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F.L. HEIDEL
(1913-1985)

June 18, 2009

Mr. Mark Fesmire, P.E.
Division Director
New Mexico Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, NM 87505

**Re: Division Compliance Order Against Orbit Petroleum, Inc.
Case No. 14312
Wells: Brown 51, #001, 30-025-07061, D-19-09S-38E; and
Brown 51, #002, 30-025-21703, F-19-09S-38E**

Dear Mr. Fesmire,

Our client, David Bilbrey, Crossroads, New Mexico, is the owner of the surface lands upon which the above captioned two wells are located. He informs us that he made numerous contacts with personnel of Orbit Petroleum, Inc. during the past several years and requested the company to: (1) remove contaminated soil from these two locations; (2) remove the contents and properly close a small open pit on the Brown 51, #001 location; (3) restore all contaminated areas with clean top soil and reseed with native grass acceptable to him; and (4) remove debris from the locations. He reports that Orbit did some clean-up at the tank battery on the Brown 51, #002 location but has not done any of the other clean-up and restoration.

Mr. Bilbrey supports the Division's efforts in the captioned case to cause the plugging and abandonment of the two wells above and he requests that the Division require the two locations to be cleaned up and restored to at least the standard required pursuant to OCD rules and regulations. There is a buried electric power line in place for the two wells. When it is energized the land owner states it is unsafe and he requests it be removed so it is not available for future use. In addition, he requests all other equipment, facilities and debris be removed.

Letter to Mr. Mark Fesmire, P.E.
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If you have questions or the need for additional information, please contact me.

Very Truly Yours,

HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON

By: 
C. Gene Samberson

CGS:cd

pc: David Bilbrey

Gail MacQuesten, Assistant General Counsel /State of New Mexico