files this application with the Oil Conservation Division ( OCD or Division' ) pursuant to the provisions of NMSA 1978 §70-2-12 for a compliance order (1) determining operator Norman L & Loretta E Gilbreath ( Operator ) is out of compliance with 19 15 8 NMAC and NMSA 1978 §70 2 14 (2) requiring Operator to return to compliance with 19 15 8 NMAC and (3) in the event of non-compliance finding the Operator in violation of a Division order for each day after the deadline established in the sought order to obtain acceptable financial assurance This application deals specifically with Operator s violations of OCD rules regarding financial assurance and does not include all violations that may exist The OCD retains its right to bring a compliance action for any other existing and future violations In support of this application the OCD states

1 Operator is the operator of record of four (4) wells in Rio Arriba and San Juan Counties New Mexico under OGRID No 15989

2 Operator s address of record with OCD is P O Box 208 Aztec NM 87410

3 NMSA 1978 § 70-2 14 requires that each person firm corporation or association who operates any oil gas or service well within the state as a condition precedent to drilling or producing the well furnish financial assurance in the form of an irrevocable letter of credit or a cash or surety bond or a well-specific plugging insurance policy to the OCD running to the benefit of the state and conditioned that the well be plugged and abandoned and the location restored and remediated in compliance with OCD rules

4 19 15 8 9 C NMAC states that an operator shall cover a well that has been in temporary abandonment for more than two years by either a one-well financial assurance or a blanket plugging financial assurance for wells in temporarily abandoned status

5 Operator currently is in need of acceptable financial assurance for the following wells

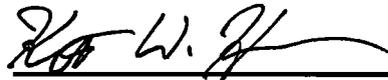
- a Harvey #002 API # 30 039 21414 required bond amount \$7 440
- b Salmon #001X API # 30-045-08199 required bond amount \$6 760

**WHEREFORE** the Bureau by and through its compliance and enforcement manager hereby applies to the Director to enter an Order

- A Determining that Operator is in violation of 19 15 8 NMAC
- B Determining that Operator is in violation of NMSA 1978 §70-2 14
- C Requiring Operator to provide the OCD with acceptable financial assurance within 30 days of the issuance of an order

- D In the event of non-compliance with the sought Division order by the dates established by the OCD finding the Operator in violation of a Division order
- E For such other and further relief as the Director deems just and proper under the circumstances

RESPECTFULLY SUBMITTED  
this 11 day of April 2017 by



---

Keith W Herrmann  
Assistant General Counsel  
Energy Minerals and Natural  
Resources Department of the State of  
New Mexico  
1220 S St Francis Drive  
Santa Fe NM 87505  
(505) 476 3463  
Fax (505) 476-3462

Attorney for the Compliance and  
Enforcement Bureau

Case No 15695 **Application of The New Mexico Oil Conservation Division Compliance and Enforcement Bureau for a Compliance Order against Norman L & Loretta E Gilbreath, for Wells Operated in Rio Arriba and San Juan Counties, New Mexico** The New Mexico Oil Conservation Division Compliance and Enforcement Bureau ( Bureau ) through its undersigned attorney hereby files this application with the Oil Conservation Division ( OCD or Division ) pursuant to the provisions of NMSA 1978 §70-2 12 for a compliance order (1) determining operator Norman L & Loretta E Gilbreath ( Operator ) is out of compliance with 19 15 8 NMAC and NMSA 1978 §70 2 14 (2) requiring Operator to return to compliance with 19 15 8 NMAC and (3) in the event of non-compliance finding the Operator in violation of a Division order for each day after the deadline established in the sought order to obtain acceptable financial assurance

117  
1