
KERSEY AND COMPANY
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830-997-7519

August 13, 2003

Oil Conservation Commission
1220 S. St. Frances Drive
Santa Fe, NM 87505

Re: Case No 12811

Dear Commissioners;

Please accept this letter in lieu of my personal appearance at the hearing. My 6:30 a.m. flight from San Antonio into Albuquerque was scheduled to arrive at 8:10 a.m. to make the 1:00 p.m. hearing, but not a 9:00 a.m. hearing. However, I think this can be handled just as well by written correspondence.

You are in receipt of my July 11, 2003 letter stating our case, and I'm sure that a field representative has made a personal inspection of the referenced wells to verify their status. The only further statement I have is that although the work was not finished by the prescribed date, it wasn't that we weren't trying. Due to the extremely rugged terrain, the wells could not be accessed by the large conventional well service units without a considerable amount of road building. We wished not to get involved in that, as when the Kersey Donohue Federal #2 was plugged we had to grade the existing road, and then was cited by the Bureau of Land Management for doing the grading without having an archeological survey done prior to doing the work. We just had to wait until a smaller unit was available. I will assure you that at no time did any of these wells pose any environmental danger. The wells were not emitting any gas or fluid, and none of the wells were drilled through any fresh water strata. Although the plugging of these wells does give closure for your agency, the fact is that these wells would have never presented any public danger.

I appreciate your consideration of this information, and ask that the proposed fines be withdrawn.

Thank you.

Sincerely,



Kenneth R. Wade