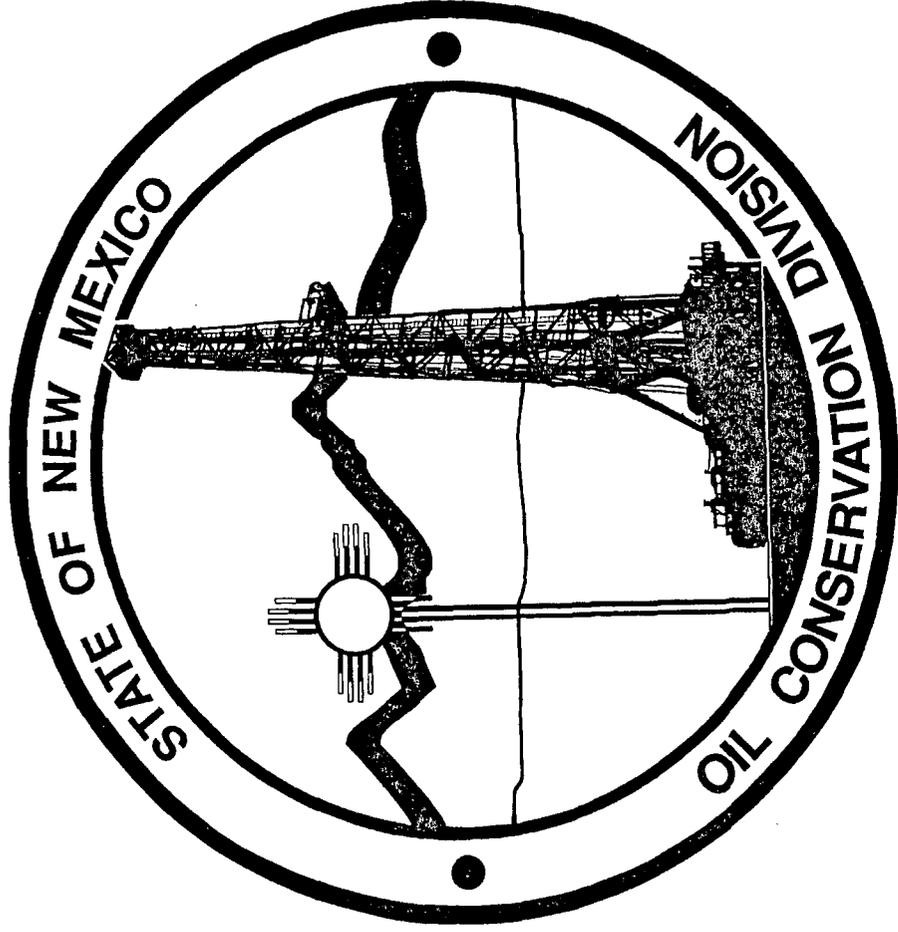


CASE NO. 14015  
OCD EXHIBIT 2



**Brooks, David K., EMNRD**

---

**From:** Duran-Saenz, Theresa, EMNRD  
**Sent:** Monday, September 24, 2007 8:13 AM  
**To:** Legals@abqpubco.com  
**Cc:** Davidson, Florene, EMNRD; Brooks, David K., EMNRD  
**Subject:** Emailing: 2007 9-24 Notice of Hearing - Alb Journal

**Attachments:** 2007 9-24 Notice of Hearing - Alb Journal.doc



2007 9-24 Notice of  
Hearing - ...

Good morning publishing staff.

Please post the attached Notice of Hearing once in the Albuquerque Journal's Thursday, September 27 publication. The billing information is as follows:

NM Dept of Energy Minerals  
Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505  
(505) 476-3483 voice  
(505) 476-3462 fax

Thank you kindly.

Theresa Duran-Saenz  
Legal Assistant  
(505) 476-3483

The message is ready to be sent with the following file or link attachments:

2007 9-24 Notice of Hearing - Alb Journal

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Case No. 14015: Application of the New Mexico Oil Conservation Division for Repeal of Existing Rule 50 Concerning Pits and Below Grade Tanks and Adoption of a New Rule Governing Pits, Below Grade Tanks, Closed Loop Systems and Other Alternative Methods to the Foregoing, and Amending Other Rules to Make Conforming Changes; Statewide.

The State of New Mexico, through its Oil Conservation Commission, hereby gives notice that the Commission will conduct a public hearing at 9:00 A.M. on Monday, October 22, 2007, in Porter Hall at 1220 South St. Francis Drive, Santa Fe, New Mexico, concerning the Oil Conservation Division's proposal to repeal Rule 50 [9.15.17.2.50 NMAC] (concerning pits and below-grade tanks) and replace it with a proposed new rule to be codified as 19.15.17 NMAC. The proposed new rule will ban all unlined pits absent a special exception, adopt new requirements for the closure of pits and below-grade tanks, otherwise substantially change the Commission's existing requirements concerning the permitting, design, construction and operation of pits and below-grade tanks (and operation of sumps), used in oil and gas operations, and require the permitting of, and prescribe rules concerning design, construction, operation and closure of, closed loop systems or other alternative methods that may be proposed for use in lieu of pits or below-grade tanks. In addition, the Division proposes conforming changes to Rules 7 [19.15.1.7 NMAC], 21 [19.15.1.21 NMAC], 52 [19.15.2.52 NMAC], 114 [19.15.3.114 NMAC], 202 [19.15.4.202 NMAC] and 1103 [19.15.13.1103 NMAC]. Copies of the text of the proposed rules are available from Division Administrator Florene Davidson at (505)-476-3458 or from the Division's web site at <http://www.emnrd.state.nm.us/ocd/whatsnew.htm>. Proposals for alternatives to the proposed rule must be received by the division no later than 5:00 P.M. on Friday, October 5, 2007. Written comments on the proposed new rule must be received no later than 5:00 P.M. on Monday, October 15, 2007. Persons intending to offer technical testimony at the hearing must file a Pre-hearing Statement (six copies) conforming to the requirements of 19.15.14.1204 NMAC, including six copies of all exhibits the person will offer in evidence at the hearing, no later than Monday, October 15, 2007. Proposed alternatives and written comments may be hand-delivered or mailed to Ms. Davidson at 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, or may be faxed to Ms. Davidson at (505)-476-3462. Pre-hearing statements must be hand-delivered or mailed to the Ms. Davidson at the above address. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Ms. Davidson at (505)-476-3458 or through the New Mexico Relay Network (1-800-659-1779) as soon as possible.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 24 day of September, 2007.

**STATE OF NEW MEXICO**  
**OIL CONSERVATION DIVISION**  
Mark E. Fesmire, P.E.  
Chair, Oil Conservation Commission

THURSDAY, SEPTEMBER 27, 2007

Legals



Case No. 14015: Application of the New Mexico Oil Conservation Division for Repeal of Existing Rule 50 Concerning Pits and Below Grade Tanks and Adoption of a New Rule Governing Pits, Below Grade Tanks, Closed Loop Systems and Other Alternative Methods to the Foregoing, and Amending Other Rules to Make Conforming Changes, Statewide.

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STATE OF NEW MEXICO  
County of Bernalillo SS

OK to pay  
Florence Davidson



Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of **The Albuquerque Journal**, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto

attached, was published in said paper in the regular daily edition, for 1 times, the first publication being on the 27 day of Sept, 2007 and the subsequent consecutive publications on \_\_\_\_\_, 20\_\_\_\_.

*[Handwritten signature]*

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernalillo and State of New Mexico this 27 day of Sept, of 2007

PRICE \$86.18

Statement to come at end of month.

ACCOUNT NUMBER C80932

CLA-22-A (R-1/93)



OFFICIAL SEAL  
Elyn Sloane  
NOTARY PUBLIC  
STATE OF NEW MEXICO  
My Commission Expires: 4-1-10

*[Handwritten signature]*

Case No. 14015: Application of the New Mexico Oil Conservation Division for Repeal of Existing Rule 50 Concerning Pits and Below Grade Tanks and Adoption of a New Rule Governing Pits, Below Grade Tanks, Closed Loop Systems and Other Alternative Methods to the Foregoing, and Amending Other Rules to Make Conforming Changes, Statewide.  
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Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 24 day of September, 2007.  
STATE OF NEW MEXICO

**Brooks, David K., EMNRD**

---

**From:** Duran-Saenz, Theresa, EMNRD  
**Sent:** Monday, September 24, 2007 1:05 PM  
**To:** (baizelb@earthlink.net); (rrmiles@cableone.net); (read@lookingglass.net); (myoung@mewbourne.com); (land@marbob.com); (jbyrom@djsimmonsinc.com); (dgirand@mackenergycorp.com); (csecows@aol.com); (bganter@br-inc.com); (aalexandcer@br-inc.com); (WDeedler@aol.com); (walker@kfoc.net); (sallyk@forl.com); (rhodge@northstarop.com); (namebored@aol.com); (llrwb@austin.rr.com); (lcgraysf@earthlink.net); (kahlinaa@ypcnm.com); (jdewbre@swn.com); (ddrdmidland@aol.com); (ccw@spinn.net); (BRANA1223@aol.com); (ballen@sesi-nm.com); Perrin, Charlie, EMNRD; (cheryls@ypcnm.com); (chris.wyatt@bp.com); Williams, Chris, EMNRD; (ccarter@pvtnetworks.net); (dan\_mccright@eogresources.com); (dboneau@pvtnetworks.net); Catanach, David, EMNRD; (seligman@nmoga.org); (dexterh@forl.com); (DonAdams@hess.com); (dneeper@earthlink.net); (ekendrick@montand.com); elizabeth\_bush@oxy.com; Elizabeth Taylor (etaylor@wtmlawfirm.com); (huffaker@handmlc.com); (Shall@mstLAW.com); (hawkinj2@bp.com); (jbailey@slo.state.nm.us); (jan.wooldridge@dvn.com); (jtportwood@mindspring.com); JD Steven M. Feisal (sfeisal@chkenergy.com); JD Steven M. Feisal (Business Fax); (jlevine@pnm.com); Jolene McCaleb (jmccaleb@wtmlawfirm.com); (kristen.howell@williams.com); (gandy2@leaco.net); (fieseler@pogoproducing.com); (markm@forl.com); (mjc@gallegoslawfirm.net); Altomare, Mikal, EMNRD; (omundsdry@hollandhart.com); (ppearce@br-inc.com); (rtupman@hess.com); Ezeanyim, Richard, EMNRD; (Rick\_Foppiano@oxy.com); (bwatson@trailnet.com); (shane@spearbrothersgroup.com); (boyds\_enm@zianet.com); Swazo, Sonny, EMNRD; (stan.phillips@apachecorp.com); (jbemis@slo.state.nm.us); Hayden, Steven, EMNRD; (syahney@heyco.org); Gum, Tim, EMNRD; (tyrafeil@duganproduction.com); Barton, Van, EMNRD; (wcarr@hollandhart.com); (yolanda.perez@conocophillips.com)  
**Cc:** Davidson, Florene, EMNRD; Brooks, David K., EMNRD  
**Subject:** Pit Rule - Notice of Hearing  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed  
**Attachments:** 2007 19 15 17 Pit Rule 9-20-07.doc; 2007 9-24 Application Pit Rule 0907.doc; 2007 9-24 Notice of Hearing - Alb Journal.doc; 2007 19 15 1 Amendments for Pit Rule.doc; 2007 19 15 2 52 Pit Rule 092007.doc; 2007 19 15 3 114 Pit Rule 092007.doc; 2007 19 15 4 202 Pit Rule 092007.doc; 2007 19 15 13 1103 Pit Rule 092007.doc

Case No. 14015: Application of the New Mexico Oil Conservation Division for Repeal of Existing Rule 50 Concerning Pits and Below Grade Tanks and Adoption of a New Rule Governing Pits, Below Grade Tanks, Closed Loop Systems and Other Alternative Methods to the Foregoing, and Amending Other Rules to Make Conforming Changes; Statewide.

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Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 24 day of September, 2007.

**STATE OF NEW MEXICO**  
**OIL CONSERVATION DIVISION**  
Mark E. Fesmire, P.E.  
Chair, Oil Conservation Commission

**Brooks, David K., EMNRD**

---

**From:** Duran-Saenz, Theresa, EMNRD  
**Sent:** Thursday, October 11, 2007 12:46 PM  
**To:** Legals@abqpubco.com  
**Cc:** Brooks, David K., EMNRD; Davidson, Florene, EMNRD  
**Subject:** Notice of Hearing - Pit Rule  
**Attachments:** Albuquerque Journal.doc

Legal Department,

Please confirm receipt of this e-mail with attachment. Thank you.

10/24/2007



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

**Mark E. Fesmire, P.E.**

Director

**Oil Conservation Division**

October 11, 2007

*via email: Legals@abqpubco.com*

Albuquerque Publishing Company  
7777 Jefferson NE  
Albuquerque, NM 87109  
*Attention: Legal Department*

*Re: Notice of Publication – Case No. 14015*

Dear Legal Department:

Please publish the attached notice one time immediately on receipt of this request. Please proofread carefully, as any error in a land description or in a key word or phrase can invalidate the entire notice.

Immediately upon completion of publication, please send the following to this office:

- 1. Publisher's affidavit in duplicate.**
- 2. Statement of cost (also in duplicate).**
- 3. Certified invoices for prompt payment.**

We should have these immediately after publication in order that the legal notice will be available for the hearing which it advertises, and also so that there will be no delay in your receiving payment.

**Please publish the notice as soon as possible.**

Sincerely,

Theresa Duran-Saenz

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

Case No. 14015: Application of the New Mexico Oil Conservation Division for Repeal of Existing Rule 50 Concerning Pits and Below Grade Tanks and Adoption of a New Rule Governing Pits, Below Grade Tanks, Closed Loop Systems and Other Alternative Methods to the Foregoing, and Amending Other Rules to Make Conforming Changes; Statewide.

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Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 11 day of October, 2007.

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**

**Mark E. Fesmire, P.E.  
Chair, Oil Conservation Commission**

**Brooks, David K., EMNRD**

**From:** Duran-Saenz, Theresa, EMNRD

**Sent:** Thursday, October 11, 2007 1:05 PM

**To:** (baizelb@earthlink.net); (rrmiles@comcast.net); (read@lookingglass.net); (myoung@mewbourne.com); (land@marbob.com); (jbyrom@djsimmonsinc.com); (dgirand@mackenergycorp.com); (csecows@aol.com); (bganter@br-inc.com); (aalexandcer@br-inc.com); (WDeedler@aol.com); (walker@kfoc.net); (sallyk@forl.com); (rhodge@northstarop.com); (namebored@aol.com); (llrb@austin.rr.com); (lcgraysf@earthlink.net); (kahlinaa@ypcnm.com); (jdewbre@swm.com); (ddrdmidland@aol.com); (ccw@spinn.net); (BRANA1223@aol.com); (ballen@sesi-nm.com); Perrin, Charlie, EMNRD; (cheryls@ypcnm.com); (chris.wyatt@bp.com); Williams, Chris, EMNRD; (ccarter@pvtnetworks.net); (dan\_mccright@eogresources.com); (dboneau@pvtnetworks.net); Catanach, David, EMNRD; (dexterh@forl.com); (DonAdams@hess.com); (dneeper@earthlink.net); (ekendrick@montand.com); elizabeth\_bush@oxy.com; Elizabeth Taylor (etaylor@wtmlawfirm.com); Macquesten, Gail, EMNRD; (huffaker@handmlc.com); (Shall@mstLAW.com); (hawkinj2@bp.com); (jbailey@slo.state.nm.us); (jan.wooldridge@dvn.com); (jtportwood@mindspring.com); JD Steven M. Feisal (sfeisal@chkenergy.com); JD Steven M. Feisal (Business Fax); (jlevine@pnm.com); John Tull (john.tull@state.nm.us); John Tull (Business Fax); Jolene McCaleb (jmccaleb@wtmlawfirm.com); (kristen.howell@williams.com); (gandy2@leaco.net); (fieseler@pogoproducing.com); (markm@forl.com); (mjc@gallegoslafirm.net); Altomare, Mikal, EMNRD; (omundsdry@hollandhart.com); (ppearce@br-inc.com); (rtupman@hess.com); Ezeanyim, Richard, EMNRD; (Rick\_Foppiano@oxy.com); (bwatson@trailnet.com); (shane@spearbrothersgroup.com); (boyds\_enm@zianet.com); Swazo, Sonny, EMNRD; (stan.phillips@apachecorp.com); (jbemis@slo.state.nm.us); Hayden, Steven, EMNRD; (syahney@heyco.org); Gum, Tim, EMNRD; (tyrafeil@duganproduction.com); Barton, Van, EMNRD; (wcarr@hollandhart.com); (yolanda.perez@conocophillips.com)

**Cc:** Brooks, David K., EMNRD; Davidson, Florene, EMNRD

**Subject:** November 5, 2007 Proposed Pit Rule Public Hearing Notice

**Attachments:** 2007 10-11 Notice of Hearing - Web.doc; 2007 10-11 Notice of Hearing - Web.pdf

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

Case No. 14015: Application of the New Mexico Oil Conservation Division for Repeal of Existing Rule 50 Concerning Pits and Below Grade Tanks and Adoption of a New Rule Governing Pits, Below Grade Tanks, Closed Loop Systems and Other Alternative Methods to the Foregoing, and Amending Other Rules to Make Conforming Changes; Statewide.

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Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 11 day of October, 2007.

**STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION**

**Mark E. Fesmire, P.E.  
Chair, Oil Conservation Commission**

**Affidavit of Publication in Albuquerque Journal for notice of hearing on November 5, 2007**

The Division has not received this document from the publisher as to October 29, 2007. A copy will be filed as a supplement to this exhibit as soon as it is received