



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

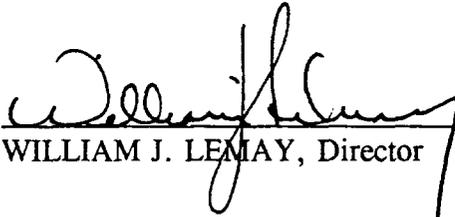
ANITA LOCKWOOD
CABINET SECRETARY

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

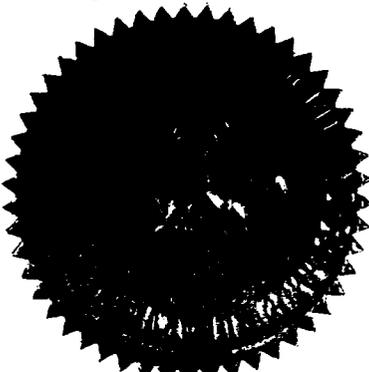
CERTIFICATION

TO WHOM IT MAY CONCERN:

I, WILLIAM J. LEMAY, Director of the Oil Conservation Division of the New Mexico Energy, Minerals and Natural Resources Department, do hereby certify that the attached are true and correct copies of all documents in Case No. 10507 on file in this office.


WILLIAM J. LEMAY, Director

August 25, 1992



BEFORE EXAMINER STOGNER	
OIL CONSERVATION DIVISION	
C+C	EXHIBIT NO. 1
CASE NO.	10507

STATE OF NEW MEXICO)

COUNTY OF SANTA FE)

The foregoing instrument was acknowledged before me this 25th day of August, 1992.


NOTARY PUBLIC

My Commission Expires:

Oct 28, 1993

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

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

CASE NO. 10507

APPLICATION OF C & C LANDFARM
INC. FOR A COMMERCIAL SURFACE WASTE
DISPOSAL FACILITY,
LEA COUNTY, NEW MEXICO.

RECEIVED

OIL CONSERVATION DIVISION

PRE-HEARING STATEMENT

This prehearing statement is submitted by William F. Carr, as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

C & C Landfarm Inc. _____
c/o Michael L. Pierce _____
Post Office Box 636 _____
Hobbs, New Mexico 88240 _____

(505) 392-1915 _____

name, address, phone and
contact person

OPPOSITION OR OTHER PARTY

Elsie M. Reeves _____
C-W Cattle Co. _____

name, address, phone and
contact person

ATTORNEY

William F. Carr _____
Campbell, Carr, Berge & Sheridan _____
Post Office Box 2208 _____
Santa Fe, New Mexico 87504 _____

(505) 988-4421 _____

ATTORNEY

W. Thomas Kellahin _____
Post Office Box 2265 _____
Santa Fe, New Mexico 87504 _____
(505) 982-4285 _____

() _____

STATEMENT OF CASE

APPLICANT

C & C Landfarm Inc., applicant in the above-styled cause, seeks authorization to construct and operate a commercial landfarm facility for remediation of non-hazardous hydrocarbon-contaminated soils using an enhanced biodegradation process. Said area is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, which is approximately 2 miles southeast of Monument, New Mexico. This application has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. In the absence of objection, this application will be taken under advisement.

OPPOSITION OR OTHER PARTY

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

PROPOSED EVIDENCE

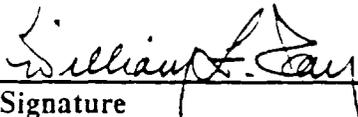
APPLICANT

WITNESSES	EST. TIME	EXHIBITS
Michael L. Pierce	20 Minutes	Approximately 5
Eddy Seay	15 Minutes	Approximately 5

POSITION

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
-----------------------------------	-----------	----------

PROCEDURAL MATTERS


Signature

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

RECEIVED

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

J. I.
OIL CONSERVATION DIVISION

CASE NO. 10507

APPLICATION OF C & C LANDFARM INC.
FOR A COMMERCIAL SURFACE WASTE
DISPOSAL FACILITY, LEA COUNTY
NEW MEXICO.

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by W. Thomas Kellahin, Esq. and C. Gene Samberson, Esq. on behalf of S-W Cattle Co. as required by the Oil Conservation Division.

APPEARANCE OF PARTIES

APPLICANT

C & C LANDFARM INC.
P. O. Box 55
Monument, N.M. 88265

ATTORNEY

William F. Carr, Esq.
Box 2208
Santa Fe, New Mexico
(505) 988-4421

Pre-Hearing Statement
Case No. 10507
Page 2

OPPOSITION PARTY

S-W Cattle Co.
P. O. Box 1799
Hobbs, N.M. 88241

ATTORNEY

W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87501
(505) 982-4285

C. Gene Samberson
P. O. Drawer 1599
Lovington, N.M. 88260
(505) 396-5303

STATEMENT OF CASE

OPPOSITION PARTY

As its statement of the case, S-W Cattle Co. adopts its objection letter dated May 13, 1992 and filed on May 15, 1992, 1992 in this case and attached hereto.

In addition, S-W Cattle Co. states its has fresh water in the immediate vicinity of the subject project which it currently uses and which is at risk of contamination if this project is approved as outlined by the "OCD Conditions of Approval" notice dated May 20, 1992.

The NMOCD "Conditions of Approval" notice dated May 20, 1992 contains substantial errors and fails to protect ground water, human health and the environment.

Pre-Hearing Statement
Case No. 10507
Page 3

PROPOSED EVIDENCE

OPPOSITION

WITNESSES	EST. TIME	EXHIBITS
W. Trent Stradley	20 Min.	approx 4
James R. Woods, geologist	60 min.	approx 20

PROCEDURAL MATTERS

pending.

KELLAHIN, KELLAHIN & AUBREY

By: 

W. Thomas Kellahin

P.O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285

OIL CONSERVATION DIVISION
REC'D HEIDEL, SAMBERSON & NEWELL

LAW OFFICES

C. GENE SAMBERSON
MICHAEL T. NEWELL
LEWIS C. COX, III

311 NORTH FIRST STREET
POST OFFICE DRAWER 1688
LOVINGTON, NEW MEXICO 88260
TELEPHONE (505) 396-5303
FAX (505) 396-5305

F.L. HEDEL
(505) 396-5305

'92 MAY 15 AM 8 45

May 13, 1992

Mr. Roger Anderson
State of New Mexico
OIL CONSERVATION DIVISION
Post Office Box 2088
Santa Fe, New Mexico 87504-2088

Re: C & C Landfarms, Inc. Application

Dear Mr. Anderson:

On behalf of S-W Cattle Co., I submit the following objections to the above captioned Application for a commercial remedial surface disposal facility, to-wit:

- (1) Based upon the information on file in your Office in connection with the above Application, I am not aware of any written notice having been given to the Bureau of Land Management, who is an owner of surface lands within a 1/2 mile of the location of the proposed disposal facility. It is our understanding that the Applicant has applied for a permit on the Southwest Quarter of the Northeast Quarter (SW/4NE/4) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico, and it is our further understanding that the Bureau of Land Management owns at least a 40 acre tract (NE/4SW/4 of said Section 3) which is located in the immediate vicinity of the location Applicant seeks to permit. If our information is correct, we believe that under the Rules of the Oil Conservation Division written notice is required to be given to the Bureau of Land Management. Further, based on the information available to us, we do not find any written notice of the above captioned Application having been given to the Board of Commissioners for the County of Lea, State of New Mexico, which we believe is necessary in order to permit the County of Lea to determine whether the public interests requires action on its part with respect to areas not regulated by the OCD and EPA, examples of which areas being land use, zoning, subdivision regulations and other similar matters.
- (2) Applicant has requested that the entire 40 acre tract be permitted for land farming, notwithstanding that the existing pit presently occupies approximately 2 acres. The information on file in connection with the Application indicates that the proposed solution to how Applicant plans to prevent the migration of contaminants down gradient along the red bed surface is the construction of a dike consisting of a trench 2' to 3' wide, with the trench being dug deep enough to penetrate the red bed interval to a depth of approximately 2', but the information does not clearly show whether such dike (trench) will be located immediately adjacent to the existing 2 acre pit or is to be constructed and

Page 2
May 13, 1992
Mr. Roger Anderson

located around the North, West and South perimeters of the 40 acre tract. Similar questions exist with respect to the five (5) monitor wells proposed by Applicant and additional questions exist whether five (5) monitor wells are sufficient if the area requested to be permitted is actually 40 acres, rather than the existing 2 acres occupied by an existing pit. The Application for permitting 40 acres is inconsistent with the description of the facility and diagram which appears to be applicable to 2 acres, rather than 40 acres. Applicant has not met the requirements of OCD's Rules for commercial surface waste disposal facilities.

- (3) Applicant's plan of constructing a dike (trench) to prevent the migration of contaminants down gradient along the red bed surface depends on backfilling and compacting the trench with red bed material, yet Applicant makes no showing that such compacted red bed material will be sufficiently impenetrable to prevent the migration of contaminants down gradient through the overburden above the red bed surface. S-W Cattle Co. believes that if the facility is to be approved a more appropriate approach to the construction and operation of such facility would be to require Applicant to construct its proposed facility by digging into the red bed to a sufficient depth so that all of its operations will be conducted below the overburden and therefore any contaminants would remain confined within the red bed and thus prevent migration of contaminants down gradient from the site, either along the red bed surface or through the undisturbed red bed walls of the pit.
- (4) Based upon the information of which we are aware that is on file in connection with Applicant's Application, there does not appear to have been any bond required, either in the form of a surety bond or cash bond, as required by OCD's Rules.
- (5) Applicant's proposed closure plan appears to be merely when the area, whether the present 2 acre pit or the requested 40 acre tract, has been filled and tested to within 1' of the surface elevation that area will be backfilled with top soil, mound over and compacted. S-W Cattle Co. objects to the closure plan on the basis that same is inadequate in view of its concerns stated above with respect to the proposed facility and size of same.
- (6) S-W Cattle Co. submits that a complete and proper Application has not been filed with the OCD and further that the Rules of the OCD have not been complied with by Applicant.

By reason of the foregoing, S-W Cattle Co. objects to the Director of the Oil Conservation Division administratively approving and issuing a Permit in connection with the above described Application.

Very truly yours,

HEIDEL, SAMBERSON & NEWELL

By 

CGS:lt

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

RECEIVED

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

OIL CONSERVATION DIVISION

CASE NO. 10507

APPLICATION OF C & C LANDFARM INC.
FOR A COMMERCIAL SURFACE WASTE
DISPOSAL FACILITY, LEA COUNTY
NEW MEXICO

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by W. Thomas Kellahin, Esq. on behalf of ELSIE M. REEVES as required by the Oil Conservation Division.

APPEARANCE OF PARTIES

APPLICANT

C & C LANDFARM INC.
P. O. Box 55
Monument, N.M. 88265

ATTORNEY

William F. Carr, Esq.
Box 2208
Santa Fe, New Mexico
(505) 988-4421

OPPOSITION PARTY

Elsie M. Reeves
3902 W. Keim Drive
Phoenix, Ariz. 85019

ATTORNEY

W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87501
(505) 982-4285

STATEMENT OF CASE

OPPOSITION PARTY

As her statement of the case, Elise M. Reeves adopts her "Statement of Objections" filed on June 5, 1992 in this case and attached hereto.

PROPOSED EVIDENCE

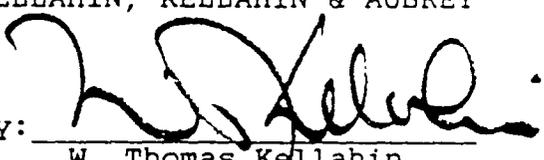
OPPOSITION

WITNESSES	EST. TIME	EXHIBITS
Elsie M. Reeves, landowner	20 Min.	approx 4
James R. Woods, geologist	60 min.	approx 20

PROCEDURAL MATTERS

pending.

KELLAHIN, KELLAHIN & AUBREY

By: 

W. Thomas Kellahin
P.O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285

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

IN THE MATTER OF THE APPLICATION
OF C & C LANDFARM INC. FOR A
PROPOSED COMMERCIAL SURFACE
DISPOSAL FACILITY,
LEA COUNTY, NEW MEXICO

RECEIVED

JUN 01 1977

OIL CONSERVATION DIVISION

REQUEST FOR HEARING
AND
STATEMENT OF OBJECTIONS

Comes now Elsie M. Reeves ("Reeves"), by and through her attorneys, Kellahin, Kellahin & Aubrey, and objects to the New Mexico Oil Conservation Division granting the application of C & C Landfarm Inc. for a proposed commercial surface disposal facility ("Landfarm") in the SW/4NE/4 of Section 3, T20S, R37E, NMPM, Lea County, New Mexico, and in support states:

(1) AFFECTED PARTY:

Elsie M. Reeves ("Reeves"), is a property owner in Section 4 and 9, T20S, R37E in the vicinity of the area of subject application and is affected by this application.

(2) NOTIFICATION:

The applicant has failed to timely notify the interested and affected parties and the Application should be dismissed.

(3) AREA REQUESTED:

Applicant's application requests approval of a 40 acre tract but proposes to use only 2 acres. The application, if approved, should be confined to the 2 acre tract.

(4) OCD CONDITIONS OF APPROVAL

The Division's Conditions of Approval attached to the Division's May 20, 1992 notification letter are flawed. For example, OCD Condition (5) proposes to grant the Applicant significantly greater disposal authority than the Applicant has requested in its application. For example, OCD Condition (10) is inadequate.

(5) FAILURE TO PROTECT GROUND WATER, HUMAN HEALTH AND THE ENVIRONMENT:

At the NMOCD hearing, Reeves will present a geological engineer as a qualified expert witness to present evidence that the granting of the application as contemplated by the Division fails to protect human health and the environment and constitutes a risk of contamination of ground water, including the following:

(a) The Applicant's proposed plan will place as risk shallow water wells located down-dip from the proposed landfarm which will be subject to contamination from seepage of leachate contaminants.

(b) The Applicant's plans to prevent migration of contaminants down gradient along the red bed surface is inadequate.

(c) The proposed monitor wells are improperly located and will not afford adequate assurance of detection of contaminants.

(d) The propose dike identified in OCD Condition (10) is insufficient and conditions of compaction and verification are inadequate to stop the mobility of the leachate contaminants.

(e) The composition of the berm is not environmentally safe.

(f) Additional soil tests should be performed on the redbed soil including:

- (1) Falling head permeability tests,
- (2) Soil property tests,
- (3) Cation Exchange Capacity tests,

(g) Applicant need to perform liquid and plastic test on the redbeds.

(h) The applicant's proposed barrier is inadequate for its proposed landfarm.

(i) Applicant's geology is inadequate and fails to include an east-west cross section.

(6) PROCEDURE:

Reeves hereby Moves that:

(a) The application be set on the Examiner's docket now scheduled for July 23, 1992, as may be continued,

(b) The applicant be required to satisfy the Division's notice requirement for this hearing as modified by the Uhdén case.

(c) The applicant be required to meet the burden of proof by substantial evidence, and

(d) That a full and complete evidentiary hearing be conducted by the Division's Chief Hearing Examiner with all parties having the right to present evidence and to cross-examine witnesses.

Elsie M. Reeves
Request for Hearing/Statement of Objections
Page 5

Respectfully submitted,

KELLAHIN, KELLAHIN & AUBREY

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', written over a horizontal line.

BY
W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285
Attorneys for Applicant

appt605.645



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



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

June 17, 1992

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-648

Mr. Jimmie T. Cooper
C & C Landfarm Inc.
Box 55
Monument, New Mexico 88265

**RE: C & C Landfarm Inc. Application
Public Hearing**

Dear Mr. Cooper:

The Director of the Oil Conservation Division (OCD) has set the above referenced application to a public hearing to be heard on Thursday, July 9 1992. The docket will be available the week of June 22, 1992.

The OCD requires that C & C notify all landowners in the area of review and all parties who have objected to the application of the date of the hearing. The notification should inform each party that they must submit a prehearing statement by July 3, 1992, if they wish to present testimony at the hearing. Attached is a form for submitting prehearing statements. Submittal of this form is not required, however all of the information requested on it must be supplied to the OCD.

The following are parties who have submitted an objection to the OCD, but who are not in the area of review:

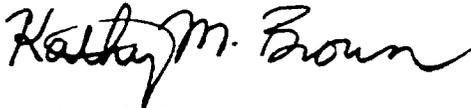
Ms. Elsie M. Reeves
3902 West Keim Drive
Phoenix, Arizona 85019

Mr. Ken Marsh
Controlled Recovery Inc.
P.O. Box 369
Hobbs, New Mexico 88241

Mr. Jimmie T. Cooper
June 17, 1992
Page 2

Thank you for your continued cooperation. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,

A handwritten signature in black ink that reads "Kathy M. Brown". The signature is written in a cursive style with a large, stylized initial "K".

Kathy M. Brown
Geologist

Attachment

xc: Chris Eustice, OCD Hobbs Office
Eddie Seay, Peak Consulting

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

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

CASE NO.

APPLICATION OF

PRE-HEARING STATEMENT

This prehearing statement is submitted by _____ as
required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

ATTORNEY

name, address, phone and
contact person

OPPOSITION OR OTHER PARTY

ATTORNEY

name, address, phone and
contact person

STATEMENT OF CASE

APPLICANT

(Please make a concise statement of what is being sought with this application and the reasons therefore.)

OPPOSITION OR OTHER PARTY

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

PROPOSED EVIDENCE

APPLICANT

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
-----------------------------------	-----------	----------

OPPOSITION

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
-----------------------------------	-----------	----------

PROCEDURAL MATTERS

(Please identify any procedural matters which
need to be resolved prior to the hearing)

Signature



MEMORANDUM OF MEETING OR CONVERSATION

<input checked="" type="checkbox"/> Telephone	<input type="checkbox"/> Personal	Time 4:00 P.M.	Date 6/16/72
---	-----------------------------------	-------------------	-----------------

<u>Originating Party</u> K Brown	<u>Other Parties</u> Eddie Seay - Part 6 3572-2236
-------------------------------------	--

SUBJECT
C+C Public Hearing
Notification of Hearing to Protesters + Area of E

DISCUSSION
Told Eddie ^{that} Bob Stroud does it want the obligation of notifying objectors of the hearing to be with + district. There is a catch-all clause in the rules which would make this enforceable. Bob wants C+C to have their lawyer + that will represent them get the letters sent out. C+C will need a lawyer to represent them.
Eddie doesn't agree with this procedure but he will go ahead and do it.

CONCLUSIONS OR AGREEMENTS

ILLEGIBLE

DESCRIPTION | Signed
Kathryn Brown

C. GENE SAMBERSON
MICHAEL T. NEWELL

LEWIS C. COX, III

LAW OFFICES
HEIDEL, SAMBERSON & NEWELL

311 NORTH FIRST STREET
POST OFFICE DRAWER 1588
LOVINGTON, NEW MEXICO 88260
TELEPHONE (505) 396-5303
FAX (505) 396-5305

OIL CONSERVATION DIVISION
RECEIVED

'92 JUN 4 AM 9 10

F.L. HEIDEL
(1913-1986)

June 3, 1992

Ms. Kathy M. Brown
Geologist
OIL CONSERVATION DIVISION
Post Office Box 2088
Santa Fe, New Mexico 87504-2088

Re: C & C Landfarm, Inc. Application

Dear Ms. Brown:

Your letter dated May 20, 1992, addressed to W. T. Stradley, President, S-W Cattle Co., Hobbs, New Mexico, has been forwarded to me for handling.

Mr. Stradley and I are both confused with respect to the contents of your May 20th letter to him, particularly with respect to your statement that if Mr. Stradley does not request a hearing in the above matter by June 9, 1992, C & C LandFarm, Inc.'s Application will be administratively approved. We had understood that the public comment period for the above Application had been extended to July 6, 1992. I am enclosing a photocopy of a letter dated April 27, 1992, purporting to be from Roger C. Anderson, Acting Bureau Chief of the OCD. We believe that it is probable that additional objections to the Application in question will be made prior to July 6, 1992. We want the opportunity of having all public comments or objections made in this matter prior to July 6th before we are called upon to make a decision regarding a request for hearing when the comment period still is open for more than a month. Mr. Stradley may very well wish to request a hearing, but he wants the opportunity to evaluate all information available, particularly when you have requested him, if he wishes to request a hearing, to include a concise statement of his objection and concern and a summary of evidence that he will present at the hearing.

Although your May 20th letter does not so indicate, Mr. Stradley has submitted, in writing, his concerns and objections two (2) times, the last being my letter of May 13, 1992, outlining additional objections. The reason I mention the latter letter is that Mr. Stradley and I do not believe that even with your May 20, 1992, attachment of OCD conditions and approval all of the objections outlined in my May 13th letter to Mr. Anderson still do not appear to have been addressed.

Page 2
June 3, 1992
Ms. Kathy M. Brown

Would you please advise as soon as possible if the June 9, 1992, deadline for requesting a hearing will remain, notwithstanding that the public comment period does not end until July 6th.

Very truly yours,

HEIDEL. SAMBERSON & NEWELL

By *C. Gene Samberson*

CGS:lt

cc: Mr. W. T. Stradley

KELLAHIN, KELLAHIN AND AUBREY

ATTORNEYS AT LAW
EL PATIO BUILDING

TELEPHONE (505) 982-4225
TELEFAX (505) 982-2047

W. THOMAS KELLAHIN*
KAREN AUBREY†

117 NORTH GUADALUPE
POST OFFICE BOX 2265

*NEW MEXICO BOARD OF LEGAL SPECIALIZATION
RECOGNIZED SPECIALIST IN THE AREA OF
NATURAL RESOURCES-OIL AND GAS LAW
†ALSO ADMITTED IN ARIZONA

SANTA FE, NEW MEXICO 87504-2265

JASON KELLAHIN (RETIRED 1991)

June 5, 1992

Mr. William J. LeMay
Oil Conservation Division
310 Old Santa Fe Trail
Room 218
Santa Fe, New Mexico 87504

HAND DELIVERED

RE: Objection to Application of
C & C Landfarm Inc. and
Request for Hearing

RECEIVED

JUN 05 1992

Dear Mr. LeMay:

OIL CONSERVATION DIVISION

Our firm represents Ms. Elsie Reeves in opposition to the referenced application filed by Mr. Jimmie T. Cooper of C & C Landfarm Inc. dated October 4, 1991.

By letter dated April 16, 1992, Ms. Reeves wrote to the Division requesting until July 6, 1992 to file her written objections. Her request was approved by the Division and confirmed by a letter dated April 27, 1992 from Mr. Roger Anderson, NMOCD.

Thereafter, Ms. Kathy Brown, NMOCD, sent Ms. Reeves a letter dated May 20, 1992 advising her to request a hearing and file her comments and objections by June 9, 1992. The Division's communications to my client are inconsistent and confusing.

However, in order to protect her interest, we hereby file the enclosed Request for Hearing and Objections to the referenced application within the time frame set forth in the Division's notice letter dated May 20, 1992. We reserve the right to file additional objections and comments by July 6, 1992 as approved by Mr. Anderson.

The first paragraph of the Division's May 20, 1992 letter states "The application and supplemental information submitted are in compliance with all Division rules and regulations...." That conclusion is

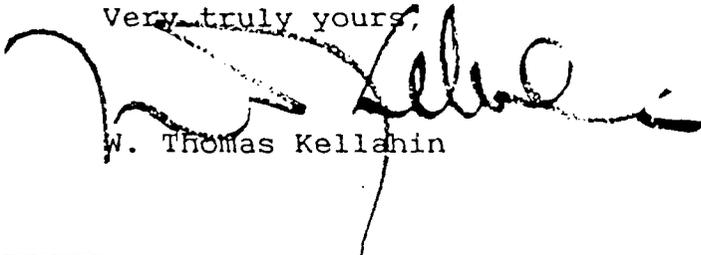
Mr. William J. LeMay
June 5, 1992
Page Two

not correct and a hearing is required to resolve this matter.

In as much as the Division has no other hearing process than the ~~Examiner's~~ regularly scheduled hearing docket, we request that this matter be docket for hearing on the July 23, 1992 Examiner's docket.

In addition, the Division's May 20, 1992 states that a hearing may be set only if the Director determines Ms. Reeves has "significant additional information to offer." We consider that criteria to be unconstitutionally vague and a denial of Ms. Reeves rights to due process. This procedure appears to shift the burden of proof to Ms. Reeves to prove that the application should not be granted when in fact the burden of proof belongs to the applicant. Accordingly, should you not grant a Hearing, I would appreciate notice of that decision in writing so that I can pursue Ms. Reeve's right to an appeal of this matter.

Very truly yours,


W. Thomas Kellahin

WTK/jcl

xc: with Enclosure

Elsie Reeves

Jimmie T. Cooper (C & C Landfarm Inc.)

William F. Carr, Esq.

Larry N. Henry

S-W Cattle

Walter C. Laughlin

Controlled Recovery Inc.

C. Gene Samberson, Esq

Peak Consulting Service

appt605.645

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

IN THE MATTER OF THE APPLICATION
OF C & C LANDFARM INC. FOR A
PROPOSED COMMERCIAL SURFACE
DISPOSAL FACILITY,
LEA COUNTY, NEW MEXICO.

RECEIVED
JUN 01 1992
OIL CONSERVATION DIVISION

REQUEST FOR HEARING
AND
STATEMENT OF OBJECTIONS

Comes now Elsie M. Reeves ("Reeves"), by and through her attorneys, Kellahin, Kellahin & Aubrey, and objects to the New Mexico Oil Conservation Division granting the application of C & C Landfarm Inc. for a proposed commercial surface disposal facility ("Landfarm") in the SW/4NE/4 of Section 3, T20S, R37E, NMPM, Lea County, New Mexico, and in support states:

(1) AFFECTED PARTY:

Elsie M. Reeves ("Reeves"), is a property owner in Section 4 and 9, T20S, R37E in the vicinity of the area of subject application and is affected by this application.

(2) NOTIFICATION:

The applicant has failed to timely notify the interested and affected parties and the Application should be dismissed.

(3) AREA REQUESTED:

Applicant's application requests approval of a 40 acre tract but proposes to use only 2 acres. The application, if approved, should be confined to the 2 acre tract.

(4) OCD CONDITIONS OF APPROVAL

The Division's Conditions of Approval attached to the Division's May 20, 1992 notification letter are flawed. For example, OCD Condition (5) proposes to grant the Applicant significantly greater disposal authority than the Applicant has requested in its application. For example, OCD Condition (10) is inadequate.

(5) FAILURE TO PROTECT GROUND WATER, HUMAN HEALTH AND THE ENVIRONMENT:

At the NMOCD hearing, Reeves will present a geological engineer as a qualified expert witness to present evidence that the granting of the application as contemplated by the Division fails to protect human health and the environment and constitutes a risk of contamination of ground water, including the following:

(a) The Applicant's proposed plan will place as risk shallow water wells located down-dip from the proposed landfarm which will be subject to contamination from seepage of leachate contaminants.

(b) The Applicant's plans to prevent migration of contaminants down gradient along the red bed surface is inadequate.

(c) The proposed monitor wells are improperly located and will not afford adequate assurance of detection of contaminants.

(d) The propose dike identified in OCD Condition (10) is insufficient and conditions of compaction and verification are inadequate to stop the mobility of the leachate contaminants.

(e) The composition of the berm is not environmentally safe.

(f) Additional soil tests should be performed on the redbed soil including:

- (1) Falling head permeability tests,
- (2) Soil property tests,
- (3) Cation Exchange Capacity tests,

(g) Applicant need to perform liquid and plastic test on the redbeds.

(h) The applicant's proposed barrier is inadequate for its proposed landfarm.

(i) Applicant's geology is inadequate and fails to include an east-west cross section.

(6) PROCEDURE:

Reeves hereby Moves that:

(a) The application be set on the Examiner's docket now scheduled for July 23, 1992, as may be continued,

(b) The applicant be required to satisfy the Division's notice requirement for this hearing as modified by the Uhden case.

(c) The applicant be required to meet the burden of proof by substantial evidence, and

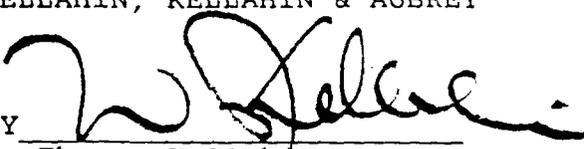
(d) That a full and complete evidentiary hearing be conducted by the Division's Chief Hearing Examiner with all parties having the right to present evidence and to cross-examine witnesses.

Elsie M. Reeves
Request for Hearing/Statement of Objections
Page 5

Respectfully submitted,

KELLAHIN, KELLAHIN & AUBREY

BY



W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285
Attorneys for Applicant

appt605.645

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

April 27, 1992



POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL

RETURN RECEIPT NO. P-670-683-498

Ms. Elsie Reeves
3902 W. Keim Drive
Phoenix, Arizona 85019

Re: C & C Landfarm Application
Lea County, New Mexico

Dear Ms. Reeves:

The Oil Conservation Division (OCD) has received your request, dated April 16, 1992 for an extension to the public comment period for the above referenced application. The extension will allow landowners adjacent to the proposed landfarm who reside out of state the opportunity to review the application.

For good cause shown, the public comment period for the C & C Landfarm application is extended to July 6, 1992. All comments must be in the OCD Santa Fe office on or before that date to be considered in the approval/disapproval of the application.

If you have any questions, please do not hesitate to call me at (505) 827-5812.

Sincerely:

A handwritten signature in cursive script that reads "Roger C. Anderson".

Roger C. Anderson
Acting Bureau Chief

xc: Chris Eustice - OCD Hobbs
C & C Landfarm



NESCO - NEW MEXICO, INC.

P.O. Box 1417
Socorro, New Mexico 87801
(505) 835-0377 • 835-0573

May 25, 1992

State of New Mexico
Oil Conservation Division
P. O. Box 2088
Santa Fe, New Mexico 87501

RE: Comments per Landfarm Request
C & C Landfarm Inc. Lea County, New Mexico
Requested by: Ms. Elsie M. Reeves 3902 W. Keim
Phoenix, AZ 85019

1. Of prime concern, should be the investigation of facts stated in Mr. Walter C. Laughlin's letter of December 20, 1991 to NMOCD. Mr. Laughlin speaks of shallow water wells, at a depth of 25 feet, located down-dip from the proposed landfarm. Water this shallow, surely needs to be protected from any possible seepage of leachate contaminants.
 2. In looking at figure 1 presented by C & C Landfarm Inc., it would appear that the monitoring wells should be located outside of the proposed redbed barrier. The purpose of the monitoring wells should be to notify the fact that contaminants have seeped outside the barrier.
 3. To arrive at a proper compaction of the redbed barrier, I suggest that the dike would need to be thicker than the proposed 2 feet. It would be hard, if not impossible, for equipment to compact the soil in such a small area. I would suggest a barrier thickness of from 6 to 10 feet would be more in order; and surely compaction tests should be performed on lifts of no more than 24 inches per lift. Lab compaction tests should be performed to determine what percent of compaction is needed to stop the mobility of the leachate contaminants.
- I suggest that the compacted barrier be extended into the in-situ redbeds for at least 20 feet to stop any possible seepage of leachate through the non-compacted redbeds.
4. Rather than a caliche berm, a clay non-permeable berm would be much more environmenly safe.
 5. It would appear that additional tests should be performed on the redbed soil. Such as:



CONSERVATION DIVISION
RECEIVED

NESCO - NEW MEXICO, INC.

JUN 5

AM 8 59

P.O. Box 1417

Socorro, New Mexico 87801

(505) 835-0377 • 835-0573

a) Falling head permeability tests should be performed to determine the values for in place coefficient of permeability, K, in cm/s.

b) Soil properties should be tested to predict the mobility of the leachate contaminants. Properties such as:

- 1) Texture
- 2) Content of hydrous oxides
- 3) Type and content of organic matter
- 4) Particle size distribution
- 5) Cation exchange
- 6) Soil pH

The total capacity of soils to exchange cations is called the Cation Exchange Capacity (CEC). I suggest that (CEC) tests be performed on the redbed soils. A range for (CEC) in determining permeability suitability for this type of landfarm is from 5 to 10 meg/100g.

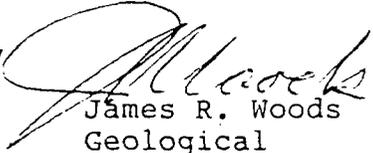
6. I suggest that liquid and plastic limit tests be performed on the redbeds.

7. In my opinion, a better barrier for this type of landfarm would be a barrier applied in stages: 1) graded sand section; 2) clay barrier section; 3) composite drainage section and a final clay barrier section. Each section applied in 3 foot sections.

8. The only cross section that I observed was from north to south; surely there is a cross section east to west and surely the barrier is intended to be on all four sides of the pit.

I hope that my thoughts are taken in a constructive view, as my comments are intended to help prevent any future environmental problems and to help insure that the project is completed by using excepted environmental engineering practices.

Sincerely,


James R. Woods
Geological
Engineer

JAMES R. WOODS
Geological Engineer
Cert # 314113517
Lic # 12572

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

May 20, 1992

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-594

Mr. Walter C. Laughlin
4139 E. Laughlin Road
Casa Grande, Arizona 85222

RE: C & C Landfarm Inc. Application

Dear Mr. Laughlin:

The Oil Conservation Division (OCD) permits commercial surface disposal facilities which receive oil field related waste. The C & C Landfarm Inc. proposed commercial surface disposal facility has been determined to be approvable subject to the attached conditions. The application and supplemental information submitted are in compliance with all Division rules and regulations, and are open for public inspection at the OCD Santa Fe Office.

You filed an objection to the application of C & C Landfarm Inc. If you still object to the application and wish to present technical testimony at a hearing in Santa Fe, please submit a request for hearing within 20 days of date of this letter or by June 9, 1992. Your request should include a concise statement of your objection or concern and a summary of the evidence you will present at hearing. If the Director determines that intervenors such as yourself have significant additional information to offer, the matter will be set for hearing. The OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

If no request for hearing is received by June 9, 1992, then the application will be administratively approved. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,

A handwritten signature in cursive script that reads "Kathy M. Brown".

Kathy M. Brown
Geologist

Attachment

xc: Chris Eustice, OCD Hobbs Office
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

ATTACHMENT
(May 20, 1992)

C & C LANDFARM INC. APPLICATION
OCD CONDITIONS OF APPROVAL

1. All soils received at the facility will be spread and disked within 72 hours of receipt.
2. Solids will be spread on the surface in six inch lifts or less.
3. Solids will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
4. No solids will be spread on previously spread solids until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 ppm and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts.
5. Only solids that are non-hazardous by RCRA Subtitle C or by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and a written OCD approval (case specific) must be obtained prior to disposal. Any non-oilfield wastes which are RCRA Subtitle C exempt will be accepted on a case-by-case basis and with OCD approval.
6. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) the origin, 2) analysis for hazardous constituents if required, 3) transporter.
7. OCD approval must be obtained prior to the addition of any substances to enhance biodegradation of the soils landfarmed (ie. chemical additives, manure, nutrients, bugs, ect.).
8. No free liquids or soils with free liquids will be accepted at the facility.
9. If any monitor wells are constructed in the future the drilling and completion plans will be submitted for OCD approval prior to conducting operations.
10. A rebedded dike will be installed on the south, west, and north edges of the property as proposed in the C & C correspondence dated March 2, 1992.

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

May 20, 1992

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-593

Mr. Larry N. Henry
500 E. Scharbauer
Hobbs, New Mexico 88240

RE: C & C Landfarm Inc. Application

Dear Mr. Henry:

The Oil Conservation Division (OCD) permits commercial surface disposal facilities which receive oil field related waste. The C & C Landfarm Inc. proposed commercial surface disposal facility has been determined to be approvable subject to the attached conditions. The application and supplemental information submitted are in compliance with all Division rules and regulations, and are open for public inspection at the OCD Santa Fe Office.

You filed an objection to the application of C & C Landfarm Inc. If you still object to the application and wish to present technical testimony at a hearing in Santa Fe, please submit a request for hearing within 20 days of date of this letter or by June 9, 1992. Your request should include a concise statement of your objection or concern and a summary of the evidence you will present at hearing. If the Director determines that intervenors such as yourself have significant additional information to offer, the matter will be set for hearing. The OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

If no request for hearing is received by June 9, 1992, then the application will be administratively approved. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,

A handwritten signature in cursive script that reads "Kathy M. Brown".

Kathy M. Brown
Geologist

Attachment

xc: Chris Eustice, OCD Hobbs Office
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

ATTACHMENT
(May 20, 1992)

C & C LANDFARM INC. APPLICATION
OCD CONDITIONS OF APPROVAL

1. All soils received at the facility will be spread and disked within 72 hours of receipt.
2. Solids will be spread on the surface in six inch lifts or less.
3. Solids will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
4. No solids will be spread on previously spread solids until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 ppm and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts.
5. Only solids that are non-hazardous by RCRA Subtitle C or by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and a written OCD approval (case specific) must be obtained prior to disposal. Any non-oilfield wastes which are RCRA Subtitle C exempt will be accepted on a case-by-case basis and with OCD approval.
6. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) the origin, 2) analysis for hazardous constituents if required, 3) transporter.
7. OCD approval must be obtained prior to the addition of any substances to enhance biodegradation of the soils landfarmed (ie. chemical additives, manure, nutrients, bugs, ect.).
8. No free liquids or soils with free liquids will be accepted at the facility.
9. If any monitor wells are constructed in the future the drilling and completion plans will be submitted for OCD approval prior to conducting operations.
10. A redbed dike will be installed on the south, west, and north edges of the property as proposed in the C & C correspondence dated March 2, 1992.



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

BRUCE KING
GOVERNOR

May 20, 1992

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-642

Ms. Elsie M. Reeves
3902 W. Keim Drive
Phoenix, Arizona 85019

RE: C & C Landfarm Inc. Application

Dear Ms. Reeves:

The Oil Conservation Division (OCD) permits commercial surface disposal facilities which receive oil field related waste. The C & C Landfarm Inc. proposed commercial surface disposal facility has been determined to be approvable subject to the attached conditions. The application and supplemental information submitted are in compliance with all Division rules and regulations, and are open for public inspection at the OCD Santa Fe Office.

You filed an objection to the application of C & C Landfarm Inc. If you still object to the application and wish to present technical testimony at a hearing in Santa Fe, please submit a request for hearing within 20 days of date of this letter or by June 9, 1992. Your request should include a concise statement of your objection or concern and a summary of the evidence you will present at hearing. If the Director determines that intervenors such as yourself have significant additional information to offer, the matter will be set for hearing. The OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

If no request for hearing is received by June 9, 1992, then the application will be administratively approved. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,

A handwritten signature in cursive script that reads "Kathy M. Brown".

Kathy M. Brown
Geologist

Attachment

xc: Chris Eustice, OCD Hobbs Office
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

ATTACHMENT
(May 20, 1992)

C & C LANDFARM INC. APPLICATION
OCD CONDITIONS OF APPROVAL

1. All soils received at the facility will be spread and disked within 72 hours of receipt.
2. Solids will be spread on the surface in six inch lifts or less.
3. Solids will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
4. No solids will be spread on previously spread solids until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 ppm and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts.
5. Only solids that are non-hazardous by RCRA Subtitle C or by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and a written OCD approval (case specific) must be obtained prior to disposal. Any non-oilfield wastes which are RCRA Subtitle C exempt will be accepted on a case-by-case basis and with OCD approval.
6. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) the origin, 2) analysis for hazardous constituents if required, 3) transporter.
7. OCD approval must be obtained prior to the addition of any substances to enhance biodegradation of the soils landfarmed (ie. chemical additives, manure, nutrients, bugs, ect.).
8. No free liquids or soils with free liquids will be accepted at the facility.
9. If any monitor wells are constructed in the future the drilling and completion plans will be submitted for OCD approval prior to conducting operations.
10. A rebedded dike will be installed on the south, west, and north edges of the property as proposed in the C & C correspondence dated March 2, 1992.



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

BRUCE KING
GOVERNOR

May 20, 1992

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-641

Mr. W. T. Stradley, President
S-W Cattle Co.
P.O. Box 1799
Hobbs, New Mexico 88241

RE: C & C Landfarm Inc. Application

Dear Mr. Stradley:

The Oil Conservation Division (OCD) permits commercial surface disposal facilities which receive oil field related waste. The C & C Landfarm Inc. proposed commercial surface disposal facility has been determined to be approvable subject to the attached conditions. The application and supplemental information submitted are in compliance with all Division rules and regulations, and are open for public inspection at the OCD Santa Fe Office.

You filed an objection to the application of C & C Landfarm Inc. If you still object to the application and wish to present technical testimony at a hearing in Santa Fe, please submit a request for hearing within 20 days of date of this letter or by June 9, 1992. Your request should include a concise statement of your objection or concern and a summary of the evidence you will present at hearing. If the Director determines that intervenors such as yourself have significant additional information to offer, the matter will be set for hearing. The OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

If no request for hearing is received by June 9, 1992, then the application will be administratively approved. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,

Kathy M. Brown
Geologist

Attachment

xc: Chris Eustice, OCD Hobbs Office
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

ATTACHMENT
(May 20, 1992)

**C & C LANDFARM INC. APPLICATION
OCD CONDITIONS OF APPROVAL**

1. All soils received at the facility will be spread and disked within 72 hours of receipt.
2. Solids will be spread on the surface in six inch lifts or less.
3. Solids will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
4. No solids will be spread on previously spread solids until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 ppm and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts.
5. Only solids that are non-hazardous by RCRA Subtitle C or by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and a written OCD approval (case specific) must be obtained prior to disposal. Any non-oilfield wastes which are RCRA Subtitle C exempt will be accepted on a case-by-case basis and with OCD approval.
6. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) the origin, 2) analysis for hazardous constituents if required, 3) transporter.
7. OCD approval must be obtained prior to the addition of any substances to enhance biodegradation of the soils landfarmed (ie. chemical additives, manure, nutrients, bugs, ect.).
8. No free liquids or soils with free liquids will be accepted at the facility.
9. If any monitor wells are constructed in the future the drilling and completion plans will be submitted for OCD approval prior to conducting operations.
10. A redbed dike will be installed on the south, west, and north edges of the property as proposed in the C & C correspondence dated March 2, 1992.



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

BRUCE KING
GOVERNOR

May 20, 1992

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-643

Mr. Ken Marsh
Controlled Recovery Inc.
P.O. Box 369
Hobbs, New Mexico 88241

RE: C & C Landfarm Inc. Application

Dear Mr. Marsh:

The Oil Conservation Division (OCD) permits commercial surface disposal facilities which receive oil field related waste. The C & C Landfarm Inc. proposed commercial surface disposal facility has been determined to be approvable subject to the attached conditions. The application and supplemental information submitted are in compliance with all Division rules and regulations, and are open for public inspection at the OCD Santa Fe Office.

You filed a request that the C & C Landfarm Inc. application be sent for public hearing. If you still want the application to be sent to public hearing and wish to present technical testimony at a hearing in Santa Fe, please submit a request for hearing within 20 days of date of this letter or by June 9, 1992. Your request should include a concise statement of your objection or concern and a summary of the evidence you will present at hearing. If the Director determines that intervenors such as yourself have significant additional information to offer, the matter will be set for hearing. The OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

If no request for hearing is received by June 9, 1992, then the application will be administratively approved. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,

Kathy M. Brown
Geologist

Attachment

xc: Chris Eustice, OCD Hobbs Office
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

ATTACHMENT
(May 20, 1992)

**C & C LANDFARM INC. APPLICATION
OCD CONDITIONS OF APPROVAL**

1. All soils received at the facility will be spread and disked within 72 hours of receipt.
2. Solids will be spread on the surface in six inch lifts or less.
3. Solids will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
4. No solids will be spread on previously spread solids until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 ppm and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts.
5. Only solids that are non-hazardous by RCRA Subtitle C or by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and a written OCD approval (case specific) must be obtained prior to disposal. Any non-oilfield wastes which are RCRA Subtitle C exempt will be accepted on a case-by-case basis and with OCD approval.
6. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) the origin, 2) analysis for hazardous constituents if required, 3) transporter.
7. OCD approval must be obtained prior to the addition of any substances to enhance biodegradation of the soils landfarmed (ie. chemical additives, manure, nutrients, bugs, ect.).
8. No free liquids or soils with free liquids will be accepted at the facility.
9. If any monitor wells are constructed in the future the drilling and completion plans will be submitted for OCD approval prior to conducting operations.
10. A redbed dike will be installed on the south, west, and north edges of the property as proposed in the C & C correspondence dated March 2, 1992.

OIL CONSERVATION DIVISION
RECEIVED
LAW OFFICES
HEIDEL, SAMBERSON & NEWELL

C. GENE SAMBERSON
MICHAEL T. NEWELL
LEWIS C. COX, III

311 NORTH FIRST STREET
POST OFFICE DRAWER 1699
LOVINGTON, NEW MEXICO 88260
TELEPHONE (505) 396-5303
FAX (505) 396-5305

F.L. HEIDEL
(1913-1986)

'92 MAY 15 AM 8 45

May 13, 1992

Mr. Roger Anderson
State of New Mexico
OIL CONSERVATION DIVISION
Post Office Box 2088
Santa Fe, New Mexico 87504-2088

Re: C & C Landfarms, Inc. Application

Dear Mr. Anderson:

On behalf of S-W Cattle Co., I submit the following objections to the above captioned Application for a commercial remedial surface disposal facility, to-wit:

- (1) Based upon the information on file in your Office in connection with the above Application, I am not aware of any written notice having been given to the Bureau of Land Management, who is an owner of surface lands within a 1/2 mile of the location of the proposed disposal facility. It is our understanding that the Applicant has applied for a permit on the Southwest Quarter of the Northeast Quarter (SW/4NE/4) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico, and it is our further understanding that the Bureau of Land Management owns at least a 40 acre tract (NE/4SW/4 of said Section 3) which is located in the immediate vicinity of the location Applicant seeks to permit. If our information is correct, we believe that under the Rules of the Oil Conservation Division written notice is required to be given to the Bureau of Land Management. Further, based on the information available to us, we do not find any written notice of the above captioned Application having been given to the Board of Commissioners for the County of Lea, State of New Mexico, which we believe is necessary in order to permit the County of Lea to determine whether the public interests requires action on its part with respect to areas not regulated by the OCD and EPA, examples of which areas being land use, zoning, subdivision regulations and other similar matters.
- (2) Applicant has requested that the entire 40 acre tract be permitted for land farming, notwithstanding that the existing pit presently occupies approximately 2 acres. The information on file in connection with the Application indicates that the proposed solution to how Applicant plans to prevent the migration of contaminants down gradient along the red bed surface is the construction of a dike consisting of a trench 2' to 3' wide, with the trench being dug deep enough to penetrate the red bed interval to a depth of approximately 2', but the information does not clearly show whether such dike (trench) will be located immediately adjacent to the existing 2 acre pit or is to be constructed and

located around the North, West and South perimeters of the 40 acre tract. Similar questions exist with respect to the five (5) monitor wells proposed by Applicant and additional questions exist whether five (5) monitor wells are sufficient if the area requested to be permitted is actually 40 acres, rather than the existing 2 acres occupied by an existing pit. The Application for permitting 40 acres is inconsistent with the description of the facility and diagram which appears to be applicable to 2 acres, rather than 40 acres. Applicant has not met the requirements of OCD's Rules for commercial surface waste disposal facilities.

- (3) Applicant's plan of constructing a dike (trench) to prevent the migration of contaminants down gradient along the red bed surface depends on backfilling and compacting the trench with red bed material, yet Applicant makes no showing that such compacted red bed material will be sufficiently impenetrable to prevent the migration of contaminants down gradient through the overburden above the red bed surface. S-W Cattle Co. believes that if the facility is to be approved a more appropriate approach to the construction and operation of such facility would be to require Applicant to construct its proposed facility by digging into the red bed to a sufficient depth so that all of its operations will be conducted below the overburden and therefore any contaminants would remain confined within the red bed and thus prevent migration of contaminants down gradient from the site, either along the red bed surface or through the undisturbed red bed walls of the pit.
- (4) Based upon the information of which we are aware that is on file in connection with Applicant's Application, there does not appear to have been any bond required, either in the form of a surety bond or cash bond, as required by OCD's Rules.
- (5) Applicant's proposed closure plan appears to be merely when the area, whether the present 2 acre pit or the requested 40 acre tract, has been filled and tested to within 1' of the surface elevation that area will be backfilled with top soil, mound over and compacted. S-W Cattle Co. objects to the closure plan on the basis that same is inadequate in view of its concerns stated above with respect to the proposed facility and size of same.
- (6) S-W Cattle Co. submits that a complete and proper Application has not been filed with the OCD and further that the Rules of the OCD have not been complied with by Applicant.

By reason of the foregoing, S-W Cattle Co. objects to the Director of the Oil Conservation Division administratively approving and issuing a Permit in connection with the above described Application.

Very truly yours,

HEIDEL, SAMBERSON & NEWELL

By 

Page 3
May 13, 1992
Mr. Roger Anderson

cc: Mr. Jimmie T. Cooper, C & C Landfarms, Inc.
Mr. Mike Pierce, Peak Consulting
Mr. W. T. Stradley, President, S-W Cattle Co.

C & C LANDFARM INC.
Jimmie T. Cooper P.O. Box 55 Monument, NM 88265
505-397-2045

May 5, 1992

BLM Minerals
P.O. Box 1778
Carlsbad, NM 88221-1778

Dear Sir:

Pursuant to Rule 711 of the Oil Conservation Commission, State of New Mexico, notice is hereby given that Jimmie T. Cooper, owner and operator of C & C Landfarm Inc., will be filing an application for a surface waste disposal facility located at SW 1/4 of the NE 1/4 of Section 3, Township 20, Range 37E, Lea Co., NM on deeded land. The facility will be for the disposal of contaminated soils only from oil and gas production. No produced waters or tank bottoms will be allowed. This disposal will allow a safe place for the natural occurrence of remediation of the soil.

If there are any questions please contact:

Mr. Roger Anderson
State of New Mexico
Oil Conservation Division
P.O. Box 2088
Santa Fe, NM 87501
505-827-5884

Thank you.

Eddie W. Seay
Peak Consulting Service

1992 MAY 11 AM 8 44

May 12, 1992

Kathy M. Brown
Oil Conservation Division
P.O. Box 2088
Santa Fe, NM 87504-2088

RE: Response to letter from Elsie Reeves
C & C Landfarm Inc.

Dear Ms. Brown:

As per our conversation, please find enclosed mail receipt from notification to BLM. This parcel of land was not listed on OCD land owner's map. I apologize for the oversight.

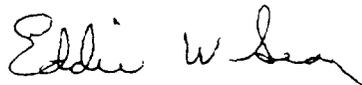
Other parcel of land listed in letter sent to Mr. Cooper concerning notice requirements has been checked out. The parcel of land listed in letter as Tommy Lee Schmidt is being taken care of by Mr. Joe Williams. Mr. Williams was notified and we met with him on Saturday, May 9, 1992, and discussed this with him. He indicated that he had no problems with our facility.

The other parties listed in letter are Mr. Cooper's wife, children, brother and his deceased mother. Mr. Jimmie Cooper is the executor of the property.

If further documentation is needed or any other problems exist, please call.

I appreciate your patience in this matter.

Sincerely,



Eddie W. Seay
Peak Consulting Service
601 W. Illinois
Hobbs, NM 88240
505-392-2236

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
 - 2. Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

BIM Minerals
P.O. Box 1778
Carlsbad, NM 88221-1778

4a. Article Number

P 365 085 345

4b. Service Type

- Registered
- Certified
- Insured
- Express Mail
- Return Receipt for Merchandise
- COD

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)



8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, November 1990 *U.S. GPO: 1991-287-060





IMPORTANT MESSAGE

FOR Kathy
DATE 5/11/92 TIME _____ A.M.
P.M.
M Shannon Shaw
OF BLM

PHONE _____
AREA CODE _____ NUMBER _____ EXTENSION _____

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	
CAME TO SEE YOU	<input checked="" type="checkbox"/>	WILL CALL AGAIN	
WANTS TO SEE YOU	<input type="checkbox"/>	RUSH	
RETURNED YOUR CALL	<input type="checkbox"/>	SPECIAL ATTENTION	

MESSAGE 75 loads
Way Notified of C&C
intent.
BLM has no problems

SIGNED _____
LITHO IN U.S.A.



OIL CONSERVATION
RE. DIVISION

Enjo. Bureau

CRI

APR 30 1992 8 52
CONTROLLED RECOVERY INC.

P.O. BOX 369, HOBBS, NM 88241 (505) 393-1079

April 28, 1992

Mr. Bill LeMay
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87504

****FAX TRANSMISSION****

RE: C&C Land Farm Inc.

Dear Mr. LeMay:

I have been receiving numerous phone calls, letters, and copies of correspondence concerning the application of C&C for land farming. I have also obtained copies of the file and reviewed them. Should I feel it necessary to make any comments on the issues, I will do so in another letter.

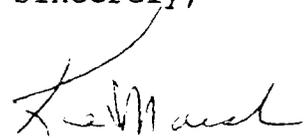
Many of the comments I have heard are about the public hearing process. The oil and gas industry does not need the perception that we are not being good neighbors or refusing to listen to public concerns.

CRI's management works very hard to be good citizens and neighbors and to go beyond our obligation required by rules, laws, and regulations. We have and we want to maintain the trust and respect of the industry, our customers, and the public.

If a public hearing is not held on this application, all disposal operations including CRI's could receive negative publicity and perhaps be suspect of ignoring public concerns. I would recommend that all disposal applications have a public hearing.

I respectfully request that the C&C application be sent for public hearing. Please advise.

Sincerely,


Ken Marsh

RECEIVED
RE
APR 13 1988

APR 8 38

Elsie M. Reeves
3902 West Keim Drive
Phoenix, Arizona 85019

Ms. Kathy M. Brown
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87504

RE: C&C Landfarm, Inc.

Dear Ms. Brown:

Rule 711 Section B requires notice to all landowners within one half mile of the property on which a disposal facility is to be located.

I have had Elliott & Waldron Abstract research the land owners. You will notice from the attached plats and your copy of C&C's application that Tommie Lee Schmidt aka Tanja Weir and the United States of America are owners of surface lands within one half mile and were not notified.

You will also see that Jimmie T. Cooper is not the sole owner of the property described in the application but that the owners are Delbert Dale Cooper, 1/3 undivided interest, Jimmie Tom Cooper 1/3 undivided interest, and Jimmie T. Cooper et ux Betty B. (JT), Jimmie B. Cooper, married, s&sp, Adana J. Hilliker, married, s&sp (JT), 1/3 undivided interests.

This noncompliance with the rules of the Commission are reason to reject the application, and I request that the application be rejected immediately.

I am having further technical data prepared as I have communicated to you in my previous correspondence.

I thank you for your consideration of this information.

Sincerely yours,

Elsie M. Reeves

TV

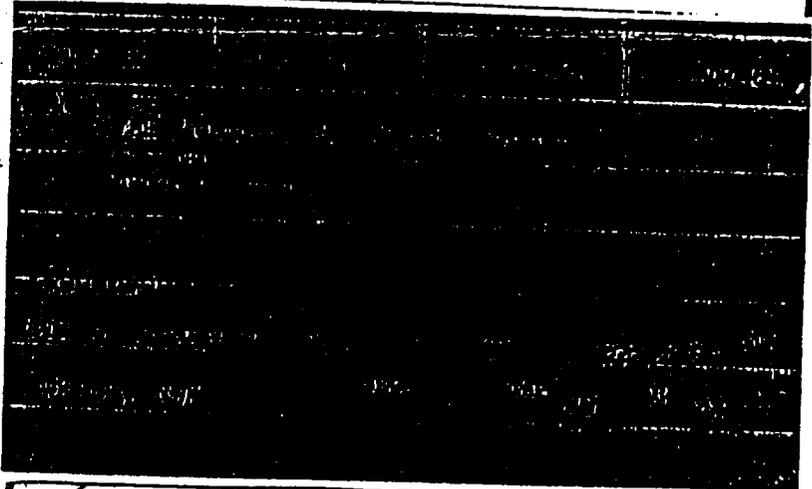
W2 NE4, NW4

#033922 446-772	QC Deed	9-8-88	9-15-88
First Interstate Bank of Lea County, Trustee of the Luther Cooper Estate			
to Tomnie-Lou Cooper, Delbert Dale Cooper and Jimmy Tom Cooper - out			
1/3 1/3			
Surface			
88-1134			
W 1/2 NE 1/4, NW 1/4 SEC. 3 TSP. 20 R. 37 OL			

#70227 467-223	QCD	10-17-90	10-29-90
Tomnie Lou Cooper, single, by Jimmie T. Cooper, atty in fact			
to Jimmie T. Cooper et ux Betty B. (JT), Jimmie B. Cooper, married, s&sp, Adana J. Hilliker, married, s&sp (JT)			
Surface Converted 1/3			
W 1/2 NE 1/4, NW 1/4 SEC. 3 TSP. 20 R. 37 OL			

Contg →

No J.I.



50-513	14358	R W	1-14-37	2-19-37
--------	-------	-----	---------	---------

PHONE 393-7706
P.O. BOX 295
HOBBS, NEW MEXICO 88240
BILL PEVEY - Pres.

PHONE 396-5846
P.O. BOX 817
LOVINGTON, NEW MEXICO 88260
PEGGY PEVEY - Vice Pres.

1 vara—33½ inches.
1900 8/10 varas 1 mile.
5645 square varas—1 acre.
4840 square yards or 43,560 square feet—1 acre.
1,000,000 square varas—1 labor or 177 1/10 acres.
25,000,000 square varas—1 league or 4428 acres.
7.92 inches—1 link.
1 rod—5½ yards, or 16½ feet, or 3.94 varas.
320 rods—1 mile.
100 links—1 chain, or 66 feet, or 23.76 varas.

80 chains, 5280 feet, 1760 yards—1 mile.
To reduce yards to varas multiply by 1.08.
To reduce varas to yards, divide by 1.08.
To reduce feet to varas, multiply by 36 and point off two decimals.
To reduce varas to feet, multiply by 100 and divide by 36.
1 Square Rod—272¼ Square Feet
1 Acre—43,560 Square Feet
1 Acre—160 Square Rods
1 Acre is about 208¼ Feet Square
1 Acre is 8 Rods x 20 Rods (for any two numbers of rods whose product is 160.)

SCALE FOR SECTION, } Each side large squares = 20 chains, 80 rods, 1320 feet; area of square 40 acres.
660 Ft.—1 inch. } Each side small squares = 5 chains, 20 rods, 330 feet; area of square 2½ acres.

N

Lot 4	Lot 3	Lot 2	Lot 1
Cooper, et al	Cooper, et al	Cooper, et al	State
Cooper, et al	Cooper, et al a-2 0-37	Cooper, et al	State
S-W CATTLE Co.	(ON Contract or lease to S-W CATTLE Co.) U.S.A.	State	State
S-W CATTLE Co.	S-W CATTLE Co.	State	State

W

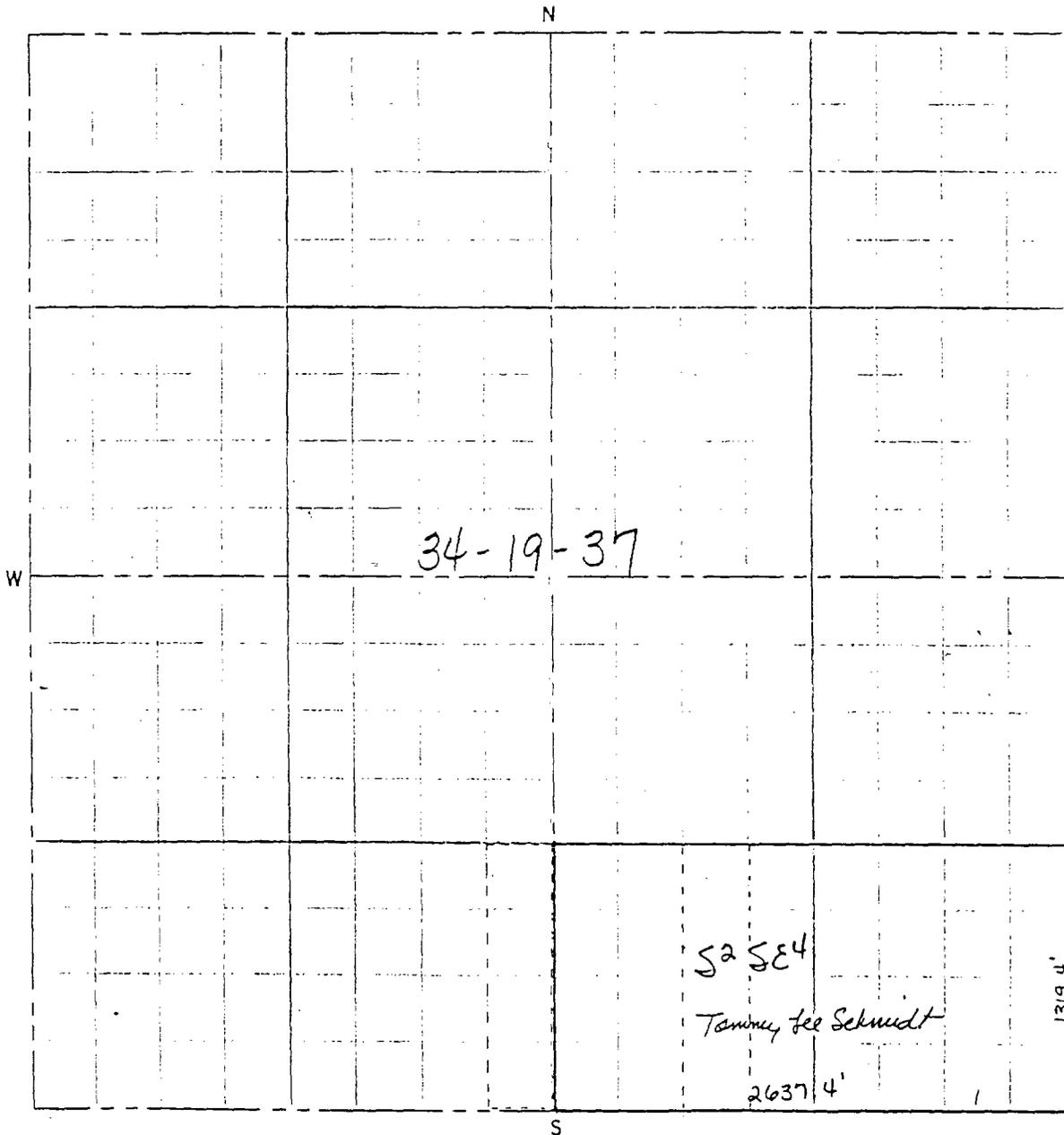
P.O. BOX 295
 HOBBS, NEW MEXICO 88240
 BILL PEVEY - Pres.

P.O. BOX 817
 LOVINGTON, NEW MEXICO 88260
 PEGGY PEVEY - Vice Pres.

1 vara—33½ inches.
 1900 8/10 varas 1 mile.
 5645 square varas—1 acre.
 4840 square yards or 43,560 square feet—1 acre.
 1,000,000 square varas—1 labor or 177 1/10 acres.
 25,000,000 square varas—1 leagun or 4428 acres.
 7.92 inches—1 link.
 1 rod—5½ yards, or 16½ feet, or 5.94 varas.
 320 rods—1 mile.
 100 links—1 chain, or 66 feet, or 23.76 varas.

80 chains, 3280 feet, 1760 yards—1 mile.
 To reduce yards to varas multiply by 1.08.
 To reduce feet to varas, multiply by 1.08.
 To reduce feet to varas, multiply by 36 and point off two decimals.
 To reduce varas to feet, multiply by 100 and divide by 36.
 1 Square Rod—272¼ Square Feet
 1 Acre—43,560 Square Feet
 1 Acre—160 Square Rods
 1 Acre is about 208½ Feet Square
 1 Acre is 8 Rods x 20 Rods (or any two numbers of rods whose product is 160.)

SCALE FOR SECTION, } Each side large squares = 20 chains, 80 rods, 1320 feet; area of square 40 acres.
 660 ft.—1 inch. } Each side small squares = 5 chains, 20 rods, 330 feet; area of square 2½ acres.



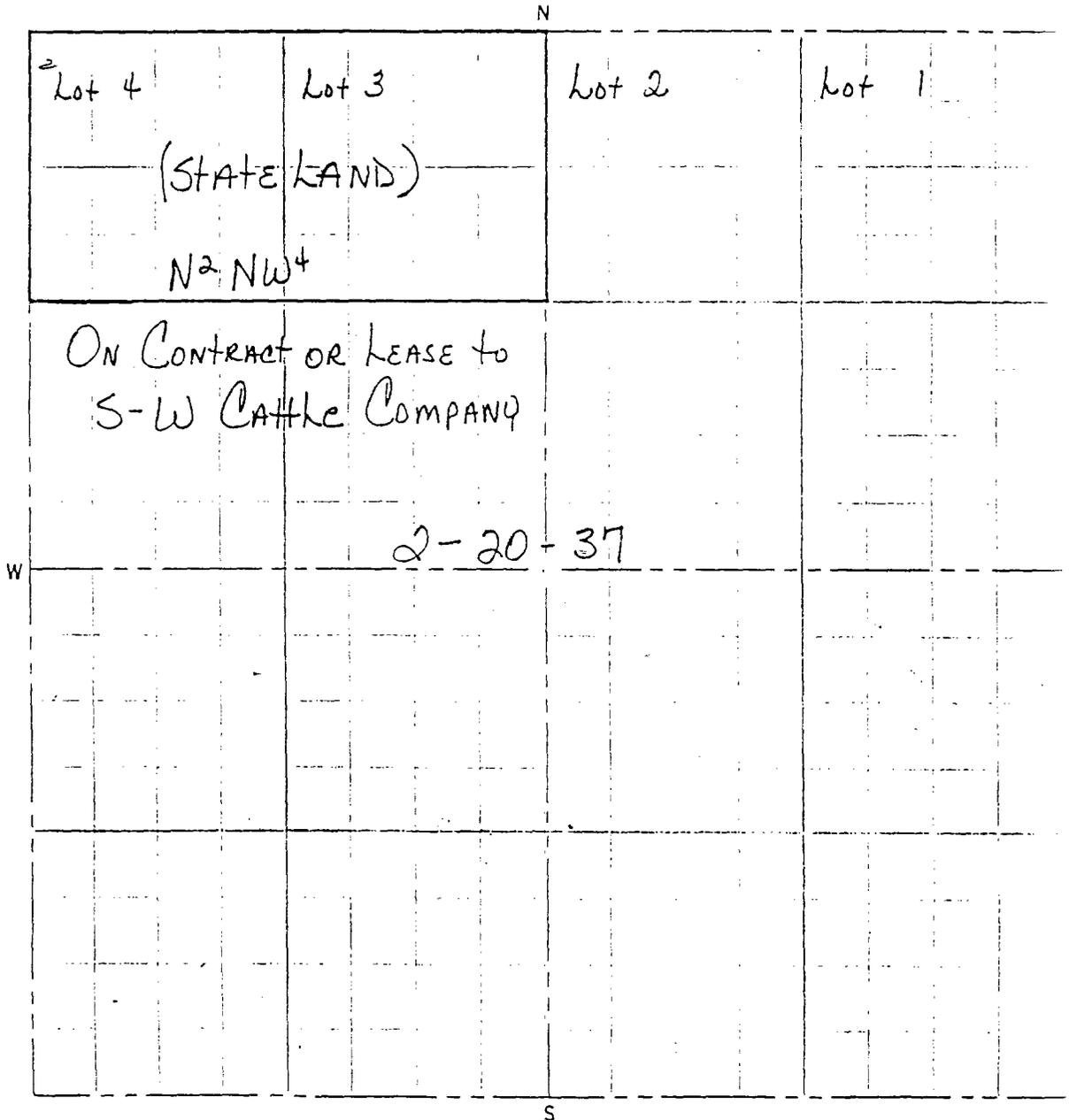
P.O. BOX 295
 HOBBS, NEW MEXICO 88240
 BILL PEVEY - Pres.

P.O. BOX 817
 LOVINGTON, NEW MEXICO 88260
 PEGGY PEVEY - Vice Pres.

1 vara—33½ inches.
 1900 8/10 varas 1 mile.
 5643 square varas—1 acre.
 4840 square yards or 43,560 square feet—1 acre.
 1,000,000 square varas—1 labor or 177 1/10 acres.
 25,000,000 square varas—1 league or 4428 acres.
 7.92 inches—1 link.
 1 rod—5½ yards, or 16½ feet, or 5.94 varas.
 320 rods—1 mile.
 100 links—1 chain, or 66 feet, or 23.76 varas.

80 chains, 5280 feet, 1760 yards—1 mile.
 To reduce yards to varas multiply by 1.08.
 To reduce varas to yards, divide by 1.08.
 To reduce feet to varas, multiply by 36 and point off two decimals.
 To reduce varas to feet, multiply by 100 and divide by 36.
 1 Square Rod—272¼ Square Feet
 1 Acre—43,560 Square Feet
 1 Acre—160 Square Rods
 1 Acre is about 108¼ Feet Square
 1 Acre is 8 Rods x 20 Rods (or any two numbers of rods whose product is 160.)

SCALE FOR SECTION, } Each side large squares = 20 chains, 80 rods, 1320 feet; area of square 40 acres.
 600 ft.—1 inch. } Each side small squares = 5 chains, 20 rods, 330 feet; area of square 2½ acres.



OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

April 27, 1992

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-498

Ms. Elsie Reeves
3902 W. Keim Drive
Phoenix, Arizona 85019

Re: C & C Landfarm Application
Lea County, New Mexico

Dear Ms. Reeves:

The Oil Conservation Division (OCD) has received your request, dated April 16, 1992 for an extension to the public comment period for the above referenced application. The extension will allow landowners adjacent to the proposed landfarm who reside out of state the opportunity to review the application.

For good cause shown, the public comment period for the C & C Landfarm application is extended to July 6, 1992. All comments must be in the OCD Santa Fe office on or before that date to be considered in the approval/disapproval of the application.

If you have any questions, please do not hesitate to call me at (505) 827-5812.

Sincerely:

Roger C. Anderson
Acting Bureau Chief

xc: Chris Eustice -
C & C Landfarm

SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, and 4a & b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: Ms Elsie Reeves 3902 W Keim Dr Phoenix Arizona 85019	4a. Article Number P 670 683 -498	
5. Signature (Addressee) Elsie Reeves	4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent)	7. Date of Delivery 4/29/92	
8. Addressee's Address (Only if requested and fee is paid)		

3902 W. Keim Drive
Phoenix, Arizona 85019
April 16, 1992

William J. LeMay, Director
Oil Conservation Division
New Mexico Department of Energy
P. O. Box 2088
Santa Fe, New Mexico 87504-2088

CERTIFIED MAIL
RETURN RECEIPT NO. P-509 518 446

Re: Application of C & C Landfarm, Inc.
Lea County, New Mexico

Dear Mr. LeMay:

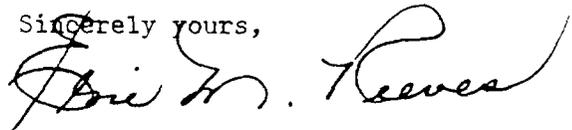
I am in receipt of certified correspondence from geologist Kathy M. Brown of your Division stating that the above referenced application is administratively approvable at this time, pending evaluation and substantive technical information from protestors to the aforesaid application, and giving a time limit of thirty (30) days to submit such information.

As I am an out-of-state landowner, as are the other co-owners, we would appreciate an extension on an additional sixty (60) days, i.e., July 6, 1992. Such an extension would give us enough time to receive and review the application in its entirety and to gather the required technical and regulatory information for substantiation of our protest.

In the event such an extension cannot be granted I would appreciate immediate notification by telephone, to be followed by a letter of refusal. I may be reached by phone at (602)841-6427. Meanwhile, we will proceed in the expectation that approval of this request will be granted.

Thanking you in advance for your consideration in this matter, I am,

Sincerely yours,



Elsie M. Reeves

emr
XC: file

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR



POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

April 3, 1992

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-575

Mr. W. T. Stradley, President
S-W Cattle Co.
P.O. Box 1799
Hobbs, New Mexico 88241

RE: C & C Landfarm Inc. Application

Dear Mr. Stradley:

The Oil Conservation Division (OCD) has received your October 28, 1991 protest to the C & C Landfarm Inc. application. The OCD is the state agency which permits commercial surface disposal facilities.

The process that the OCD uses to review surface disposal applications is comprehensive and ongoing. The applicant submits the initial application, it is thoroughly reviewed, and if necessary additional information and commitments are requested to satisfy specific OCD requirements. After all of the required information is submitted and evaluated an ultimate determination is made as to whether or not the facility can be operated in a manner which is consistent and in compliance with the regulations of the Division.

In determining whether a specific facility is approvable the OCD must insure that there will be sufficient protection of ground water, human health, and the environment. The OCD cannot deny an application solely on the basis that the use is incompatible with surrounding land uses or local zoning requirements. The OCD has no jurisdiction or authority to enforce compliance with those regulations.

The OCD incorporated all letters of protest into review of the initial C & C Landfarm application. Upon completing review of the application the OCD requested additional information and commitments from C & C Landfarm. The OCD has received and reviewed C & C Landfarm's response dated March 2, 1992. The application at this time is administratively

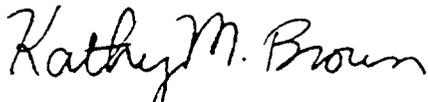
Mr. W. T. Stradley
April 3, 1992
Page 2

approvable since it meets all of the technical requirements to protect ground water, human health, and the environment. Both the original application and supplemental materials are on file at the OCD Santa Fe Office. These records are open for public inspection from 8:00 a.m. to 4:00 p.m., Monday through Friday.

The OCD is giving all protestors the opportunity to evaluate the application and respond with substantive technical information. Active participation by informed neighboring landowners can be very useful to the Division to insure that the facility is permitted with appropriate operational requirements. As previously stated, the OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

Please submit all comments to the OCD within 30 days from receipt of this letter. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,



Kathy M. Brown
Geologist

xc: Chris Eustice, OCD Hobbs Office
Bob Stovall, General Counsel
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR



POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

April 3, 1992

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-576

Mr. Walter C. Laughlin
4139 E. Laughlin Road
Casa Grande, Arizona 85222

RE: C & C Landfarm Inc. Application

Dear Mr. Laughlin:

The Oil Conservation Division (OCD) has received your December 20, 1991 protest to the C & C Landfarm Inc. application. The OCD is the state agency which permits commercial surface disposal facilities.

The process that the OCD uses to review surface disposal applications is comprehensive and ongoing. The applicant submits the initial application, it is thoroughly reviewed, and if necessary additional information and commitments are requested to satisfy specific OCD requirements. After all of the required information is submitted and evaluated an ultimate determination is made as to whether or not the facility can be operated in a manner which is consistent and in compliance with the regulations of the Division.

In determining whether a specific facility is approvable the OCD must insure that there will be sufficient protection of ground water, human health, and the environment. The OCD cannot deny an application solely on the basis that the use is incompatible with surrounding land uses or local zoning requirements. The OCD has no jurisdiction or authority to enforce compliance with those regulations.

The OCD incorporated all letters of protest into review of the initial C & C Landfarm application. Upon completing review of the application the OCD requested additional information and commitments from C & C Landfarm. The OCD has received and reviewed C & C Landfarm's response dated March 2, 1992. The application at this time is administratively approvable since it meets all of the technical requirements to protect ground water, human

Mr. Walter C. Laughlin
April 3, 1992
Page 2

health, and the environment. Both the original application and supplemental materials are on file at the OCD Santa Fe Office. These records are open for public inspection from 8:00 a.m. to 4:00 p.m., Monday through Friday.

The OCD is giving all protestors the opportunity to evaluate the application and respond with substantive technical information. Active participation by informed neighboring landowners can be very useful to the Division to insure that the facility is permitted with appropriate operational requirements. As previously stated, the OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

Please submit all comments to the OCD within 30 days from receipt of this letter. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,

Kathy M. Brown

Kathy M. Brown
Geologist

xc: Chris Eustice, OCD Hobbs Office
Bob Stovall, General Counsel
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

SENDER: <ul style="list-style-type: none">• Complete items 1 and/or 2 for additional services.• Complete items 3, and 4a & b.• Print your name and address on the reverse of this form so that we can return this card to you.• Attach this form to the front of the mailpiece, or on the back if space does not permit.• Write "Return Receipt Requested" on the mailpiece below the article number.• The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.		I also wish to receive the following services (for an extra fee): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Mr. Walter C. Laughlin 4139 E. Laughlin Rd. Casa Grande, Arizona 85222 <i>Walter Laughlin</i>		4a. Article Number P-670-683-576	
5. Signature (Addressee)		4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
6. Signature (Agent)		7. Date of Delivery 4-6-92	
		8. Addressee's Address (Only if requested and fee is paid)	

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 927-5800

April 3, 1992

CERTIFIED MAIL

RETURN RECEIPT NO. P-670-683-578

Mr. Larry N. Henry
500 E. Scharbauer
Hobbs, New Mexico 88240

RE: C & C Landfarm Inc. Application

Dear Mr. Henry:

The Oil Conservation Division (OCD) has received your January 21, 1992 protest to the C & C Landfarm Inc. application. The OCD is the state agency which permits commercial surface disposal facilities.

The process that the OCD uses to review surface disposal applications is comprehensive and ongoing. The applicant submits the initial application, it is thoroughly reviewed, and if necessary additional information and commitments are requested to satisfy specific OCD requirements. After all of the required information is submitted and evaluated an ultimate determination is made as to whether or not the facility can be operated in a manner which is consistent and in compliance with the regulations of the Division.

In determining whether a specific facility is approvable the OCD must insure that there will be sufficient protection of ground water, human health, and the environment. The OCD cannot deny an application solely on the basis that the use is incompatible with surrounding land uses or local zoning requirements. The OCD has no jurisdiction or authority to enforce compliance with those regulations.

The OCD incorporated all letters of protest into review of the initial C & C Landfarm application. Upon completing review of the application the OCD requested additional information and commitments from C & C Landfarm. The OCD has received and reviewed C & C Landfarm's response dated March 2, 1992. The application at this time is administratively approvable since it meets all of the technical requirements to protect ground water, human

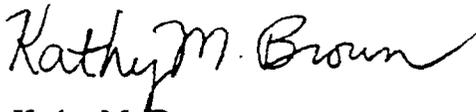
Mr. Larry N. Henry
April 3, 1992
Page 2

health, and the environment. Both the original application and supplemental materials are on file at the OCD Santa Fe Office. These records are open for public inspection from 8:00 a.m. to 4:00 p.m., Monday through Friday.

The OCD is giving all protestors the opportunity to evaluate the application and respond with substantive technical information. Active participation by informed neighboring landowners can be very useful to the Division to insure that the facility is permitted with appropriate operational requirements. As previously stated, the OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

Please submit all comments to the OCD within 30 days from receipt of this letter. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,



Kathy M. Brown
Geologist

xc: Chris Eustice, OCD Hobbs Office
Bob Stovall, General Counsel
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR



POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

April 3, 1992

CERTIFIED MAIL

RETURN RECEIPT NO. P-670-683-577

Ms. Elsie M. Reeves
3902 W. Keim Drive
Phoenix, Arizona 85019

RE: C & C Landfarm Inc. Application

Dear Ms. Reeves:

The Oil Conservation Division (OCD) has received your December 17, 1991 protest to the C & C Landfarm Inc. application. The OCD is the state agency which permits commercial surface disposal facilities.

The process that the OCD uses to review surface disposal applications is comprehensive and ongoing. The applicant submits the initial application, it is thoroughly reviewed, and if necessary additional information and commitments are requested to satisfy specific OCD requirements. After all of the required information is submitted and evaluated an ultimate determination is made as to whether or not the facility can be operated in a manner which is consistent and in compliance with the regulations of the Division.

In determining whether a specific facility is approvable the OCD must insure that there will be sufficient protection of ground water, human health, and the environment. The OCD cannot deny an application solely on the basis that the use is incompatible with surrounding land uses or local zoning requirements. The OCD has no jurisdiction or authority to enforce compliance with those regulations.

The OCD incorporated all letters of protest into review of the initial C & C Landfarm application. Upon completing review of the application the OCD requested additional information and commitments from C & C Landfarm. The OCD has received and reviewed C & C Landfarm's response dated March 2, 1992. The application at this time is administratively approvable since it meets all of the technical requirements to protect ground water, human

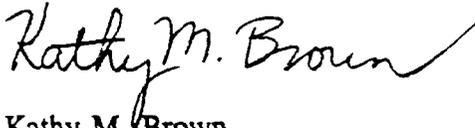
Ms. Elsie M. Reeves
April 3, 1992
Page 2

health, and the environment. Both the original application and supplemental materials are on file at the OCD Santa Fe Office. These records are open for public inspection from 8:00 a.m. to 4:00 p.m., Monday through Friday.

The OCD is giving all protestors the opportunity to evaluate the application and respond with substantive technical information. Active participation by informed neighboring landowners can be very useful to the Division to insure that the facility is permitted with appropriate operational requirements. As previously stated, the OCD cannot consider land use or zoning requirements when evaluating surface disposal applications.

Please submit all comments to the OCD within 30 days from receipt of this letter. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,



Kathy M. Brown
Geologist

xc: Chris Eustice, OCD Hobbs Office
Bob Stovall, General Counsel
Jimmie T. Cooper, C & C Landfarm Inc.
Mike Pierce, Peak Consulting

PEAK
CONSULTING SERVICES
ENVIRONMENTAL,
GEOLOGICAL & REGULATORY
SPECIALISTS

P O BOX 636
HOBBS, NEW MEXICO 88240
OFFICE (505) 392-1915



PCS

March 2, 1972

Kathy M. Brown
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87504-2088

Re: Response to letter dated February 21, 1972
C & C Landfarm Inc.

Dear Ms. Brown:

This letter is in response to the Oil Conservation Divisions' requests and concerns regarding C & C Landfarm Inc.'s application. Please find enclosed the information you require:

1. C & C Landfarm Inc. proposes to install a redbed dike on the south, west, and north edges of the property to prevent any migration of fluids from the property. This dike will consist of a trench approximately 2 - 3 feet wide. This trench will be deep enough to penetrate the redbed interval to a depth of approximately 2 feet. The trench will then be backfilled and compacted with redbed material from the working pit. (Fig. 1)

This dike will be situated between the property line and the monitor wells previously installed. (Fig. 1)

The pit will be excavated to approximately 1 foot above the top of the redbed. (Fig. 1)

2. C & C Landfarm Inc. will seek OCD approval before any additional monitor wells are drilled.

OCD Response
February 28, 1992
Page 2

3. C & C Landfarm Inc. acknowledges items A thru H of part three of the letter dated February 21, 1992, and agrees to comply with all conditions.

4. Figure 2 is a map showing all private residences within one mile of the facility. At the present time only one residence is within one mile. This residence is owned by Mr. A.C. Doyall, and he was provided with a copy of the original application by C & C Landfarm Inc..

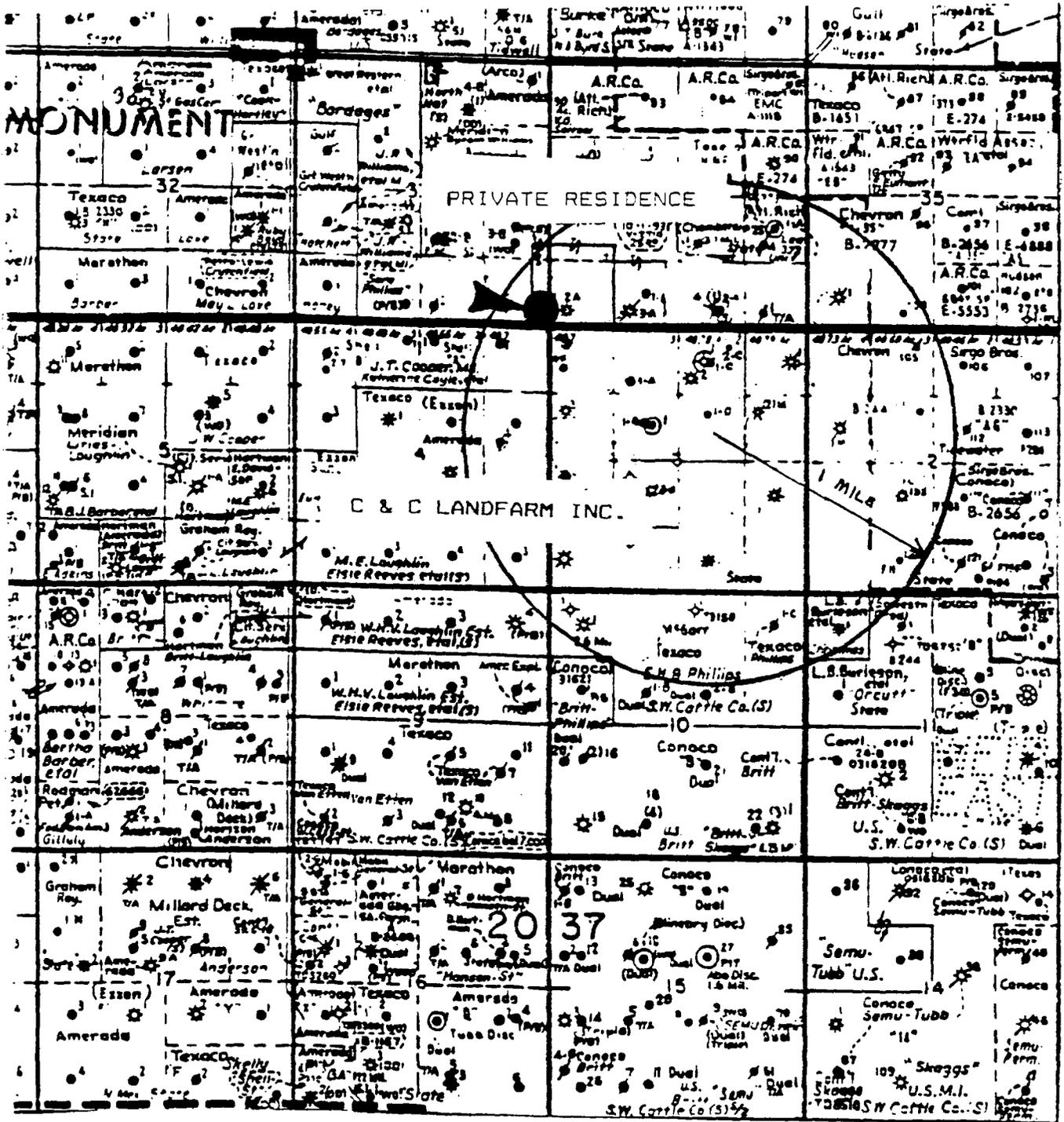
The pit occupies approximately 2 acres at this time. C & C Landfarm Inc. request that the entire 40 acre tract be permitted for landfarming. This way the pit can be expanded as needed.

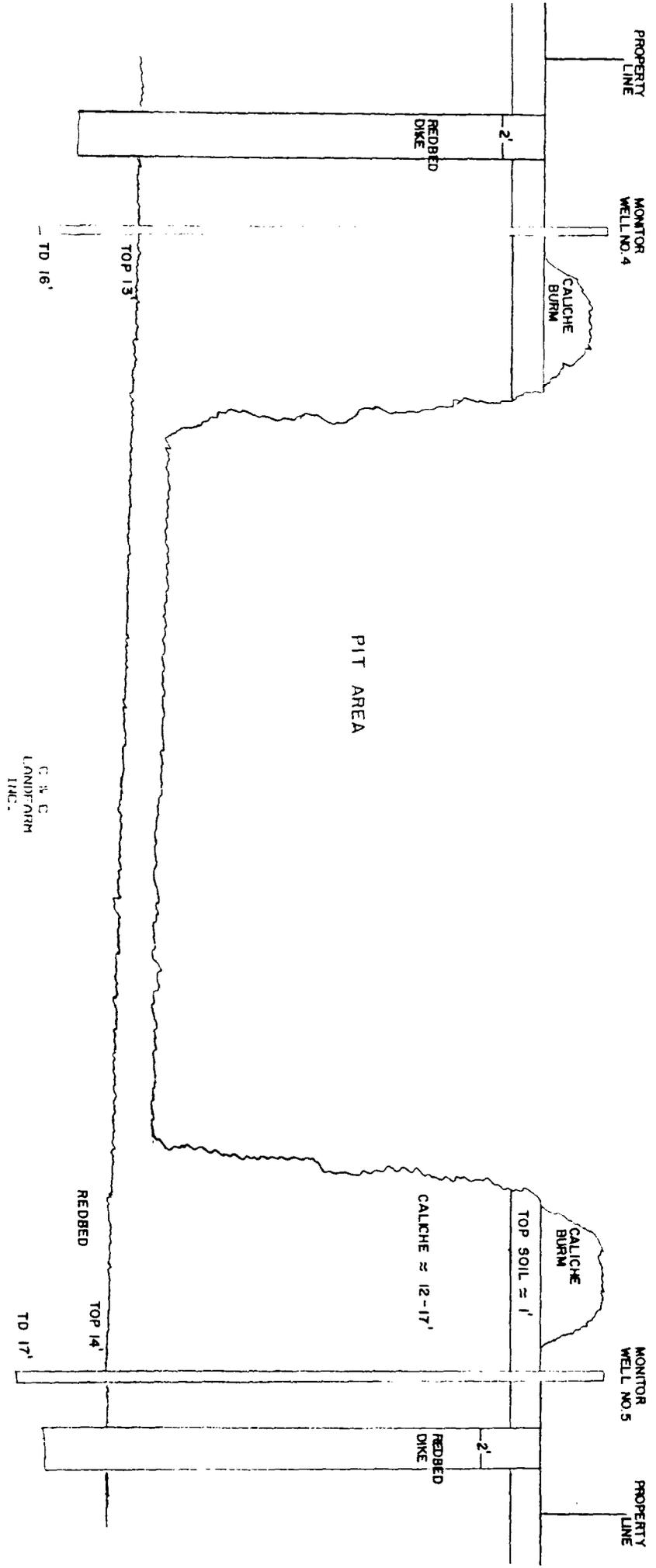
C & C Landfarm Inc. and Peak Consulting Services appreciates the time and effort that the Oil Conservation Division has invested in this project. We are committed to provide a quality facility that the Oil Industry can depend on and have confidence in. If we can be of further assistance, please lets us know.

Sincerely,



Michael L. Pierce
Peak Consulting Services





NORTH - SOUTH CROSS SECTION OF PIT FACILITY

C. B. C.
LANDFARM
INC.

FIGURE 1

Vertical Scale: 1" = 3'
No Horizontal Scale

N →

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR



POST OFFICE BOX 2088
STATE LAND OFFICE BUILDING
SANTA FE, NEW MEXICO 87504
(505) 827-5800

February 21, 1992

CERTIFIED MAIL
RETURN RECEIPT NO. P-670-683-494

Mr. Jimmie T. Cooper
C & C Landfarm Inc.
Box 55
Monument, New Mexico 88265

RE: Landfarm Request, C & C Landfarm Inc.
Lea County, New Mexico

Dear Mr. Cooper:

The Oil Conservation Division (OCD) has received and is in the process of reviewing the above referenced application for an oil field related solids landfarm located in the SW/4 NE/4, Section 3, Township 20 South, Range 37 East, NMPM, Lea County, New Mexico. The following comments and requests for additional information are based on review of the application, dated October 4, 1991, and inspection of the proposed facility on February 11, 1992 by representatives of the OCD and C & C Landfarm Inc. In order for the review process to continue the OCD requires the following information:

1. In your surface disposal application you propose to construct a pit by excavating down to the top of the redbed (about 10 to 12 feet) and using the overburden (caliche) to build berms around the site. The OCD is concerned with the possibility of contaminants migrating off of your property along the surface of the redbed. The OCD requires a detailed description of how C & C plans to prevent the migration of contaminants down gradient along the redbed surface. If there are any modifications or additions to the original application, please submit detailed descriptions and diagrams. Include the dimensions (3-D) of the proposed facility (pit) along with a cross-sectional diagram.

Mr. Jimmie T. Cooper
February 21, 1992
Page 2

2. Constuction of your present monitor wells does meet the current OCD standards and recommendation for monitor well construction. If any monitor wells are constructed in the future please submit drilling and completion plans for OCD approval prior to conducting operations.

3. The OCD has stringent requirements for the operation of all OCD regulated landfarms. A commitment to the following conditions is required prior to OCD approval of commercial landfarms:
 - a. All soils received at the facility will be spread and disked within 72 hours of receipt.
 - b. Solids will be spread on the surface in six inch lifts or less.
 - c. Solids will be disked a minimum of one time every two weeks (biweekly) to enhance biodegradation of contaminants.
 - d. No solids will be spread on previously spread solids until a laboratory measurement of Total Petroleum Hydrocarbons (TPH) in the previous lift is less than 100 ppm and the sum of all aromatic hydrocarbons (BTEX) is less than 50 ppm, and benzene is less than 10 ppm. Comprehensive records of the laboratory analyses and the sampling locations will be maintained at the facility. Authorization from the OCD will be obtained prior to application of successive lifts.
 - e. Only solids that are non-hazardous by RCRA Subtitle C or by characteristic testing will be accepted at the facility. Solids from operations not currently exempt under RCRA Subtitle C or mixed exempt/non-exempt solids will be tested for appropriate hazardous constituents. Test results must be submitted to the OCD along with a request to receive the non-exempt solids, and a written OCD approval (case specific) must be obtained prior to disposal. Any non-oilfield wastes which are RCRA Subtitle C exempt will be accepted on a case-by-case basis and with OCD approval.
 - f. Comprehensive records of all material disposed of at the facility will be maintained at the facility. The records for each load will include: 1) the origin, 2) analysis for hazardous constituents if required, 3) transporter.

Mr. Jimmie T. Cooper
February 21, 1992
Page 3

- g. OCD approval must be obtained prior to the addition of any substances to enhance biodegradation of the soils landfarmed (ie. chemical additives, manure, nutrients, bugs, ect.).
 - h. No free liquids or soils with free liquids will be accepted at the facility.
4. The OCD is concerned about the impact of disposal facilities on private residences. Please submit a map showing all private residences within one mile of the proposed facility. Include the name and land status of the resident.

Submission of the above requested information will allow the review process to continue. If you have any questions please do not hesitate to contact me at (505) 827-5884.

Sincerely,



Kathy M. Brown
Geologist

cc: Jerry Sexton, OCD Hobbs Office
Chris Eustice, OCD Hobbs Office
Mike Pierce, Peak Consulting

1-21-92

'92 JAN 21 AM 8 43

Dear Sir,

I would like to voice my objection to the Cooper Waste Pit, as my land is in the approximate area. I have a very shallow water well and possible seepage from this pit could ruin it. I may some time in the future move back to the land or may sell the property. If the well is ruined the property would be useless. It is set up for a home and is not just pasture land.

Thank You,

Parry B. Henry

500 E. Scharbauer

Hobbs, N.M. 88240

Memo

From
DAVID CATANACH
Petroleum Engineer

To Roger, Please Call

{ Elsie Reeves

{ 602-841-6427

handowner in vicinity of
C & C Handfarms Inc.
Wants to talk to you
about proposed operation,
publication, notice, etc.

12-10

8:21 AM

OIL CONSERVATION DIVISION
RECEIVED

'91 DEC 20 AM 8 42

(602) 841-6427
3902 W. Keim Drive
Phoenix, Arizona 85019
December 17, 1991

Mr. William J. LeMay, Director
Oil Conservation Division
New Mexico Department of Energy
P. O. Box 2088
Santa Fe, New Mexico 87504-2088

CERTIFIED MAIL
P-509 518 445

Re: Application of C & C Land Farm, Inc.
for an oil field waste disposal system
on the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T20S, R37E
Lea County, New Mexico

Gentlemen:

Regarding the above referenced application I hereby protest the installation of such a disposal system in that particular area and make formal request for a Public Hearing in this matter.

As an owner of a portion of the surface interests on the S $\frac{1}{2}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the S $\frac{1}{2}$ of Section 4, T20S, R37E and as a member of an Advisory Board which represents ninety-six percent of the remaining owners of the Section 4 property, as well as being one of the landowners of the N $\frac{1}{2}$ of Section 9 in the same Township and Range, I am deeply concerned about the possibility of contamination of our ground water supply as a result of the installation of a waste disposal system at this particular location.

Historically, the ground water supply on our property has been from shallow wells at a depth of 25 to 30 feet. Currently our water source is from a shallow well located on the SW $\frac{1}{4}$ of Section 4; however, shallow ground water at a depth of 25-30 feet is documented in a number of areas on Section 4 much closer to the proposed disposal site. On the Section 9 portion of my interests there are also several locations where shallow ground water has been documented.

According to various Geological Survey maps the approximate elevation of the proposed site on Section 3 is 3573 feet. While the location of our water supply on Section 4 is slightly further than one-half mile from the proposed disposal site, the elevation at our well is approximately 3556 feet and contour of the maps indicate to me a sloping of the terrain to the South and Southwest from the Section 3 area. That same configuration continues on to our property on the N $\frac{1}{2}$ of Section 9 where the elevation is approximately 3546 feet. My concern is that contamination may occur through the natural flow of gravity, whether it be via rainwater, flooding or gravitation along the surface of the Red Beds in that area.

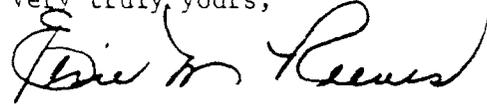
It has come to my attention that a pit has already been dug at the proposed site in anticipation of approval of this application, said pit being approximately 7 feet in depth. If this is in fact the case, my concern is deepened in that it puts the contaminants only that much closer to the surface of the Red Beds, thereby increasing the possibility of gravitational displacement.

Our property on Section 4, 5, 8 and 9 is currently under a grazing lease and it is imperative to the landowners as well as to our tenant that the ground water supply be protected from even the slightest possibility of contamination.

It is my understanding that the New Mexico Conservation Division, by statute, has a duty to protect the correlative rights of all parties concerned. To that end I am confident that the Commission will exercise its full responsibility to protect not only our rights, but the rights of all parties in the surrounding proximity.

Thanking you in advance for your consideration in this matter, I am,

Very truly yours,

A handwritten signature in cursive script, appearing to read "Elsie M. Reeves". The signature is written in black ink and is positioned to the right of the typed name below it.

Elsie M. Reeves

OIL CONSERVATION DIVISION
RECEIVED

'91 DE '23 AM 9 24

Mr. William J. LeMay, Director
Oil Conservation Division
New Mexico Department of Energy
P. O. Box 2088
Santa Fe, New Mexico 87504-2088

December 20, 1991

Re: Application of C & C Land Farm, Inc.
for an oil field waste disposal system
on the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T20S, R37E
Lea County, New Mexico

Gentlemen:

Regarding the above referenced application I hereby protest the installation of such a disposal system in that particular area and make formal request for a Public Hearing in this matter.

As an owner of a portion of the surface interests on the S $\frac{1}{2}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the S $\frac{1}{2}$ of Section 4, T20S, R37E and as a member of an Advisory Board which represents ninety-six percent of the remaining owners of the Section 4 property, as well as being one of the landowners of the N $\frac{1}{2}$ of Section 9 in the same Township and Range, I am deeply concerned about the possibility of contamination of our ground water supply as a result of the installation of a waste disposal system at this particular location.

Historically, the ground water supply on our property has been from shallow wells at a depth of 25 to 30 feet. Currently our water source is from a shallow well located on the SW $\frac{1}{4}$ of Section 4; however, shallow ground water at a depth of 25-30 feet is documented in a number of areas on Section 4 much closer to the proposed disposal site. On the Section 9 portion of my interests there are also several locations where shallow ground water has been documented.

According to various Geological Survey maps the approximate elevation of the proposed site on Section 3 is 3573 feet. While the location of our water supply on Section 4 is slightly further than one-half mile from the proposed disposal site, the elevation at our well is approximately 3556 feet and contour of the maps indicate to me a sloping of the terrain to the South and Southwest from the Section 3 area. That same configuration continues on to our property on the N $\frac{1}{2}$ of Section 9 where the elevation is approximately 3546 feet. My concern is that contamination may occur through the natural flow of gravity, whether it be via rainwater, flooding or gravitation along the surface of the Red Beds in that area.

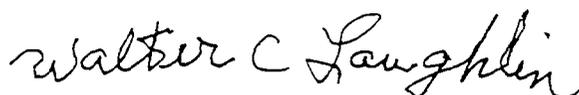
It has come to my attention that a pit has already been dug at the proposed site in anticipation of approval of this application, said pit being approximately 7 feet in depth. If this is in fact the case, my concern is deepened in that it puts the contaminants only that much closer to the surface of the Red Beds, thereby increasing the possibility of gravitational displacement.

Our property on Section 4, 5, 8 and 9 is currently under a grazing lease and it is imperative to the landowners as well as to our tenant that the ground water supply be protected from even the slightest possibility of contamination.

It is my understanding that the New Mexico Conservation Division, by statute, has a duty to protect the correlative rights of all parties concerned. To that end I am confident that the Commission will exercise its full responsibility to protect not only our rights, but the rights of all parties in the surrounding proximity.

Thanking you in advance for your consideration in this matter, I am,

Very truly yours,

A handwritten signature in cursive script that reads "Walter C. Laughlin". The signature is written in dark ink and is positioned above the typed name and address.

Walter C. Laughlin
4139 E. Laughlin Road
Casa Grande, AZ 85222

OIL CONSERVATION DIVISION
RECEIVED

(602) 841-6427
3902 W. Keim Drive
Phoenix, Arizona 85019
December 17, 1991

'91 DEC 20 AM 8 42

Mr. William J. LeMay, Director
Oil Conservation Division
New Mexico Department of Energy
P. O. Box 2088
Santa Fe, New Mexico 87504-2088

CERTIFIED MAIL
P-509 518 445

Re: Application of C & C Land Farm, Inc.
for an oil field waste disposal system
on the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T20S, R37E
Lea County, New Mexico

Gentlemen:

Regarding the above referenced application I hereby protest the installation of such a disposal system in that particular area and make formal request for a Public Hearing in this matter.

As an owner of a portion of the surface interests on the S $\frac{1}{2}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$, and the S $\frac{1}{2}$ of Section 4, T20S, R37E and as a member of an Advisory Board which represents ninety-six percent of the remaining owners of the Section 4 property, as well as being one of the landowners of the N $\frac{1}{2}$ of Section 9 in the same Township and Range, I am deeply concerned about the possibility of contamination of our ground water supply as a result of the installation of a waste disposal system at this particular location.

Historically, the ground water supply on our property has been from shallow wells at a depth of 25 to 30 feet. Currently our water source is from a shallow well located on the SW $\frac{1}{4}$ of Section 4; however, shallow ground water at a depth of 25-30 feet is documented in a number of areas on Section 4 much closer to the proposed disposal site. On the Section 9 portion of my interests there are also several locations where shallow ground water has been documented.

According to various Geological Survey maps the approximate elevation of the proposed site on Section 3 is 3573 feet. While the location of our water supply on Section 4 is slightly further than one-half mile from the proposed disposal site, the elevation at our well is approximately 3556 feet and contour of the maps indicate to me a sloping of the terrain to the South and Southwest from the Section 3 area. That same configuration continues on to our property on the N $\frac{1}{2}$ of Section 9 where the elevation is approximately 3546 feet. My concern is that contamination may occur through the natural flow of gravity, whether it be via rainwater, flooding or gravitation along the surface of the Red Beds in that area.

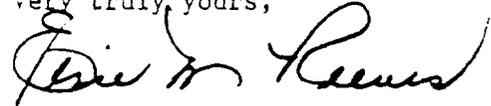
It has come to my attention that a pit has already been dug at the proposed site in anticipation of approval of this application, said pit being approximately 7 feet in depth. If this is in fact the case, my concern is deepened in that it puts the contaminants only that much closer to the surface of the Red Beds, thereby increasing the possibility of gravitational displacement.

Our property on Section 4, 5, 8 and 9 is currently under a grazing lease and it is imperative to the landowners as well as to our tenant that the ground water supply be protected from even the slightest possibility of contamination.

It is my understanding that the New Mexico Conservation Division, by statute, has a duty to protect the correlative rights of all parties concerned. To that end I am confident that the Commission will exercise its full responsibility to protect not only our rights, but the rights of all parties in the surrounding proximity.

Thanking you in advance for your consideration in this matter, I am,

Very truly yours,

A handwritten signature in cursive script, appearing to read "Elsie M. Reeves". The signature is written in black ink and is positioned above the typed name.

Elsie M. Reeves

S-W CATTLE CO.

P.O. BOX 1799
HOBBS, NEW MEXICO 88241

RECEIVED
OIL CONSERVATION DIVISION
OCT 28 1991
AM 8 51

October 28, 1991

Mr. Bill LeMay, Director
State of New Mexico
Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87504-2088

RE: Application For A Waste Disposal Facility
SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 3, Township 20, Range 37E
Lea County, New Mexico Deeded Land

Dear Mr. LeMay:

We are in receipt of correspondence notifying us that Jimmy T. Cooper owner and operator of C & C Landfarm Inc. is filing an application for a Surface Waste Facility to be located on deeded land as described above.

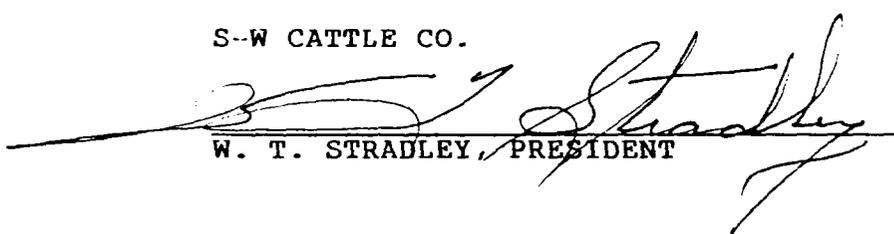
The described land is bordered on two sides by New Mexico State Land, presently leased by S-W Cattle Co., and is cornered by a forty acre tract of BLM land which S-W Cattle Co. is in the process of purchasing. Further, the proposed site lies within one-half mile of an earthen tank supplied by windmill water from approximately thirty foot. Also, the elevation of the proposed site is higher than some of the adjoining land.

Our primary concern is for the security of this water and Mr. Roger Anderson of the New Mexico Oil Conservation Division has assured me that precautions will be taken to guarantee the continued purity of the water.

Please keep us advised and informed as to the progress of this project. I can be contacted by phone at 505-393-4321 or 393-6420. Please direct all correspondence to P.O. Box 1799, Hobbs, NM 88241.

Yours Very Truly,

S-W CATTLE CO.


W. T. STRADLEY, PRESIDENT



JIM BACA
COMMISSIONER

State of New Mexico

OFFICE OF THE

Commissioner of Public Lands

Santa Fe

10/7/91 10:52 AM

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

October 7, 1991

Roger Anderson
State of New Mexico
Oil Conservation Division
P. O. Box 2088
Santa Fe, New Mexico 87501

Dear Mr. Anderson:

Please provide the State Land Office (Attn: Pleas M. Glenn) with a copy of the Jimmie T. Cooper, C & C Landfarm, Inc. permit for disposal of contaminated soils from oil and gas production. We have State Trust Lands both east and south of this proposed disposal area and would appreciate the opportunity to review and comment on this permit prior to O.C.D. action.

Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Pleas M. Glenn".

Pleas M. Glenn
Assistant Commissioner

PMG/dl

NOTICE OF PUBLICATION

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

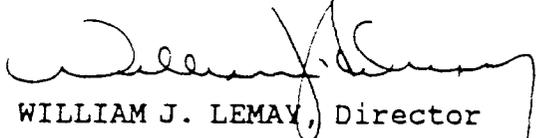
Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following application to construct and operate a commercial surface waste disposal facility has been submitted for approval to the Director of the Oil Conservation Division, State Land Office Building, P.O. Box 2088, Santa Fe, New Mexico 87504-2088, Telephone (505) 827-5800:

C & C Landfarm Inc., Eddie W. Seay, Agent, P.O. Box 55, Monument, New Mexico 88265, has submitted an application to construct and operate a commercial landfarm facility for remediation of hydrocarbon contaminated soils. The proposed location of the facility is the SW/4 NE/4, Section 3, Township 20 South, Range 37 East, NMPM, Lea County, New Mexico. The facility is proposed to consist of a land management area where solids containing "non-hazardous" contaminants will be spread on the ground surface in six inch lifts or less and periodically stirred to enhance biodegradation of contaminants. Groundwater most likely to be affected by any accidental discharges at the surface is not known to be present in the area of one-half mile from the boundaries of the facility. The facility is underlain by redbeds ranging in thickness from 430 to 1200 feet.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The application may be viewed at the above address between 8:00 a.m. and 5:00 p.m., Monday through Friday. Prior to ruling on any proposed permit or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 18th day of November, 1991.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION


WILLIAM J. LEMAY, Director

S E A L

NOTICE OF PUBLICATION
STATE OF NEW MEXICO
ENERGY, MINERALS, AND
NATURAL RESOURCES
DEPARTMENT
OIL CONSERVATION DIVISION
 Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following application to construct and operate a commercial surface waste disposal facility has been submitted for approval to the Director of the Oil Conservation Division, State Land Office Building, P.O. Box 2068, Santa Fe, New Mexico 87504-2068. Telephone (505) 827-5800; H&H C & C Landfarm Inc., Eddie W. Seay, Agent, P.O. Box 55, Monument, New Mexico 88265, has submitted an application to construct and operate a commercial landfarm facility for remediation of hydrocarbon contaminated soils. The proposed location of the facility is the SW/4 NE/4, Section 5, Township 20 South, Range 37 East, N14PM, Lea County, New Mexico. The facility is proposed to consist of a land management area, where solids containing "non-hazardous" contaminants will be spread on the ground surface in six inch lifts or less and periodically stirred to enhance biodegradation of contaminants. Groundwater levels may be affected by any accidental discharges at the location. It is not known to be present in the area of one-half mile from the boundaries of the facility. The facility is contained by redbeds dipping to the west from 400 to 1200 feet. Any interested persons may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The application may be viewed at the above address between 8:00 a.m. and 5:00 p.m., Monday through Friday. Prior to ruling on any proposed permit of the application, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him. GIVEN under the Seal of New Mexico, Oil Conservation Commission at Santa Fe, New Mexico, on this 18th day of November, 1991.

OFFICIAL SEAL
Emadette Ortiz
 EMADETTE ORTIZ
 PUBLIC-NEW MEXICO
 NOTARY SECRETARY OF STATE
 DATES 12-18-93

STATE OF NEW MEXICO
 County of Bernalillo ss

OIL CONSERVATION DIVISION
 RECEIVED
 DE: 2 AM 9 29

Thomas J. Smithson being duly sworn declares and says that he is National 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 181 Session Laws of 1937, and that payment therefore has been made or assessed as court costs; that the notice, a 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.....Nov....., 1991, and the subsequent consecutive
 publications on....., 1991.

Thomas J. Smithson

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 Nov, 1991.

PRICE.....\$ 18.56.....

Statement to come at end of month.

CLA-22-A (R-12/91) ACCOUNT NUMBER.....C 81184.....

Affidavit of P .. on

STATE OF NEW MEXICO)
) ss.
COUNTY OF LEA)

Joyce Clemens being first duly sworn on oath deposes and says that he is Adv. Director of THE LOVINGTON DAILY LEADER, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Notice of Publication

and numbered in the

Court of Lea County, New Mexico, was published in a regular and entire issue of THE LOVINGTON DAILY LEADER and not in any supplement thereof, once each week on the same day of the week, for one (1)

week consecutive weeks, beginning with the issue of

November 21 19 91

and ending with the issue of

November 21 19 91

And that the cost of publishing said notice is the sum of \$ 22.90

which sum has been (Paid) (Assessed) as Court Costs

Subscribed and sworn to before me this 26th

day of November 19 91

Notary Public, Lea County, New Mexico

My Commission Expires Sept. 28 19 94

LEGAL NOTICE
NOTICE OF PUBLICATION
STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES
DEPARTMENT
OIL CONSERVATION
DIVISION

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following application to construct and operate a commercial surface waste disposal facility has been submitted for approval to the Director of the Oil Conservation Division, State Land Office Building, P.O. Box 2038, Santa Fe, New Mexico 87504-2038, Telephone (505) 827-5800.

C & C Landfarm, Inc., Eddie W. Seay, Agent, P.O. Box 55, Monument, New Mexico 88265, has submitted an application to construct and operate a commercial landfarm facility for remediation of hydrocarbon contaminated soils. The proposed location of the facility is the SW/4 NE/4, Section 3, Township 20 South, Range 37 East, NMPM, Lea County, New Mexico. The facility is proposed to consist of a land management area where solids containing "non-hazardous" contaminants will be spread on the ground surface in six inch lifts or less and periodically stirred to enhance biodegradation of contaminants. Groundwater most likely to be affected by any accidental discharges at the surface is not known to be present in the area of one-half mile from the boundaries of the facility. The facility is underlain by redbeds ranging in thickness from 430 to 1200 feet.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The application may be viewed at the above address between 8:00 a.m. and 5:00 p.m., Monday through Friday. Prior to ruling on any proposed permit or its modification, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted to him.

GIVEN under the Seal of New Mexico Oil Conservation Commission at Santa Fe, New Mexico, on this 18th day of November, 1991.

STATE OF NEW MEXICO
OIL CONSERVATION
DIVISION
WILLIAM J. LEMAY,
Director

SEAL
Published in the Lovington Daily Leader November 21, 1991.

State of New Mexico
Energy, Minerals and Natural Resources Department
OIL CONSERVATION DIVISION
P.O. Box 2088
Santa Fe, NM 87501

APPLICATION FOR SURFACE WASTE DISPOSAL FACILITY

(Refer to OCD Guidelines for assistance in completing the application.)

- I. Type: Produced Water Drilling Muds Treating Fluids
 Solids Other _____
- II. OPERATOR: C & C Landfarm Inc.
ADDRESS: Box 55 Monument, NM 88265
CONTACT PERSON: Jimmie E. Cooper PHONE: 505-397-2045
- III. LOCATION: S1 /4 NE /4 Section 3 Township 20 Range 37 E
Submit large scale topographic map showing exact location.
- IV. IS THIS AN EXPANSION OF AN EXISTING FACILITY? Yes No
- V. Attach the name and address of the landowner of the disposal facility site and landowners of record within one-half mile of the site.
- VI. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.
- VII. Attach detailed engineering designs with diagrams prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds; leak-detection systems; aerations systems; enhanced evaporation (spray) systems; waste treating systems and security systems.
- VIII. Attach a contingency plan for reporting and clean-up of spills or releases.
- IX. Attach a routine inspection and maintenance plan to ensure permit compliance.
- X. Attach a closure plan.
- XI. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact fresh water.
- XII. Attach proof that the notice requirements of OCD Rule 711 have been met. (Commercial facilities only.)
- XIII. Attach a contingency plan in the event of a release of H₂S.
- XIV. Attach such other information as is necessary to demonstrate compliance with any other OCD rules, regulations and orders.
- XV. CERTIFICATION

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: Eddie W. Seay Title: Agent/Consultant
Signature: Eddie W. Seay Date: October 4, 1991

DISTRIBUTION: Original and one copy to Santa Fe with one copy to appropriate Division District Office.

APPLICATION FOR SURFACE WASTE DISPOSAL FACILITY

- I. Type: Solids - Oil or Salt water contaminated soils from production facilities only.
- II. OPERATOR: C & C Landfarm Inc.
ADDRESS: Box 55 Monument. NM 88265
CONTACT PERSON: Jimmie T. Cooper
PHONE: 505-397-2045
- III. LOCATION: SW 1/4 of the NE 1/4 of Section 3,
Township 20, Range 37 East, Lea Co., NM.
- IV. IS THIS AN EXPANSION OF AN EXISTING FACILITY? No,
this is a new facility.
- V. LANDOWNER OF FACILITY SITE
Jimmie T. Cooper
P.O. Box 55
Monument, NM 88265

LANDOWNERS OF RECORD WITHIN 1/2 MILE
State of New Mexico
State Land Office
P.O. Box 1148
Santa Fe. NM 87504

S & W Cattle Co.
8900 South County Rd. 58
Monument, NM 88265

J.R. Williams, et al
P.O. Box 215
Monument, NM 88265

A.C. Doyall
P.O. Box 188
Monument, NM 88265
- VI. DIAGRAM (attached)
 - (A) Excavate area as needed down to top of redbed approximately 10 to 12 feet. Use overburden to build burms around site to prevent and restrict rain run off and drainage to facility.
 - (B) Fence around all sides, with chain link fence adjacent to County Road 58.
 - (C) Gate with cattle guard at entrance. Open during daylight hours only.
 - (D) 5 monitor wells on North, South, East, and West sides.
 - (E) Signs posted with restrictions and permit no.

(F) Any other improvement as needed or required by
OCD.

VII. DRAWING OF MONITOR WELL (attached)

Excavate land area down to redbed, dispose of contaminated soil in 6 in. lifts and till or plow every 30 to 60 days as needed to ensure proper aeration so soil can be cleaned up by natural remediation according to government standards. Have soil tested for TPH and BTEX before adding new lift as required.

VII. CONTINGENCY PLAN (NA)

There will be no liquids at facility. Any soil accidentally spilled at facility will be picked up with front end loader and deposited within landfill. No material will be accepted without documentation.

IX. ROUTINE INSPECTION AND MAINTENANCE PLAN

- (1) Weekly inspection of monitor wells.
- (2) Road area around facility will be graded and kept free of oily dirt.
- (3) All loads will be documented and logged.
- (4) No liquids accepted.
- (5) No tank bottoms accepted.
- (6) Area will be posted with proper signs.
- (7) No dumping will be allowed unless facility is open.
- (8) May require letter from company showing waste has not been mixed with non-exempt waste.
- (9) All area properly fenced with locked gates.
- (10) Each lift will be tested for BTEX Method 602 and TPH Method 8015 EPA test requirements before adding new lift.

X. CLOSURE PLAN

All overburden will be removed down to the redbed, averaging from 12 ft. on the east side, to 16 ft. on the west side.

Disposal of solids will start at redbed, when area has been filled and tested to within 1 ft. of surface elevation, area will be backfilled with top soil, mound over and compacted. The mound should prevent rain or water from standing or leaching into backfill.

All fences will be left in tact and monitor wells left in place for future monitoring.

1-14 ft. Caliche, Rock
14-17 ft. Redbed
All formations dry.

* An area in the middle of the east edge of the property, was excavated with a backhoe. Rock and caliche at 0-12 ft. Redbed was encountered at 12 ft.

The wells were drilled with rotary rig, no water was encountered, only caliche, rock, and sand down to redbed. The redbeds came in at 12 ft. on the east side, down to 17 ft. on the west side. The five wells drilled were completed into the redbed and cased with 3 in. PVC pipe with 5 ft. of screen on bottom with the top 2 ft. cemented and capped. Wells to be secured with locks and used as monitor wells.

Researched State Engineers records and U.S.G.S. file, no fresh water was recorded or found within area of review. A physical inspection was made and a windmill was found approximately 1 mile SW of the site, a sample was taken and analysis recorded for future use.

We feel this is one of the better sites for deposit of contaminated soil due to the thickness of redbeds, little or no fresh water in the area, a monitor system is in place for control of system. This system is in the middle of the oil and gas production and will serve a valuable environmental need, both regulatory and industrial.

- XII. PROOF OF OCD RULE 711 (attached)
- XIII. CONTINGENCY PLAN FOR RELEASE OF H₂S (NA)

Open pit system should not have H₂S. If encountered, OCD Rule 118 will be adhered to.
- XIV. All State of New Mexico, Oil Conservation rules will be enforced as they pertain to this system.

Also, any additional rule or regulation at time of closure will be adhered to.

- XI. Geographically, the site is situated near the western boundary of the southern extension of the High Plains in Southeastern New Mexico. The site in question is a 40 acre tract located in Unit G, Section 3, Township 20, Range 37 E, Lea Co., NM.

The site which is bordered by County road 58 on the east, has a gradual surface slope to the west. To the SE of this site in Unit Lettter O is a large pit with the redbed exposed. Redbed is a layer of relatively impermeable clays, red to reddish brown in color, underlying the fresh water aquifer in SE New Mexico ranging in thickness up to 1200 ft.

C & C Landfarm Inc. is located on or near the redbed layer. A series of test wells were drilled to define the redbed and check for fresh water.

TEST WELL LOGS

- #1 Located 100 yds. N of NW corner
0-1 ft. Top Soil
1-18 ft. Caliche, Rock
18-20 ft. Redbed
All formations dry.
- #2 Located 125 ft. N of the south line on the extreme west edge.
0-1 1/2 ft. Top Soil
1 1/2-16 ft. Caliche, Rock
16-18 ft. Redbed
All formations dry.
- #3 Located 100 yds. E of the west line on the south side.
0-1 ft. Top Soil
1-15 ft. Caliche, Rock
15-17 ft. Redbed
All formations dry.
- #4 Located 50 yds. W of the east line on the south border.
0-1 ft. Top Soil
1-13 ft. Caliche, Rock
13-16 ft. Redbed
All formations dry.
- #5 Located 150 yds. W of east line on the north side.
0-1 ft. Top Soil

C & C LANDFARM INC.

Additional information to Application for Surface Waste Disposal.

ENVIRONMENTAL DIVISION
1987-1990

- I. The thickness of the rebeds varied from area to area in Section 3. The information was taken from logs of producing oil wells in the area and lithology reports. APR 9 81

Unit C	Top 20 ft.	Base 960 ft.
F	30 ft.	562 ft.
B	14 ft.	880 ft.
H	15 ft.	1350 ft.
M	30 ft.	1270 ft.
L	40 ft.	1050 ft.

with the average thickness being 987 ft.

- II. Groundwater in the area; Figure I is a copy of the State Engineer's water analysis and locations for this area, none were listed in Sect. 3. The windmill SSW of our proposed site appears to be located in Unit M of Sect. 3 approximately 3/4 mile from site; Figure II is a copy of analysis from S & W windmill. Figure III indicates water wells in the general area showing top and bottom of water formation and contour line indicating direction of flow, which is SE. Figure IV is a contour map of top of rebed, with slopes to the SSE. Figure V is a contour map of the surface for the surrounding area, the direction of slope is to the west.

The contour maps provided are information from the State Bureau of Mines, which shows any movement at our site would run SE along the rebed surface and west along the top of ground.

If the State feels it is necessary, additional monitor wells can be installed or a rebed barrier constructed on the SW portion of our site to prevent any contaminate from moving.

- III. Also provided are the mail receipts from registered letters.

Any additional information needed, please call (505)392-2236.

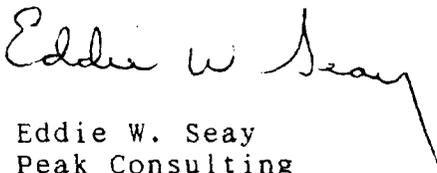
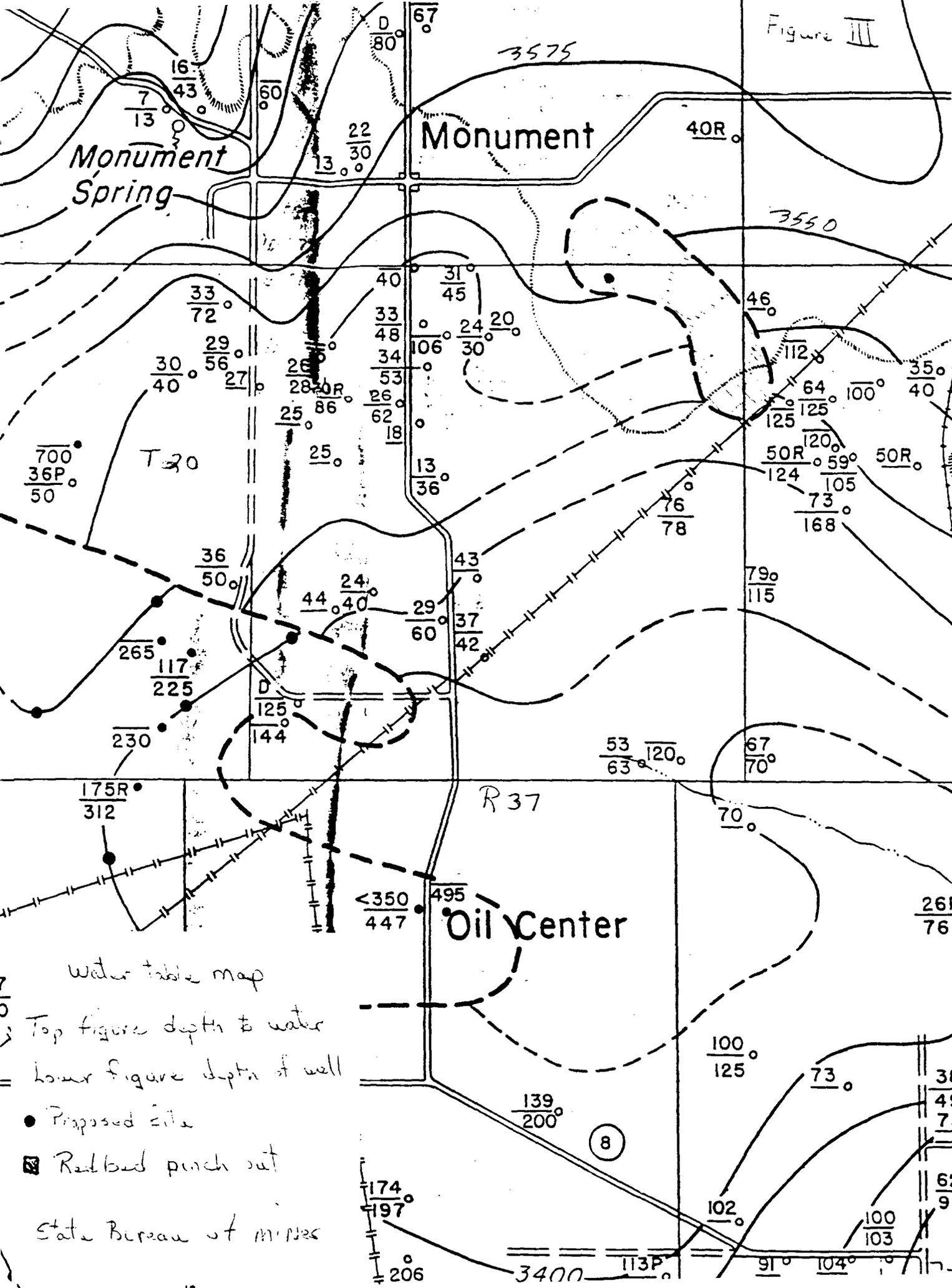

Eddie W. Seay
Peak Consulting

Figure I

State Eng.
List of wells
Wells in the area
None listed in
Sub. 3

LOCATION	DATE COLLECTED	CHLORIDE mg/L	CONDUCT M-MHOS	TEMP DEG	WBF	
20S 36E 09 13440	10/12/84	434	2350	63F	TOG	
20S 36E 10 32114	08/28/72	79	520		GAL	
20S 36E 10 32114	11/01/76	66	889	66F	GAL	
20S 36E 10 32114	10/19/79	68	880	66F	GAL	
20S 36E 10 32114	10/12/84	92	980	64F	GAL	
20S 36E 11 42243	08/28/72	1000	1450		GAL	L
20S 36E 11 42243	11/01/76	918	3969	63F	GAL	L
20S 36E 11 42243	10/19/79	1074	4569	65F	GAL	L
20S 36E 11 42243	10/12/84	840	4330	64F	GAL	L
20S 36E 15 242421	08/28/72	720	1800		GAL	L
20S 36E 15 242421	11/01/76	518	3223		GAL	L
20S 36E 15 242421	10/12/84	882	3630	63F	GAL	L
20S 36E 15 242421	5/07/86	884	3715	70F	GAL	L
20S 36E 15 24342	03/30/54	1080	6780		TOG	L
20S 36E 15 24342	09/09/58	1240	7500		TOG	L
20S 36E 15 24342A	08/28/72	1280	2900		TRC	L 06986
20S 36E 15 24342A	11/01/76	1192	6988	70F	TRC	L
20S 36E 26 24344	11/08/79	150	1790		TOG	L
20S 36E 26 24344	2/08/85	150	1798	68F	TOG	L
20S 36E 26 24443	11/08/79	182	1895		TOG	L
20S 36E 35 24444	11/08/79	118	1541		TOG	L
20S 37E 04 11114	04/02/54	450	2180		GAL	L
20S 37E 04 11114	04/22/55	425	2090		GAL	L
20S 37E 04 11114	09/09/58	325	1670		GAL	L
20S 37E 04 221321	04/22/55	51	758		GAL	L
20S 37E 04 221321	09/09/58	47	708		GAL	L
20S 37E 04 221321	07/14/77	106	1070		GAL	L
20S 37E 04 221321	10/25/79	214	1506	65F	GAL	L
20S 37E 04 221321	2/06/85	81	964		GAL	L
20S 37E 05 222144	11/29/79	258	1611		TOG	L
20S 37E 05 222144	9/26/84	314	1729		TOG	L
20S 37E 07 24331	11/09/79	1268	4232		TOG	L
20S 37E 07 24331	2/13/85	2680	8160	68F	TOG	L
20S 37E 08 244124	11/29/79	868	3734	57F	TOG	L 07620 ES
20S 37E 08 423223	10/25/79	520	2396	66F	TOG	L
20S 37E 08 423223	9/26/84	886	3806		TOG	L

TABLE G.B.



water table map

> Top figure depth to water
= lower figure depth of well

● Proposed site

▣ Redbed pinch out

State Bureau of Mines

8

PLAINS

Figure IV

Contour of top of Rockbed

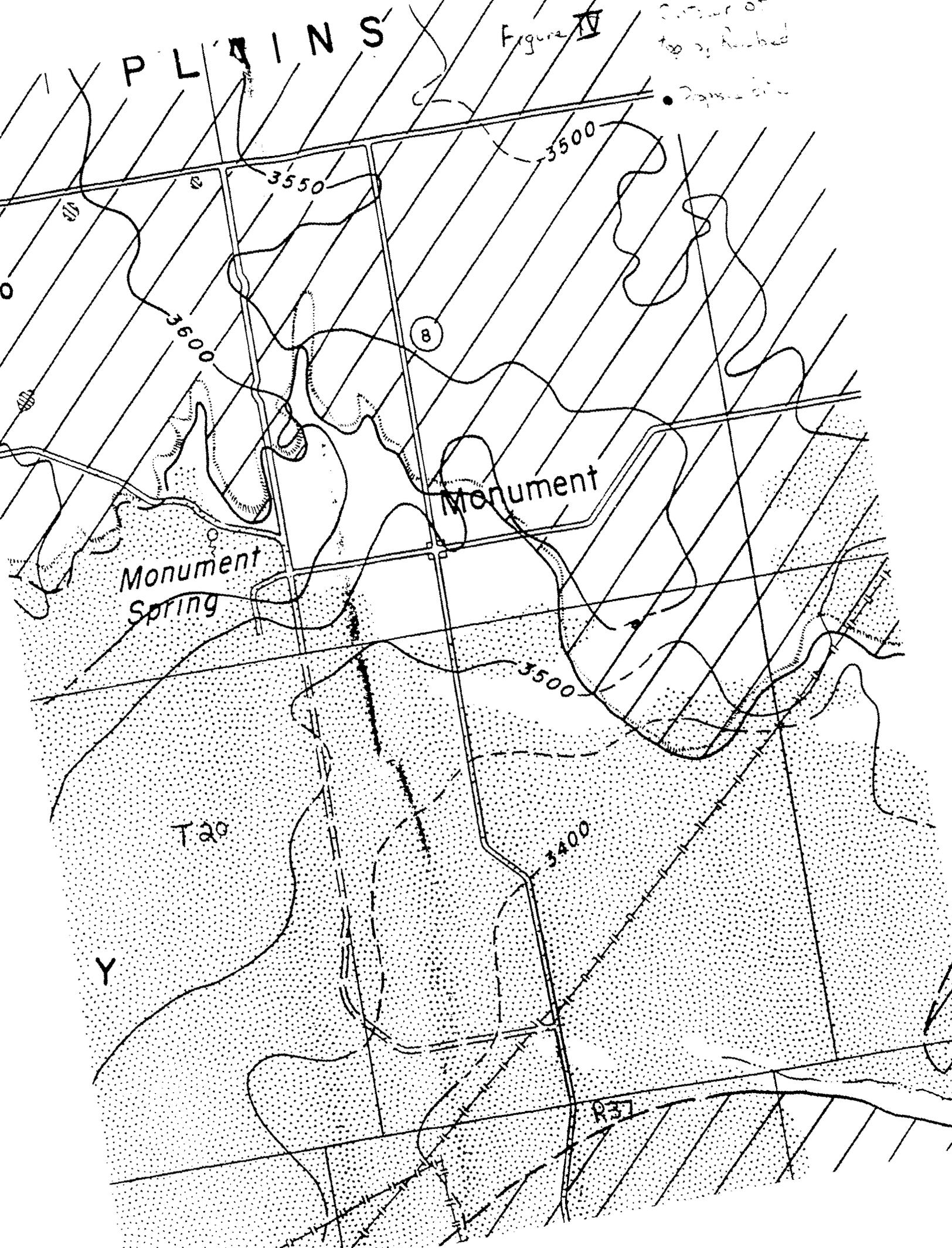


Figure II

WATER ANALYSIS REPORT

Company : S & W CATTLE CO Date : 10/29/91
 Address : HOBBS, NEW MEXICO Date Sampled : 10/28/91
 Lease : SECT 3 T20 R37 Analysis No. : 876
 Well : UNIT M
 Sample Pt. : WINDMILL

ANALYSIS	mg/L	* meq/L
1. pH	7.1	
2. H2S	NEGATIVE	
3. Specific Gravity	1.000	
4. Total Dissolved Solids	2245.2	
5. Suspended Solids		
6. Dissolved Oxygen		
7. Dissolved CO2		
8. Oil In Water		
9. Phenolphthalein Alkalinity (CaCO3)		
10. Methyl Orange Alkalinity (CaCO3)		
11. Bicarbonate	291.0	HCO3 5.8
12. Chloride	355.0	Cl 16.9
13. Sulfate	599.1	SO4 12.0
14. Calcium	575.0	Ca 7.7
15. Magnesium	153.5	Mg 5.4
16. Sodium (calculated)	66.1	Na 21.6
17. Iron	496.4	
18. Barium	0.0	
19. Strontium	0.0	
20. Total Hardness (CaCO3)	0.0	
	655.6	

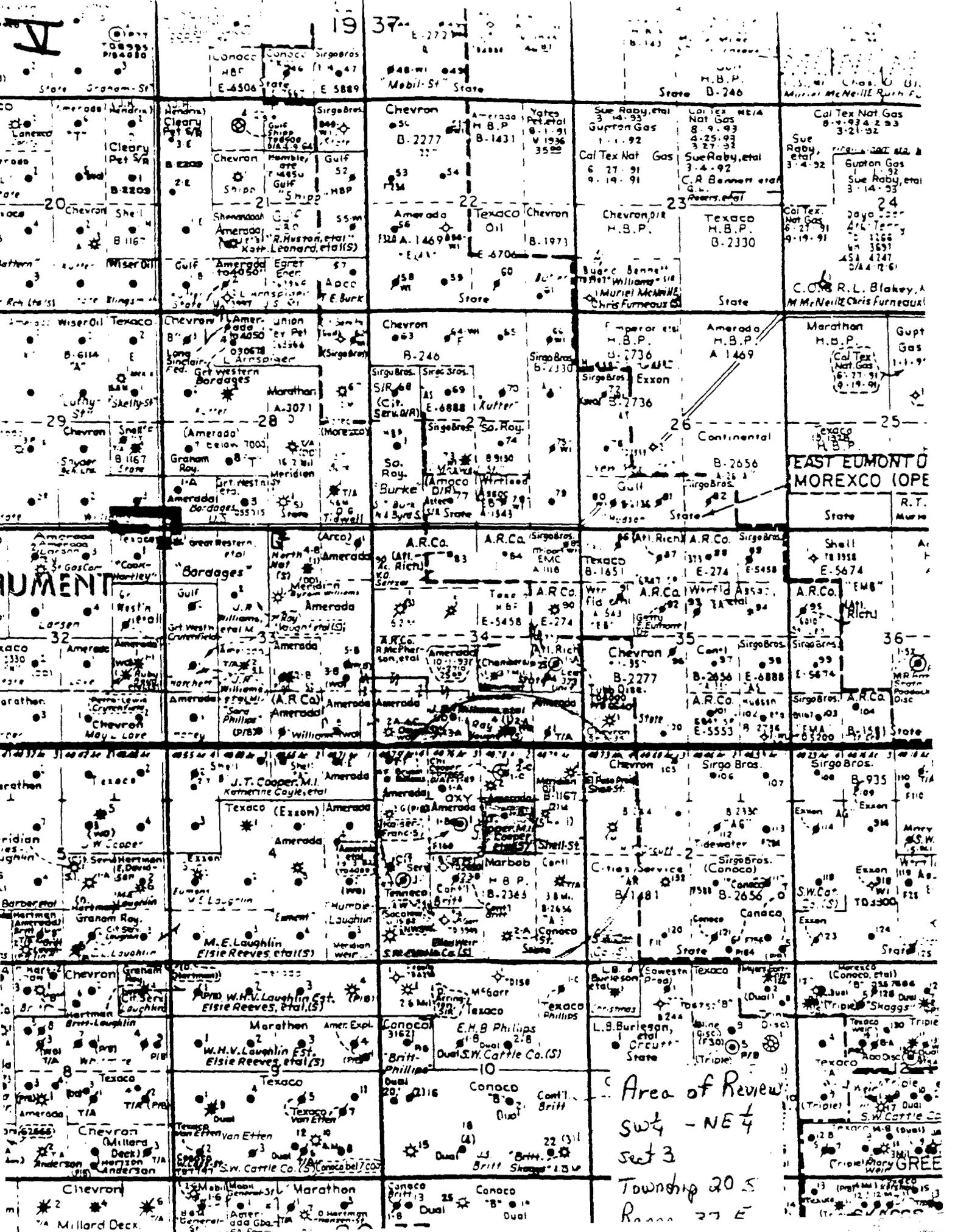
PROBABLE MINERAL COMPOSITION

*milli equivalents per Liter	Compound	Equiv wt X meq/L	= mg/l
8 *Ca <----- *HCO3	Ca(HCO3)2	81.0	472
/----->	CaSO4	68.1	125
5 *Mg -----> *SO4	CaCl2	55.5	
<-----/	Mg(HCO3)2	73.2	
22 *Na -----> *Cl	MgSO4	60.2	327
	MgCl2	47.6	
Saturation Values Dist. Water 20 C	NaHCO3	84.0	
CaCO3 13 mg/L	Na2SO4	71.0	333
CaSO4 * 2H2O 2090 mg/L	NaCl	58.4	988
BaSO4 2.4 mg/L			

REMARKS: EDDIE SEAY

Petrolite Oilfield Chemicals Group

Respectfully submitted,
 ROZANNE JOHNSON



Area of Review:
 SW 1/4 - NE 1/4
 sect 3
 Township 20 S
 Range 27 E

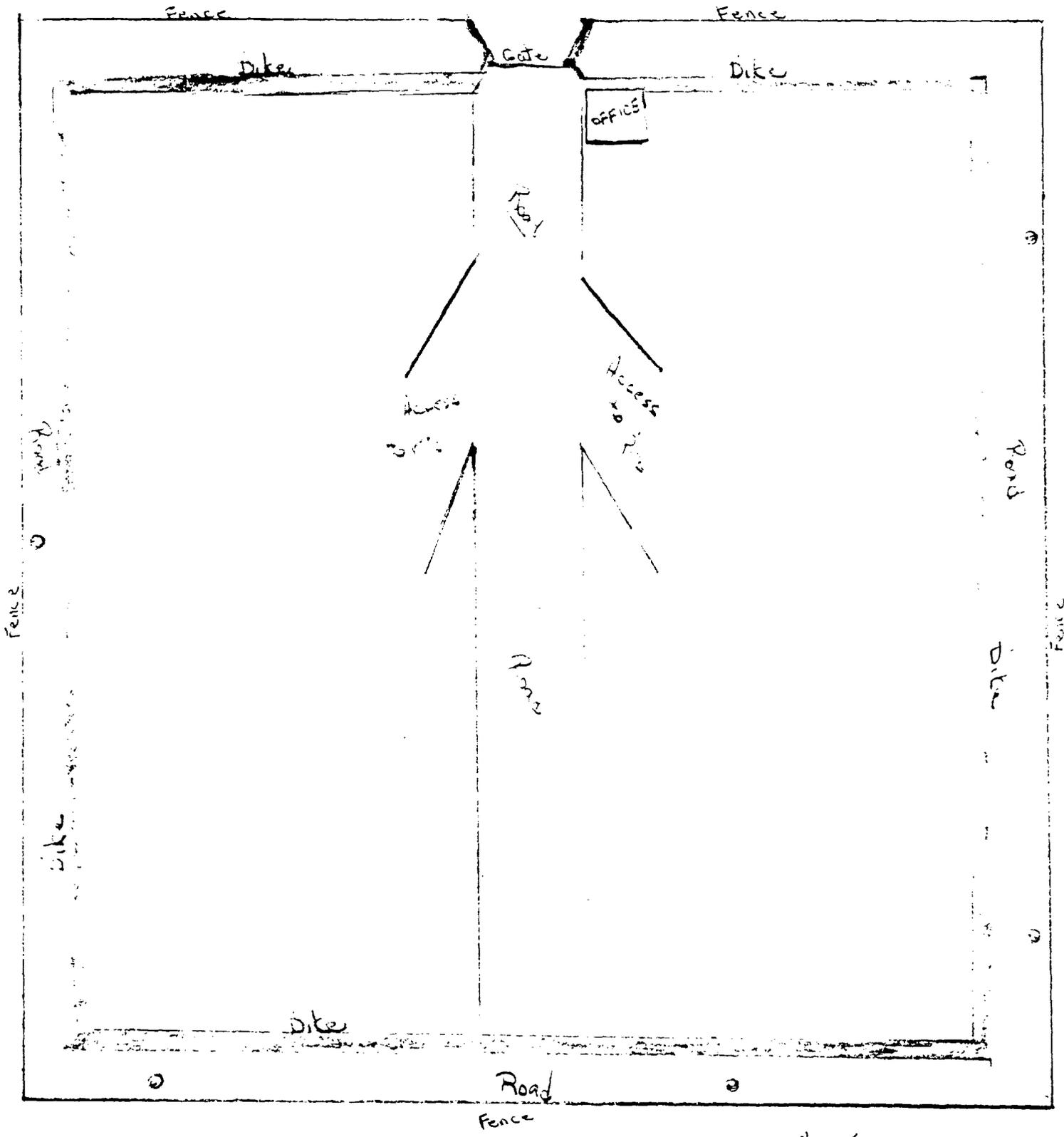
Proprietary GREE

SW 1/4 - NE 1/4

VI

W

County Road 58 "Billy Walker Road"



- 1 Monitor wells
- Burns or Dyke
- Disposal Area

LEASE

C+C Land Farm Inc.

WELL NO.

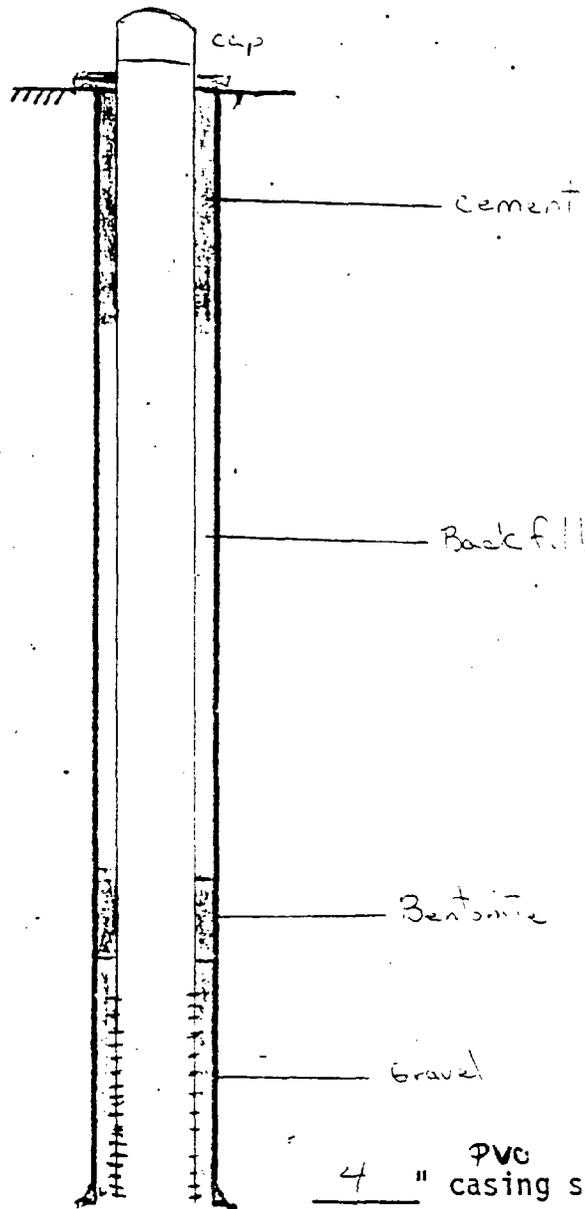
MW

LOCATION

U 6 S 3 T 20 R 37 E

VII

Test well - Monitor Well



4" PVC casing set at Redbed

Hole size 6 3/4"

ALL

P 661 750 233



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to S & W Cattle Co.	
Street & No. 8900 S. County Rd. 58	
P.O., State & ZIP Code Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark of Date 	

PS Form 3800, June 1990

P 661 750 231



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to Commissioner of Public Lands	
Street & No. P.O. Box 1148	
P.O., State & ZIP Code Santa Fe, NM 87504	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark of Date 	

PS Form 3800, June 1990

P 661 750 230



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to Mr. A.C. Doyall	
Street & No. P.O. Box 188	
P.O., State & ZIP Code Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark of Date 	

PS Form 3800, June 1990

P 661 750 234



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to Mr. Jimmie T. Cooper	
Street & No. Box 55	
P.O., State & ZIP Code Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark of Date 	

PS Form 3800, June 1990

P 661 750 232



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to J.R. Williams, et al	
Street & No. P.O. Box 215	
P.O., State & ZIP Code Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark of Date 	

PS Form 3800, June 1990

C & C Landfarm Inc.
Jimmie T. Cooper P.O. Box 55 Monument, NM 88265
505-397-2045

October 1, 1991

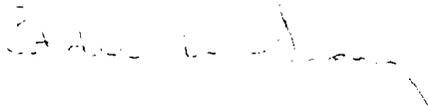
Dear Sir:

Pursuant to Rule 711 of the Oil Conservation Commission, State of New Mexico, notice is hereby given that Jimmie T. Cooper, owner and operator of C & C Landfarm Inc., will be filing an application for a surface waste disposal facility located at SW 1/4 of the NE 1/4 of Section 3, Township 20, Range 37E, Lea Co., NM on deeded land. The facility will be for the disposal of contaminated soils only from oil and gas production. No produced waters or tank bottoms will be allowed. This disposal will allow a safe place for the natural occurrence of remediation of the soil.

If there are any questions please contact:

Mr. Roger Anderson
State of New Mexico
Oil Conservation Division
P.O. Box 2088
Santa Fe, NM 87501
505-827-5884

Thank You.



Eddie W. Seay
Peak Consulting Service

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

3. Article Addressed to:
 R & W Cattle Co.
 P.O. Box 1799
 Hobbs, NM 88240

4. Article Number
 P 661 750 229

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

8. Addressee's Address (ONLY if requested and fee paid)
 Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
 X
 Signature - Agent
 X *R. Kumbela*

7. Date of Delivery
 OCT 15 1989

PS Form 3811, Apr. 1989 *U.S.G.P.O. 1989-236-815 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

3. Article Addressed to:
 Mr. A.C. Doyall
 P.O. Box 188
 Monument, NM 88265

4. Article Number
 P 661 750 230

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

8. Addressee's Address (ONLY if requested and fee paid)
 Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
 X *Los R. Lopez*

6. Signature - Agent
 X

7. Date of Delivery
 10-7-91

PS Form 3811, Apr. 1989 *U.S.G.P.O. 1989-236-815 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

3. Article Addressed to:
 Mr. Jimmie T. Cooper
 P.O. Box 55
 Monument, NM 88265

4. Article Number
 P 661 750 234

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

8. Addressee's Address (ONLY if requested and fee paid)
 Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
 X *Jimmie T. Cooper*

6. Signature - Agent
 X

7. Date of Delivery
 7-10-91

PS Form 3811, Apr. 1989 *U.S.G.P.O. 1989-236-815 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

3. Article Addressed to:
 Commissioner of Public Lands
 State of New Mexico
 NM State Land Office
 P.O. Box 1148
 Santa Fe, NM 87504

4. Article Number
 P 661 750 231

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

8. Addressee's Address (ONLY if requested and fee paid)
 Always obtain signature of addressee or agent and DATE DELIVERED.

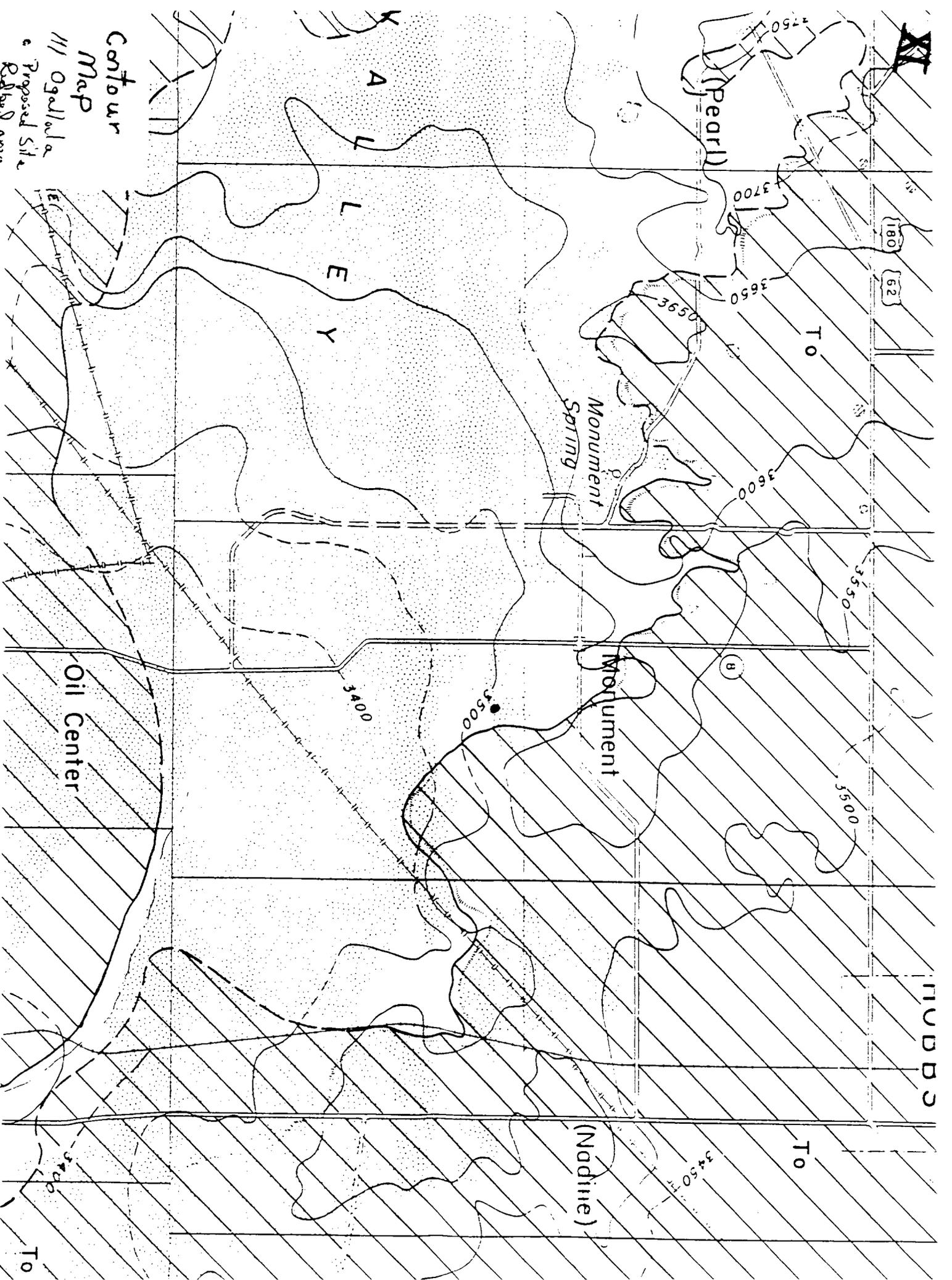
5. Signature - Addressee
 X *[Signature]*

6. Signature - Agent
 X

7. Date of Delivery
 OCT 7 1991

PS Form 3811, Apr. 1989 *U.S.G.P.O. 1989-236-815 DOMESTIC RETURN RECEIPT

Contour
Map
1/1 Ogallala
Proposed Site
Redlined area



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

<p>3. Article Addressed to:</p> <p>APOLLO Realty ATTN: J. R. Williams P. O. Box 75285 Albuquerque, NM 87194-0285</p>	<p>4. Article Number</p> <p>P 661 750 228</p> <p>Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise</p> <p>Always obtain signature of addressee or Agent and DATE DELIVERED.</p>
<p>5. Signature - Addressee</p> <p><input checked="" type="checkbox"/></p>	<p>6. Addressee's Address (ONLY if requested and fee paid)</p>
<p>6. Signature - Agent</p> <p><input checked="" type="checkbox"/></p>	
<p>7. Date of Delivery</p> <p>10-15-91</p>	

BEFORE THE
OIL CONSERVATION DIVISION
NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

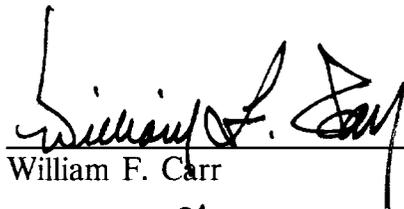
IN THE MATTER OF THE APPLICATION
OF C & C LANDFARM INC. FOR A
COMMERCIAL SURFACE WASTE DISPOSAL
FACILITY, LEA COUNTY, NEW MEXICO.

CASE NO. 10507

AFFIDAVIT OF MAILING

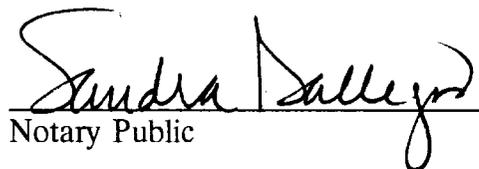
William F. Carr, being duly sworn, states that on July 1, 1992 he mailed a letter advising that C & C Landfarm Inc., had filed an application for a commercial surface waste disposal facility in Lea County, New Mexico, setting forth the hearing date, by certified mail, return receipt requested, to the following individuals listed on Exhibit A attached:

Further Affiant sayeth naught.



William F. Carr

SUBSCRIBED AND SWORN to before me this 31st day of August, 1992.



Notary Public

My Commission Expires:

Sept. 5 1994

BEFORE SANDRA VALLEJO	
OIL CONSERVATION DIVISION	
C+C	EXHIBIT NO. 2
CASE NO.	10507

EXHIBIT A

Mr. A.C. Doyall
Post Office Box 188
Monument, NM 88265

Mr. J.R. Williams, et al.
Post Office Box 215
Monument, NM 88265

S & W Cattle Co.
8900 South County Road 58
Monument, NM 88265

S & W Cattle Co.
c/o C. Gene Samberson, Esq.
Post Office Drawer 1599
Lovington, NM 88260

Mr. Jimmie T. Cooper, Landowner
Post Office Box 55
Monument, NM 88265

Commissioner of Public Lands
State of New Mexico
Post Office Box 1148
Santa Fe, NM 87504

Apollo Realty
Attn: J.R. Williams
Post Office Box 75285
Albuquerque, NM 87194-0285

BLM Minerals
Post Office Box 1778
Carlsbad, NM 88221-1778

Ms Elsie M. Reeves
3902 West Keim Drive
Phoenix, AZ 85019

Mr. Ken Marsh
Controlled Recovery Inc.
Post Office Box 369
Hobbs, NM 88240

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. A.C. Doyall
Post Office Box 188
Monument, NM 88265

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Dear Mr. Doyall:

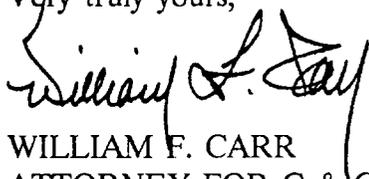
This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

Mr. A.C. Doyall
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in cursive script, appearing to read "William F. Carr".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.
WFC:mlh
Enc.

P-106 677 408

RECEIPT FOR CERTIFIED MAIL
INSURANCE COVERAGE PROVIDED
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

Mr. A.C. Doyall
 Post Office Box 188
 Monument, NM 88265

Certified Fee	.52
Special Delivery Fee	1.00
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.52
Postmark or Date	JUL - 1 1992

PS Form 3800, June 1985

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-868 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
 1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
 Mr. A.C. Doyall
 Post Office Box 188
 Monument, NM 88265

4. Article Number
 P 106 677 408

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee
 Mr. A.C. Doyall

6. Signature - Agent

7. Date of Delivery
 7-6-92

8. Addressee's Address (ONLY if requested and fee paid)

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. J.R. Williams, et al.
Post Office Box 215
Monument, NM 88265

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Gentlemen:

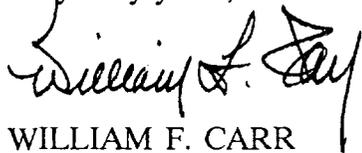
This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

Mr. J.R. Williams, et al.
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large, stylized initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.
WFC:mlh
Enc.

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208



P-106 677 410

S & W Cattle Co.
8900 South County Road 58
Monument, NM 88265

S & W Cattle Co.
8900 South County Road 58
Monument, NM 88265



Postage Fee	1.52
Special Delivery Fee	1.00
Registered Delivery Fee	
Return Receipt (showing recipient and Date Delivered)	1.00
Postage Receipt (only to whom Name and Address of Delivery)	
TOTAL Postage and Fees	\$ 2.52
Postmark or Date	
JUL - 1 1992	

PS Form 3800, June 1988

DM
1st 7/3/92
2nd 7/8/92
3rd 7/18/92

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208

NO SUCH STREET
NO SUCH NUMBER
UNCLAIMED REFUSED
ATTEMPTED NOT KNOWN
FORWARDED ORDER EXPIRED
MOVED, LEFT NO ADDRESS

P-106 677 409

CERTIFIED
P-106 677 409
MAIL

Mr. J.R. Williams, et al.
Post Office Box 215
Monument, NM 88265

Mr. J.R. Williams, et al.
Post Office Box 215
Monument, NM 88265

Certified Fee	1.52
Special Delivery Fee	1.00
Registered Delivery Fee	
Return Receipt (allowing to whom and Date Delivered)	1.00
Return Receipt (allowing to whom Date and Address of Delivery)	
Basic Postage and Fees	2.52

Postmark or Date
JUL - 1 1992

PS Form 3800 June 1989

W Williams
7/23/92

DL
7/3/92
2nd 7/8/92
return 7/18/92

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE: (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

S & W Cattle Co.
8900 South County Road 58
Monument, NM 88265

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Gentlemen:

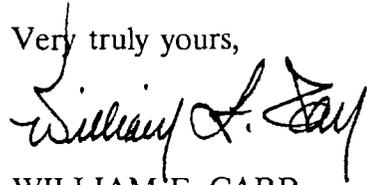
This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

S & W Cattle Co.
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in cursive script, appearing to read "William F. Carr".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.
WFC:mlh
Enc.

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE

SUITE 1 - 110 NORTH GUADALUPE

POST OFFICE BOX 2208

SANTA FE, NEW MEXICO 87504-2208

TELEPHONE (505) 988-4421

TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

S-W Cattle Company
c/o C. Gene Samberson, Esq.
Post Office Drawer 1599
Lovington, NM 88260

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Dear Mr. Samberson:

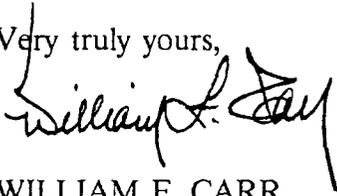
This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

S-W Cattle Company
c/o C. Gene Samberson, Esq.
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large, stylized initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.
WFC:mlh
Enc.

P-106 677 477

RECEIPT FOR CERTIFIED MAIL

U.S. RANGE ONLY. PAGE PROVIDED
FOR AIR INTERNATIONAL MAIL
(See Reverse)

Sent to S-W Cattle Company c/o C. Gene Samberson, Esq.	
Street and No. Post Office Drawer 1599	
P.O. State and ZIP Code Lovington, NM 88260	
Postage	\$.52
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$ 2.52
Postmark or Date JUL - 1 1992	

PS Form 3800, June 1985

PS Form 3871, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

3. Article Addressed to:
S-W Cattle Company
c/o C. Gene Samberson, Esq.
Post Office Drawer 1599
Lovington, NM 88260

4. Article Number
P 106 677 477

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Agent
 C. Gene Samberson
 Date of Delivery
 7-6-92

6. Signature - Address

7. SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent the mail from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for rates and check boxes for additional services requested.
 1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Jimmie T. Cooper, Landowner
Post Office Box 55
Monument, NM 88265

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Dear Mr. Cooper:

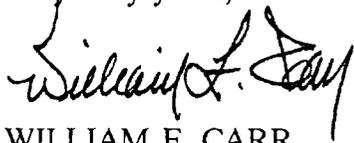
This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

Mr. Jimmie T. Cooper, Landowner
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.
WFC:mlh
Enc.

P-106 677 411

FOR CERTIFIED MAIL
POSTAGE WILL BE PAID BY ADDRESSEE
FIRST CLASS INTERNATIONAL MAIL
(See Reverse)

Mr. Jimmie T. Cooper, Landowner
Post Office Box 55
Monument, NM 88265

Certified Fee	.52
Special Delivery Fee	1.00
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$ 2.52
Postmark or Date	JUL - 1 1992

PS Form 3800, June 1985

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent the card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for rates and check box(es) for additional service(s) requested.
1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
Mr. Jimmie T. Cooper, Landowner
Post Office Box 55
Monument, NM 88265

4. Article Number
P 106 677 411

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise
 Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Agent
Jimmie T. Cooper

6. Signature - Addressee
Jimmie T. Cooper

7. Date of Delivery
7/3/92

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Commissioner of Public Lands
State of New Mexico
Post Office Box 1148
Santa Fe, NM 87504

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Gentlemen:

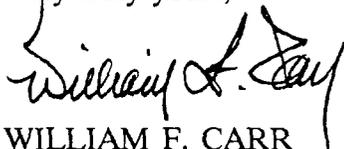
This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

Commissioner of Public Lands
State of New Mexico
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.

WFC:mlh

Enc.

P-106 677 412

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVER PROVIDED
 NOT FOR INTERNATIONAL MAIL

See Reverse

Commissioner of Public Lands
 State of New Mexico
 Post Office Box 1148
 Santa Fe, NM 87504

Certified Fee	.52
Special Delivery Fee	1.00
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	2.52
Postmark or Date	JUL - 1 1992

PS Form 3800, June 1985

SENDER: Complete items 1 and 2, when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent the mail from being returned to you. The return receipt fee will provide you the name of the person delivering the mail and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
 Commissioner of Public Lands
 State of New Mexico
 Post Office Box 1148
 Santa Fe, NM 87504

4. Article Number:
 P 106 677 412

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

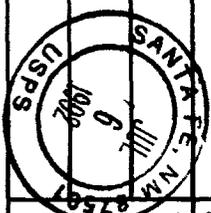
5. Signature - Address
 [Signature]

6. Signature - Agent
 [Signature]

7. Date of Delivery
 [Date]

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT



CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Apollo Realty
Attn: J.R. Williams
Post Office Box 75285
Albuquerque, NM 87194-0285

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Dear Mr. Williams:

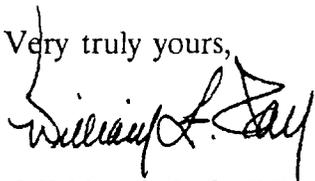
This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

Apollo Realty
Attn: J.R. Williams
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large, stylized initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.
WFC:mlh
Enc.

P-106 677 413

RECEIPT FOR CERTIFIED MAIL

NO. 13 SURFCEIL OVERALL PRODUCTIONS
 1000 REP. INTERNATIONAL, INC.
 (See Reverse)

Apollo Realty
 Attn: J.R. Williams
 Post Office Box 75285
 Albuquerque, NM 87194-0285

Certified Fee	.52
Special Delivery Fee	1.00
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$ 2.52
Postmark or Date	JUL - 1 1992

PS Form 3800, June 1985

PS Form 3811, Mar. 1985 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for rates and check boxes for additional service(s) requested.
 1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:
 Apollo Realty
 Attn: J.R. Williams
 Post Office Box 75285
 Albuquerque, NM 87194-0285

4. Article Number
 P 106 677 413

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Addressee's Address (ONLY if requested and fee paid)

6. Signature Address
 X *J.R. Williams*

7. Signature - Agent
 X *J.R. Williams*

8. Date of Delivery
 X *7/1/92*

CAMPBELL, CARR, BERGE
& SHERIDAN, P.A.
LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

BLM Minerals
Post Office Box 1778
Carlsbad, NM 88221-1778

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Gentlemen:

This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

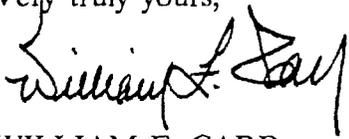
BLM Minerals

July 1, 1992

Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large, stylized initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.

WFC:mlh

Enc.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent the card from being returned to you. The return receipt fee will provide you the name of the person delivering to and the date of delivery. For additional fees the following services are available. Consult Postmaster for rates and check boxes for additional service(s) requested.
 1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to:

BLM Minerals
 Post Office Box 1778
 Carlsbad, NM 88221-1778

4. Article Number

P106677 414

Type of Service:

- Registered
- Certified
- Express Mail
- Insured
- COD
- Return Receipt for Merchandise

Always obtain signature of addressee

POSTAGE AND DATE DELIVERED.

Signature of Addressee (ONLY if registered and fee paid)

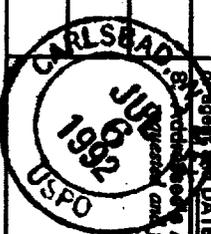
5. Signature - Address

X

6. Signature - Agent

X

7. Date of Delivery



PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-665 DOMESTIC RETURN RECEIPT

P-106 677 414

RECEIPT FOR CERTIFIED MAIL
 RETURN TO POST OFFICE BOX 1778
 CARLSBAD, NM 88221-1778
 (See Reverse)

BLM Minerals
 Post Office Box 1778
 Carlsbad, NM 88221-1778

Certified Fee	1.52
Special Delivery Fee	1.00
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	2.52
Postmark or Date	JUL - 1 1992

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms Elsie M. Reeves
3902 West Keim Drive
Phoenix, AZ 85019

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Dear Ms Reeves:

This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

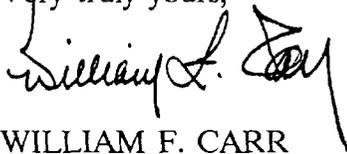
Ms Elsie M. Reeves

July 1, 1992

Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large, stylized initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.

WFC:mlh

Enc.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent the card from being returned to you. This Return Receipt will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Ms Elsie M. Reeves
3902 West Keim Drive
Phoenix, AZ 85019

4. Article Number: P 106 677 415

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

5. Signature - Address: X

6. Signature - Agent: X *Elsie M. Reeves*

7. Date of Delivery: 7/1/92

8. Addressee's Address (ONLY if requested and fee paid):

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-665 DOMESTIC RETURN RECEIPT

P-106 677 415

RECEIPT FOR CERTIFIED MAIL
 WITH INSURANCE (WEIGHT OVER 7 OZ)
 NOT FOR NATIONAL MAIL
 (See Reverse)

Ms Elsie M. Reeves
 3902 West Keim Drive
 Phoenix, AZ 85019

Certified Fee	.52
Special Delivery Fee	1.00
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	\$ 2.52
Postmark or Date	JUL - 1 1992

CAMPBELL, CARR, BERGE

& SHERIDAN, P.A.

LAWYERS

MICHAEL B. CAMPBELL
WILLIAM F. CARR
BRADFORD C. BERGE
MARK F. SHERIDAN
WILLIAM P. SLATTERY

PATRICIA A. MATTHEWS
MICHAEL H. FELDEWERT

JACK M. CAMPBELL
OF COUNSEL

JEFFERSON PLACE
SUITE 1 - 110 NORTH GUADALUPE
POST OFFICE BOX 2208
SANTA FE, NEW MEXICO 87504-2208
TELEPHONE (505) 988-4421
TELECOPIER (505) 983-6043

July 1, 1992

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Ken Marsh
Controlled Recovery Inc.
Post Office Box 369
Hobbs, NM 88240

Re: Oil Conservation Division Case No. 10507:
Application of C & C Landfarm Inc. for a commercial surface waste disposal
facility, Lea County, New Mexico

Dear Mr. Marsh:

This letter is to advise you that C & C Landfarm Inc. has filed an application with the New Mexico Oil Conservation Division seeking authorization to construct and operate a commercial land farm facility for remediation of non-hazardous hydrocarbon contaminated soils using an enhanced biodegradation process. This facility is to be located in the SW/4 NE/4 (Unit G) of Section 3, Township 20 South, Range 37 East, N.M.P.M., Lea County, New Mexico.

This application has been scheduled for hearing before an Examiner of the Oil Conservation Division on July 23, 1992. It has been administratively determined to be approvable, and this hearing is scheduled to allow parties the opportunity to present technical evidence why the application should not be approved pursuant to the rules of the Division. As a landowner in the area or a party who has previously objected to this application, you may desire to appear at that hearing and present testimony. Failure to appear at that time or otherwise become a party of record will preclude you from challenging this matter at a later date.

Mr. Ken Marsh
Controlled Recovery Inc.
July 1, 1992
Page 2

Parties appearing in cases before the Division have been requested to file a Prehearing Statement substantially in the form prescribed by the Division (Oil Conservation Division Memorandum 2-90). A copy of the Division's Prehearing Statement form is enclosed for your information. Prehearing Statements should be filed by 4:00 o'clock p.m. on the Friday before the scheduled hearing.

Very truly yours,

A handwritten signature in black ink, appearing to read "William F. Carr". The signature is written in a cursive style with a large initial "W".

WILLIAM F. CARR
ATTORNEY FOR C & C LANDFARM INC.
WFC:mlh
Enc.

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
 1. Show-to-whom-delivered address of addressee's address. **2.** Restricted Delivery (Extra charge)

3. Article Addressed to: (Extra charge)
 Mr. Ken Marsh
 Controlled Recovery Inc.
 Post Office Box 369
 Hobbs, NM 88240

4. Article Number
 P 106 677 416

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address
 X *Ken Marsh*

6. Signature - Agent
 X *Ken Marsh*

7. Date of Delivery
 X 7-2-92

8. Addressee's Address - (ONLY if requested and fee paid)
See reverse

PS Form 3811, Mar. 1985 * U.S.G.P.O. 1985-212-865 DOMESTIC RETURN RECEIPT

P-106 677 416

RECEIPT FOR CERTIFIED MAIL
 RECEIVED BY ADDRESSEE
 RETURN TO POSTMASTER
 See Reverse

Mr. Ken Marsh
 Controlled Recovery Inc.
 Post Office Box 369
 Hobbs, NM 88240

Certified Fee	1.52
Special Delivery Fee	1.00
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date, and Address of Delivery	
TOTAL Postage and Fees	2.52
Postmark or Date	JUL - 1 1992

State of New Mexico
Energy, Minerals and Natural Resources Department
OIL CONSERVATION DIVISION
P.O. Box 2088
Santa Fe, NM 87501

BEFORE EXAMINER: STOGNER
Oil Conservation Division

S-W Exhibit No. 6
Case No. 10507

APPLICATION FOR SURFACE WASTE DISPOSAL FACILITY
(Refer to OCD Guidelines for assistance in completing the application.)

- I. Type: Produced Water Drilling Muds Treating Fluids
 Solids Other _____
- II. OPERATOR: C & C Landfarm Inc.
ADDRESS: Box 55 Monument, NM 88265
CONTACT PERSON: Jimmie T. Cooper PHONE: 505-397-2045
- III. LOCATION: SW /4 NE /4 Section 3 Township 20 Range 37 E
Submit large scale topographic map showing exact location.
- IV. IS THIS AN EXPANSION OF AN EXISTING FACILITY? Yes No
- V. Attach the name and address of the landowner of the disposal facility site and landowners of record within one-half mile of the site.
- VI. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.
- VII. Attach detailed engineering designs with diagrams prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds; leak-detection systems; aerations systems; enhanced evaporation (spray) systems; waste treating systems and security systems.
- VIII. Attach a contingency plan for reporting and clean-up of spills or releases.
- IX. Attach a routine inspection and maintenance plan to ensure permit compliance.
- X. Attach a closure plan.
- XI. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact fresh water.
- XII. Attach proof that the notice requirements of OCD Rule 711 have been met. (Commercial facilities only.)
- XIII. Attach a contingency plan in the event of a release of H₂S.
- XIV. Attach such other information as is necessary to demonstrate compliance with any other OCD rules, regulations and orders.
- XV. CERTIFICATION

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: Eddie W. Seay Title: Agent/Consultant
Signature: Eddie W. Seay Date: October 4, 1991

DISTRIBUTION: Original and one copy to Santa Fe with one copy to appropriate Division District Office.

APPLICATION FOR SURFACE WASTE DISPOSAL FACILITY

- I. Type: Solids - Oil or Salt water contaminated soils from production facilities only.
- II. OPERATOR: C & C Landfarm Inc.
ADDRESS: Box 55 Monument, NM 88265
CONTACT PERSON: Jimmie T. Cooper
PHONE: 505-397-2045
- III. LOCATION: SW 1/4 of the NE 1/4 of Section 3,
Township 20, Range 37 East, Lea Co., NM.
- IV. IS THIS AN EXPANSION OF AN EXISTING FACILITY? No,
this is a new facility.
- V. LANDOWNER OF FACILITY SITE
Jimmie T. Cooper
P.O. Box 55
Monument, NM 88265

LANDOWNERS OF RECORD WITHIN 1/2 MILE
State of New Mexico
State Land Office
P.O. Box 1148
Santa Fe, NM 87504

S & W Cattle Co.
8900 South County Rd. 58
Monument, NM 88265

J.R. Williams, et al
P.O. Box 215
Monument, NM 88265

A.C. Doyall
P.O. Box 188
Monument, NM 88265
- VI. DIAGRAM (attached)
 - (A) Excavate area as needed down to top of redbed approximately 10 to 12 feet. Use overburden to build burms around site to prevent and restrict rain run off and drainage to facility.
 - (B) Fence around all sides, with chain link fence adjacent to County Road 58.
 - (C) Gate with cattle guard at entrance. Open during daylight hours only.
 - (D) 5 monitor wells on North, South, East, and West sides.
 - (E) Signs posted with restrictions and permit no.

Also, any additional rule or regulation at time of closure will be adhered to.

- XI. Geographically, the site is situated near the western boundary of the southern extension of the High Plains in Southeastern New Mexico. The site in question is a 40 acre tract located in Unit G, Section 3, Township 20, Range 37 E, Lea Co., NM.

The site which is bordered by County road 58 on the east, has a gradual surface slope to the west. To the SE of this site in Unit Lettter O is a large pit with the redbed exposed. Redbed is a layer of relatively impermeable clays, red to reddish brown in color, underlying the fresh water aquifer in SE New Mexico ranging in thickness up to 1200 ft.

C & C Landfarm Inc. is located on or near the redbed layer. A series of test wells were drilled to define the redbed and check for fresh water.

TEST WELL LOGS

- #1 Located 100 yds. N of NW corner
0-1 ft. Top Soil
1-18 ft. Caliche, Rock
18-20 ft. Redbed
All formations dry.
- #2 Located 125 ft. N of the south line on the extreme west edge.
0-1 1/2 ft. Top Soil
1 1/2-16 ft. Caliche, Rock
16-18 ft. Redbed
All formations dry.
- #3 Located 100 yds. E of the west line on the south side.
0-1 ft. Top Soil
1-15 ft. Caliche, Rock
15-17 ft. Redbed
All formations dry.
- #4 Located 50 yds. W of the east line on the south border.
0-1 ft. Top Soil
1-13 ft. Caliche, Rock
13-16 ft. Redbed
All formations dry.
- #5 Located 150 yds. W of east line on the north side.
0-1 ft. Top Soil

(F) Any other improvement as needed or required by OCD.

VII. DRAWING OF MONITOR WELL (attached)

Excavate land area down to redbed, dispose of contaminated soil in 6 in. lifts and till or plow every 30 to 60 days as needed to ensure proper aeration so soil can be cleaned up by natural remediation according to government standards. Have soil tested for TPH and BTEX before adding new lift as required.

VII. CONTINGENCY PLAN (NA)

There will be no liquids at facility. Any soil accidentally spilled at facility will be picked up with front end loader and deposited within landfill. No material will be accepted without documentation.

IX. ROUTINE INSPECTION AND MAINTENANCE PLAN

- (1) Weekly inspection of monitor wells.
- (2) Road area around facility will be graded and kept free of oily dirt.
- (3) All loads will be documented and logged.
- (4) No liquids accepted.
- (5) No tank bottoms accepted.
- (6) Area will be posted with proper signs.
- (7) No dumping will be allowed unless facility is open.
- (8) May require letter from company showing waste has not been mixed with non-exempt waste.
- (9) All area properly fenced with locked gates.
- (10) Each lift will be tested for BTEX Method 602 and TPH Method 8015 EPA test requirements before adding new lift.

X. CLOSURE PLAN

All overburden will be removed down to the redbed, averaging from 12 ft. on the east side, to 16 ft. on the west side.

Disposal of solids will start at redbed, when area has been filled and tested to within 1 ft. of surface elevation, area will be backfilled with top soil, mound over and compacted. The mound should prevent rain or water from standing or leaching into backfill.

All fences will be left in tact and monitor wells left in place for future monitoring.

LPAL FARM
10-10-2011

Also, any additional rule or regulation at time of closure will be adhered to.

- XI. Geographically, the site is situated near the western boundary of the southern extension of the High Plains in Southeastern New Mexico. The site in question is a 40 acre tract located in Unit G, Section 3, Township 20, Range 37 E, Lea Co., NM.

The site which is bordered by County road 58 on the east, has a gradual surface slope to the west. To the SE of this site in Unit Lettter O is a large pit with the redbed exposed. Redbed is a layer of relatively impermeable clays, red to reddish brown in color, underlying the fresh water aquifer in SE New Mexico ranging in thickness up to 1200 ft.

C & C Landfarm Inc. is located on or near the redbed layer. A series of test wells were drilled to define the redbed and check for fresh water.

TEST WELL LOGS

- #1 Located 100 yds. N of NW corner
0-1 ft. Top Soil
1-18 ft. Caliche, Rock
18-20 ft. Redbed
All formations dry.
- #2 Located 125 ft. N of the south line on the extreme west edge.
0-1 1/2 ft. Top Soil
1 1/2-16 ft. Caliche, Rock
16-18 ft. Redbed
All formations dry.
- #3 Located 100 yds. E of the west line on the south side.
0-1 ft. Top Soil
1-15 ft. Caliche, Rock
15-17 ft. Redbed
All formations dry.
- #4 Located 50 yds. W of the east line on the south border.
0-1 ft. Top Soil
1-13 ft. Caliche, Rock
13-16 ft. Redbed
All formations dry.
- #5 Located 150 yds. W of east line on the north side.
0-1 ft. Top Soil

1-14 ft. Caliche, Rock
14-17 ft. Redbed
All formations dry.

* An area in the middle of the east edge of the property, was excavated with a backhoe. Rock and caliche at 0-12 ft. Redbed was encountered at 12 ft.

The wells were drilled with rotary rig, no water was encountered, only caliche, rock, and sand down to redbed. The redbeds came in at 12 ft. on the east side, down to 17 ft. on the west side. The five wells drilled were completed into the redbed and cased with 3 in. PVC pipe with 5 ft. of screen on bottom with the top 2 ft. cemented and capped. Wells to be secured with locks and used as monitor wells.

Researched State Engineers records and U.S.G.S. file, no fresh water was recorded or found within area of review. A physical inspection was made and a windmill was found approximately 1 mile SW of the site, a sample was taken and analysis recorded for future use.

We feel this is one of the better sites for deposit of contaminated soil due to the thickness of redbeds, little or no fresh water in the area, a monitor system is in place for control of system. This system is in the middle of the oil and gas production and will serve a valuable environmental need, both regulatory and industrial.

- XII. PROOF OF OCD RULE 711 (attached)
- XIII. CONTINGENCY PLAN FOR RELEASE OF H₂S (NA)

Open pit system should not have H₂S. If encountered, OCD Rule 118 will be adhered to.
- XIV. All State of New Mexico, Oil Conservation rules will be enforced as they pertain to this system.

C & C LANDFARM INC.

Additional information to Application for Surface Waste Disposal.

REGISTRATION DIVISION
301 750

- I. The thickness of the rebeds varied from area to area in Section 3. The information was taken from logs of producing oil wells in the area and lithology reports. 007 9 31

Unit C	Top 20 ft.	Base 960 ft.
F	30 ft.	562 ft.
B	14 ft.	880 ft.
H	15 ft.	1350 ft.
M	30 ft.	1270 ft.
L	40 ft.	1050 ft.

with the average thickness being 987 ft.

- II. Groundwater in the area; Figure I is a copy of the State Engineer's water analysis and locations for this area, none were listed in Sect. 3. The windmill SSW of our proposed site appears to be located in Unit M of Sect. 3 approximately 3/4 mile from site; Figure II is a copy of analysis from S & W windmill. Figure III indicates water wells in the general area showing top and bottom of water formation and contour line indicating direction of flow, which is SE. Figure IV is a contour map of top of rebed, with slopes to the SSE. Figure V is a contour map of the surface for the surrounding area, the direction of slope is to the west.

The contour maps provided are information from the State Bureau of Mines, which shows any movement at our site would run SE along the rebed surface and west along the top of ground.

If the State feels it is necessary, additional monitor wells can be installed or a rebed barrier constructed on the SW portion of our site to prevent any contaminate from moving.

- III. Also provided are the mail receipts from registered letters.

Any additional information needed, please call (505)392-2236.

Eddie W. Seay

Eddie W. Seay
Peak Consulting

	LOCATION	DATE COLLECTED	CHLORIDE mg/L	CONDUCT M-MHDS	TEMP DEG	WBF	
21	20S 36E 07 13440	10/12/84	434	2350	63F	T00	List of Wells Wells in the area
22	20S 36E 10 32114	08/28/72	79	520		QAL	None listed in sect 3
23	20S 36E 10 32114	11/01/76	66	639	66F	QAL	
24	20S 36E 10 32114	10/19/79	65	880	66F	QAL	L
25	20S 36E 10 32114	10/12/84	92	980	64F	QAL	L
26	20S 36E 11 42243	08/28/72	1000	1450		QAL	L
27	20S 36E 11 42243	11/01/76	918	3969	63F	QAL	L
28	20S 36E 11 42243	10/19/79	1074	4569	65F	QAL	L
29	20S 36E 11 42243	10/12/84	840	4330	64F	QAL	L
30	20S 36E 15 242421	08/28/72	720	1800		QAL	L
31	20S 36E 15 242421	11/01/76	518	3223		QAL	L
32	20S 36E 15 242421	10/12/84	882	3630	63F	QAL	L
33	20S 36E 15 242421	5/07/86	884	3715	70F	QAL	L
34	20S 36E 15 24342	03/30/54	1080	6780		T00	L
35	20S 36E 15 24342	09/09/58	1240	7500		T00	L
36	20S 36E 15 24342A	08/28/72	1280	2900		TRC	L 06986
37	20S 36E 15 24342A	11/01/76	1192	6988	70F	TRC	L
38	20S 36E 26 24344	11/08/79	150	1790		T00	L
39	20S 36E 26 24344	2/08/85	150	1798	68F	T00	L
40	20S 36E 26 24443	11/08/79	182	1895		T00	L
41	20S 36E 35 24444	11/08/79	118	1541		T00	L
42	20S 37E 04 11114	04/02/54	450	2180		QAL	L
43	20S 37E 04 11114	04/22/55	425	2090		QAL	L
44	20S 37E 04 11114	09/09/58	325	1670		QAL	L
45	20S 37E 04 221321	04/22/55	51	758		QAL	L
46	20S 37E 04 221321	09/09/58	47	708		QAL	L
47	20S 37E 04 221321	07/14/77	106	1070		QAL	L
48	20S 37E 04 221321	10/25/79	214	1506	65F	QAL	L
49	20S 37E 04 221321	2/06/85	81	964		QAL	L
50	20S 37E 05 222144	11/29/79	258	1611		T00	L
51	20S 37E 05 222144	9/26/84	314	1729		T00	L
52	20S 37E 07 24331	11/09/79	1268	4232		T00	L
53	20S 37E 07 24331	2/13/85	2680	8160	68F	T00	L
54	20S 37E 08 244124	11/29/79	868	3734	57F	T00	L 07620 ES
55	20S 37E 08 423223	10/25/79	520	2396	66F	T00	L
56	20S 37E 08 423223	9/26/84	886	3806		T00	L

WATER ANALYSIS REPORT

Company : S & W CATTLE CO
 Address : HOBBS, NEW MEXICO
 Lease : SECT 3 T20 R37
 Well : UNIT M
 Sample Pt. : WINDMILL

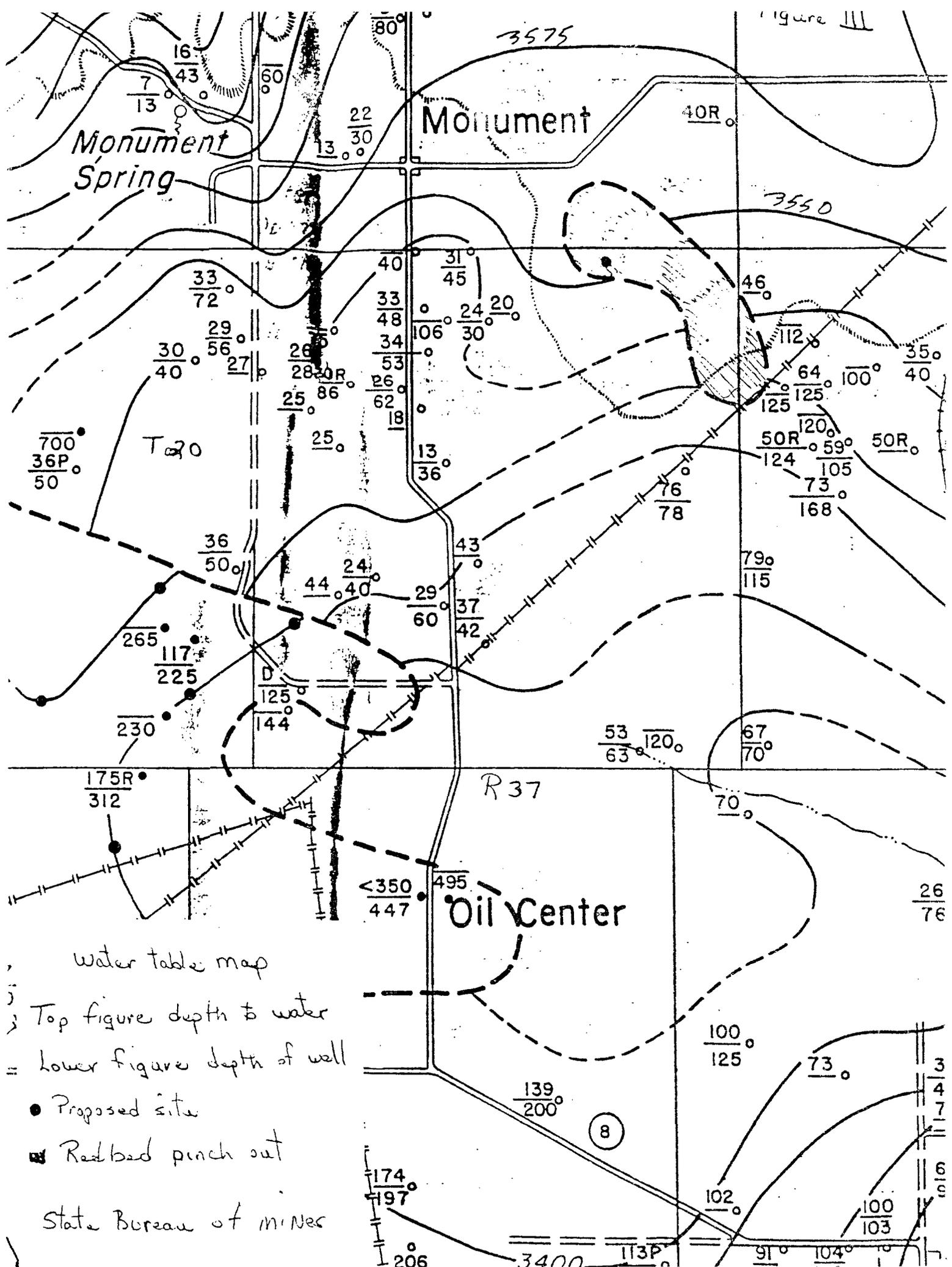
Date : 10/29/91
 Date Sampled : 10/28/91
 Analysis No. : 876

ANALYSIS		mg/L		* meq/L
1. pH	7.1			
2. H2S	NEGATIVE			
3. Specific Gravity	1.000			
4. Total Dissolved Solids		2245.2		
5. Suspended Solids				
6. Dissolved Oxygen				
7. Dissolved CO2				
8. Oil In Water				
9. Phenolphthalein Alkalinity (CaCO3)				
10. Methyl Orange Alkalinity (CaCO3)		291.0		
11. Bicarbonate	HCO3	355.0	HCO3	5.8
12. Chloride	Cl	599.1	Cl	16.9
13. Sulfate	SO4	575.0	SO4	12.0
14. Calcium	Ca	153.5	Ca	7.7
15. Magnesium	Mg	66.1	Mg	5.4
16. Sodium (calculated)	Na	496.4	Na	21.6
17. Iron	Fe	0.0		
18. Barium	Ba	0.0		
19. Strontium	Sr	0.0		
20. Total Hardness (CaCO3)		655.6		

PROBABLE MINERAL COMPOSITION

*milli equivalents per Liter	Compound	Equiv wt	X meq/L	= mg/l
8 *Ca <----- *HCO3	Ca(HCO3)2	81.0	5.8	472
----- /----->	CaSO4	68.1	1.8	125
5 *Mg -----> *SO4	CaCl2	55.5		
----- <----- /	Mg(HCO3)2	73.2		
22 *Na -----> *Cl	MgSO4	60.2	5.4	327
	MgCl2	47.6		
Saturation Values Dist. Water 20 C	NaHCO3	84.0		
CaCO3 13 mg/L	Na2SO4	71.0	4.7	333
CaSO4 * 2H2O 2090 mg/L	NaCl	58.4	16.9	988
BaSO4 2.4 mg/L				

REMARKS: EDDIE SEAY

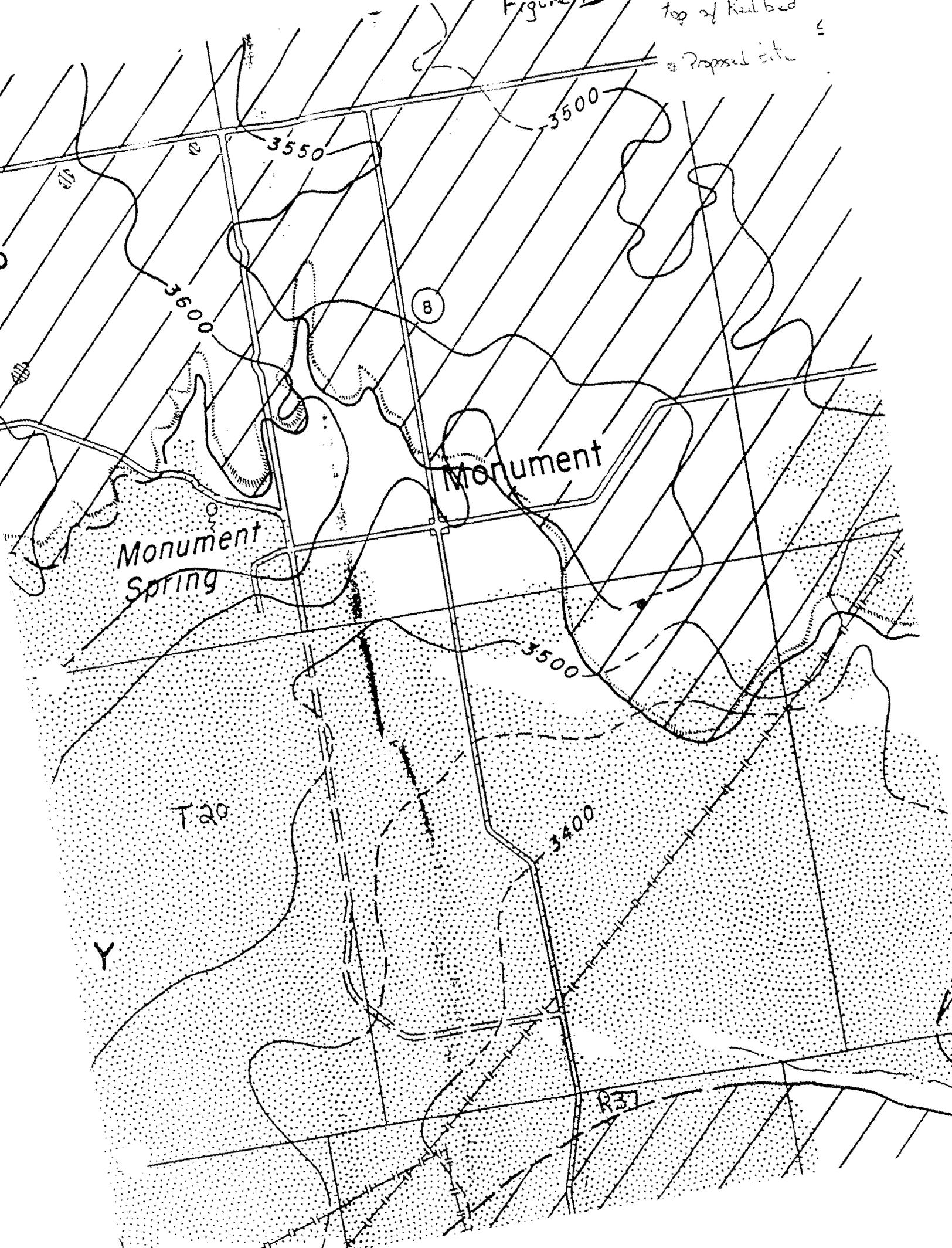


water table map

Top figure depth to water
 = Lower figure depth of well

- Proposed site
- Redbed pinch out

State Bureau of Mines



Figure

top of rail bed
Proposed site

3550

3500

3600

8

Monument Spring

Monument

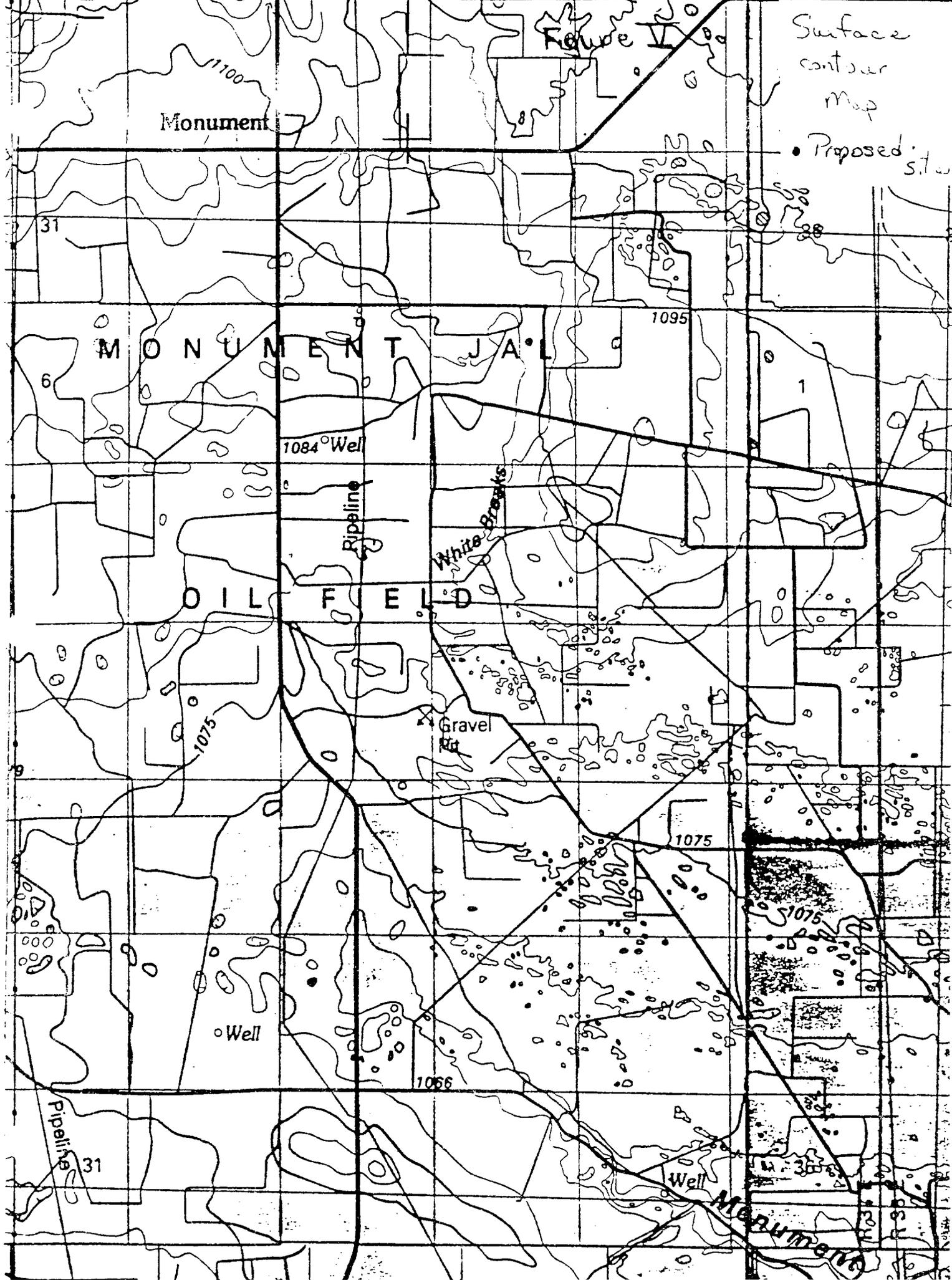
3500

T20

3400

Y

R37



Surface contour map
• Proposed site

Monument

Figure IV

31

M O N U M E N T J A L

1095

1084° Well

Pipeline

White Bracks

O I L F I E L D

Gravel pit

1075

1075

Well

1066

Pipeline

31

Well

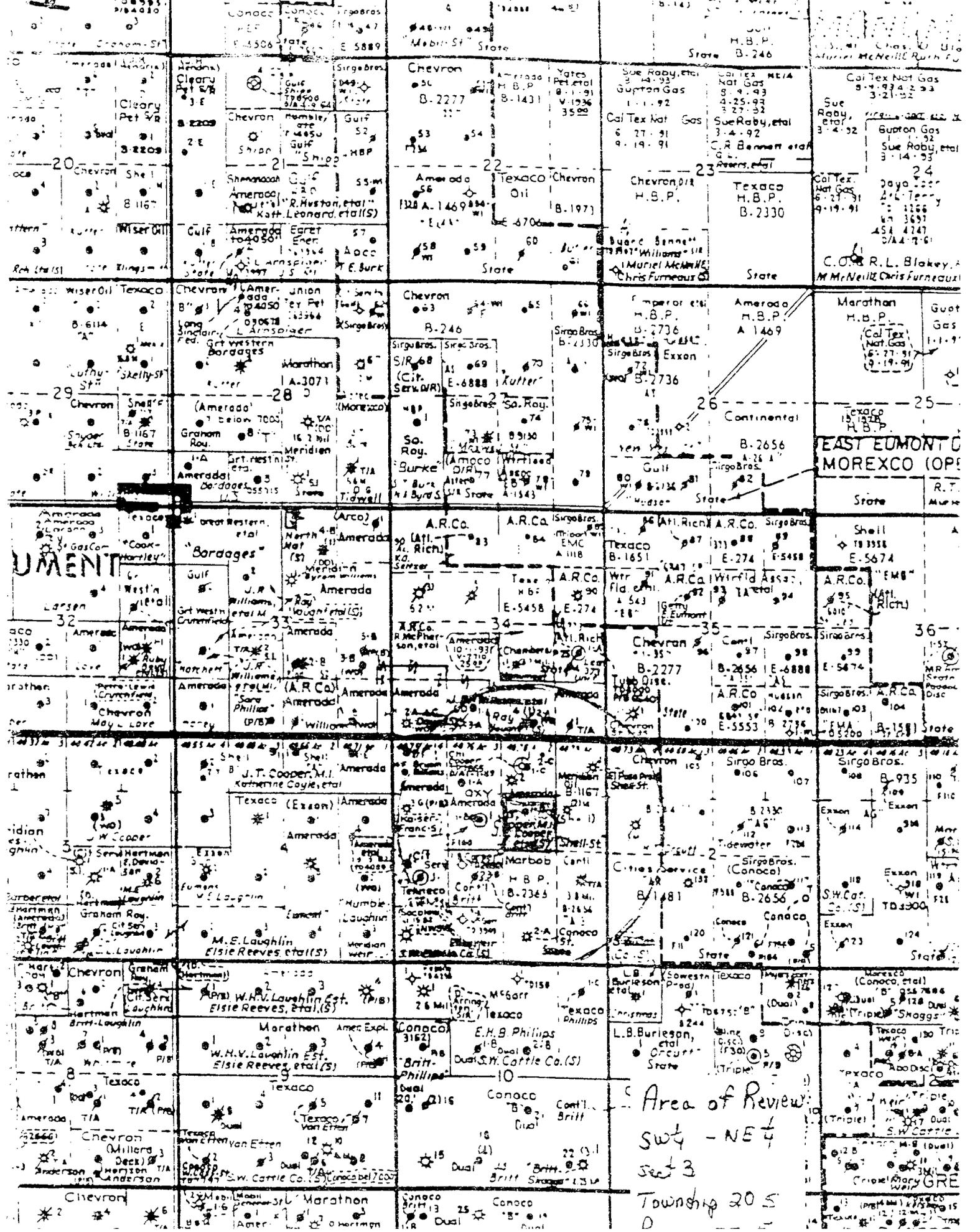
Monument

V

19

37

E-277

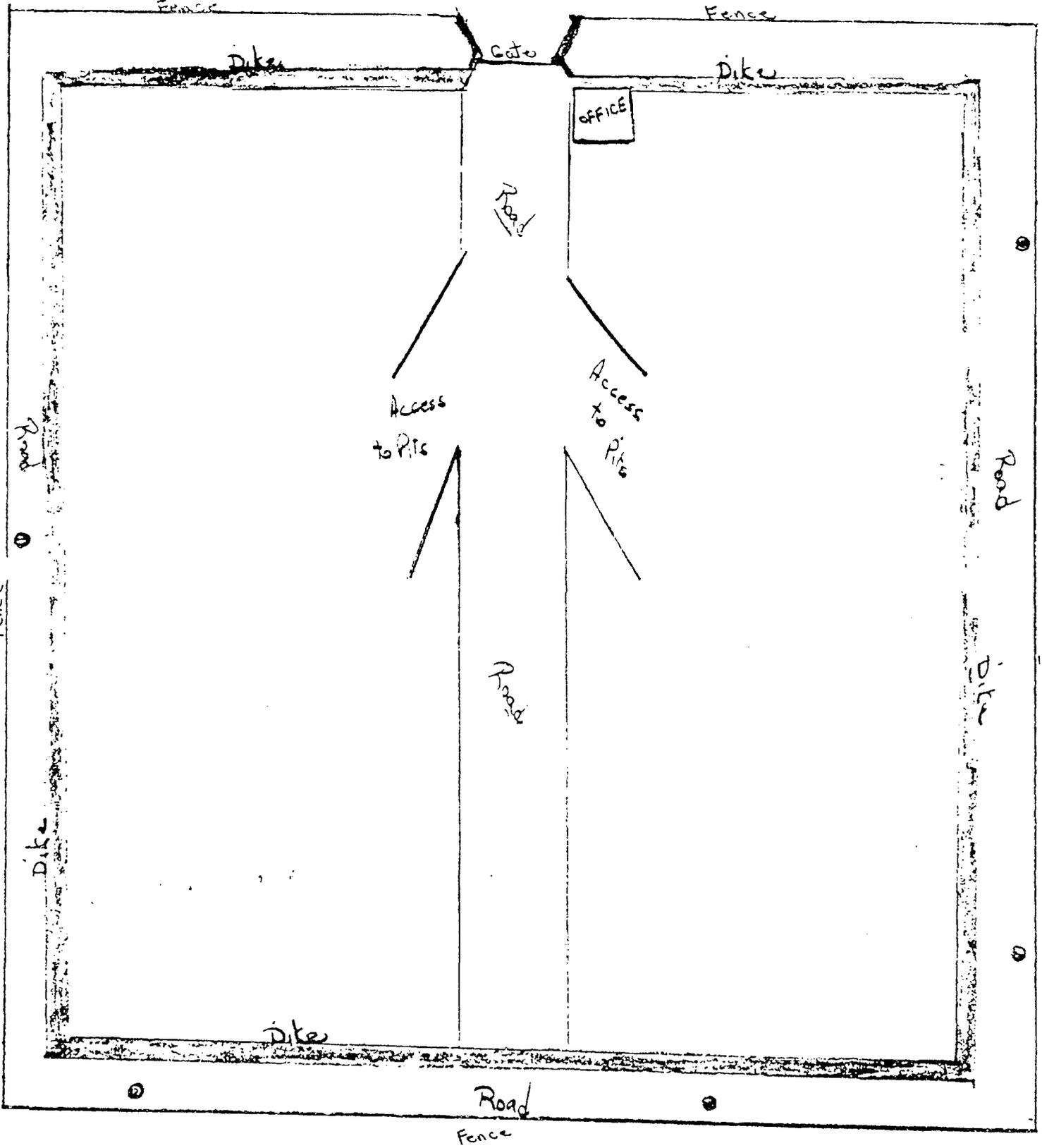


Area of Review:
 SW 1/4 - NE 1/4
 Sect 3
 Township 20 S
 D

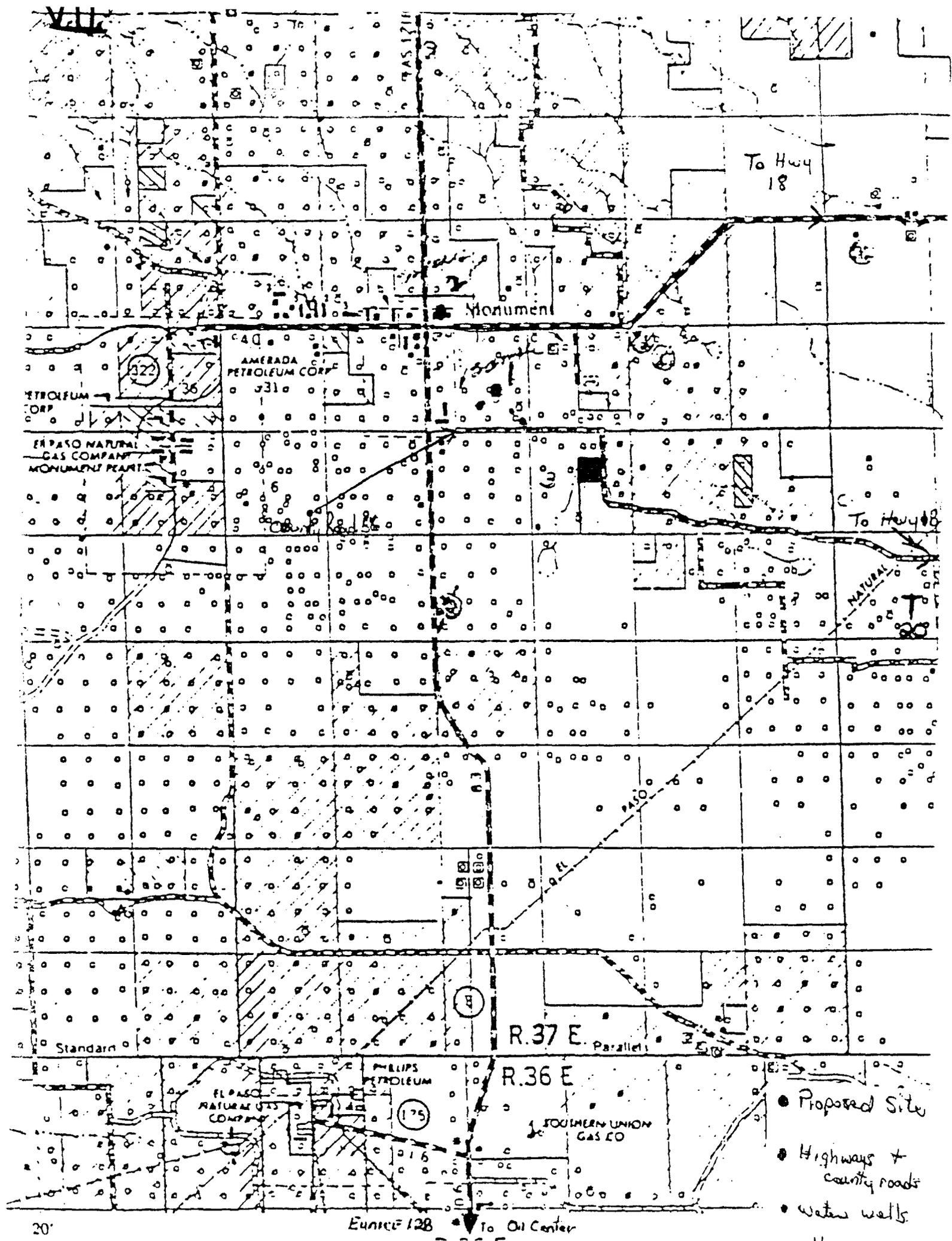
Proprietary GRE

XL

County Road 58 "Billy Walker Road"

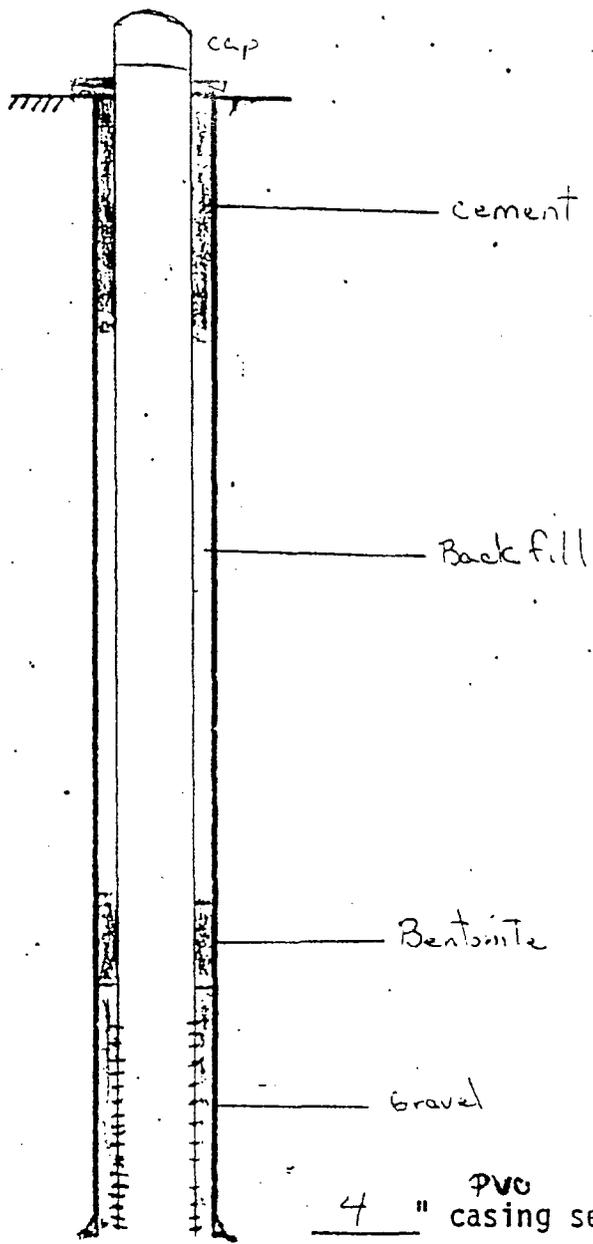


- Monitor wells
- Burns or Dyke
- Disposal Area



VII

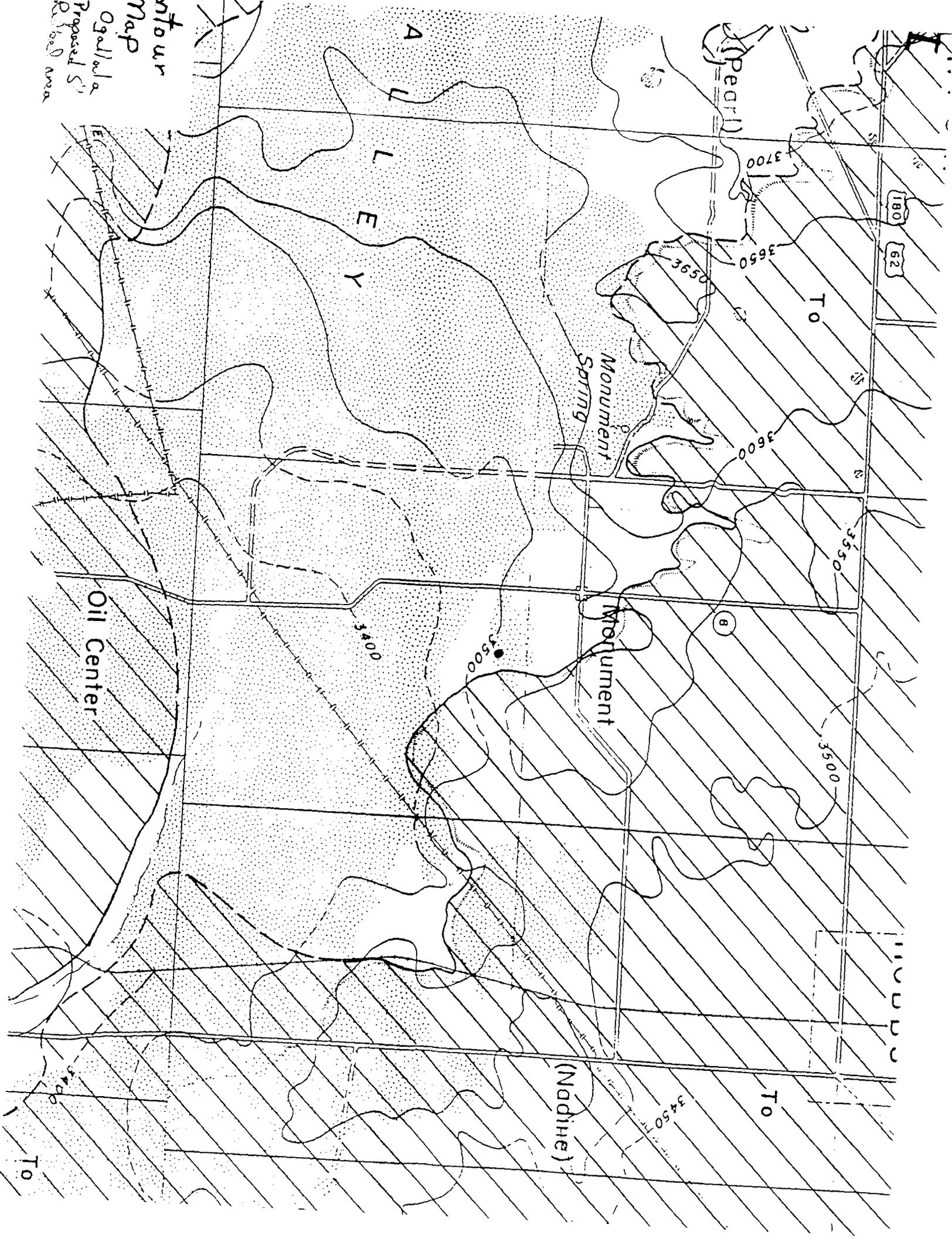
Test well - Monitor Well



4" ^{PVC} casing set at Redbed

Hole size 6 3/4 "

Antour
Map
Ogallala
Proposed S
Revised Area



P 661 750 233



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
S & W Cattle Co.	
Street & No.	
8900 S. County Rd. 58	
P.O., State & ZIP Code	
Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1990

P 661 750 234



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Mr. Jimmie T. Cooper	
Street & No.	
Box 55	
P.O., State & ZIP Code	
Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1990

P 661 750 230



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Mr. A.C. Doyall	
Street & No.	
P.O. Box 188	
P.O., State & ZIP Code	
Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1990

P 661 750 231



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
Commissioner of Public Lands	
Street & No.	
P.O. Box 1148	
P.O., State & ZIP Code	
Santa Fe, NM 87504	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1990

P 661 750 232



Certified Mail Receipt

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to	
J.R. Williams, et al	
Street & No.	
P.O. Box 215	
P.O., State & ZIP Code	
Monument, NM 88265	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Address of Delivery	
TOTAL Postage & Fees	\$
Postmark or Date	

PS Form 3800, June 1990

All

C & C Landfarm Inc.
Jimmie T. Cooper P.O. Box 55 Monument, NM 88265
505-397-2045

October 1, 1991

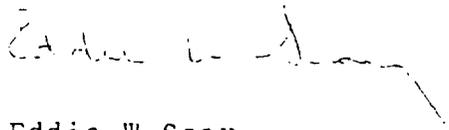
Dear Sir:

Pursuant to Rule 711 of the Oil Conservation Commission, State of New Mexico, notice is hereby given that Jimmie T. Cooper, owner and operator of C & C Landfarm Inc., will be filing an application for a surface waste disposal facility located at SW 1/4 of the NE 1/4 of Section 3, Township 20, Range 37E, Lea Co., NM on deeded land. The facility will be for the disposal of contaminated soils only from oil and gas production. No produced waters or tank bottoms will be allowed. This disposal will allow a safe place for the natural occurrence of remediation of the soil.

If there are any questions please contact:

Mr. Roger Anderson
State of New Mexico
Oil Conservation Division
P.O. Box 2088
Santa Fe, NM 87501
505-827-5884

Thank You.



Eddie W. Seay
Peak Consulting Service

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

<p>3. Article Addressed to:</p> <p>Apollo Realty ATTN: J. B. Williams P.O. Box 75285 Albuquerque, NM 87194-0285</p>	<p>4. Article Number:</p> <p>P 661 750 228</p> <p>Type of Service:</p> <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise <p>Always obtain signature of addressee of agent and DATE DELIVERED.</p>
<p>5. Signature of Addressee</p> <p><i>J. B. Williams</i></p>	<p>6. Addressee's Address (ONLY if requested and fee paid)</p>
<p>7. Date of Delivery</p> <p>10-13-91</p>	

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

Article Addressed to:
 S & W Cattle Co.
 P.O. Box 1799
 Hobbs, NM 88240

4. Article Number
 P 661 750 229

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

Signature - Addressee
 Signature - Agent
 Date of Delivery

Form 3811, Apr. 1989 *U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

Article Addressed to:
 Mr. A.C. Doyall
 P.O. Box 188
 Monument, NM 88265

4. Article Number
 P 661 750 230

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

Signature - Addressee
 Signature - Agent
 Date of Delivery

Form 3811, Apr. 1989 *U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

Article Addressed to:
 Mr. Jimmie T. Cooper
 P.O. Box 55
 Monument, NM 88265

4. Article Number
 P 661 750 234

Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

Signature - Addressee
 Signature - Agent
 Date of Delivery

Form 3811, Apr. 1989 *U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional services requested.
 Show to whom delivered, date, and addressee's address. Restricted Delivery (Extra charge)

Article Addressed to:
 Commissioner of Public Lands
 State of New Mexico
 NM State Land Office
 P.O. Box 1148
 Santa Fe, NM 87504

4. Article Number
 P 661 750 231

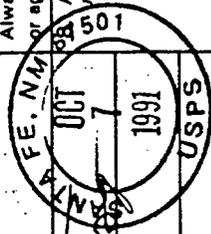
Type of Service:
 Registered
 Certified
 Express Mail
 Insured
 COD
 Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

Signature - Addressee
 Signature - Agent
 Date of Delivery

Form 3811, Apr. 1989 *U.S.G.P.O. 1989-238-815 DOMESTIC RETURN RECEIPT



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

JUL 1 1992

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

OIL CONSERVATION DIVISION

CASE NO. 10507

APPLICATION OF C & C LANDFARM INC.
FOR A COMMERCIAL SURFACE WASTE
DISPOSAL FACILITY, LEA COUNTY
NEW MEXICO

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by W. Thomas Kellahin, Esq. on behalf of ELSIE M. REEVES as required by the Oil Conservation Division.

APPEARANCE OF PARTIES

APPLICANT

C & C LANDFARM INC.
P. O. Box 55
Monument, N.M. 88265

ATTORNEY

William F. Carr, Esq.
Box 2208
Santa Fe, New Mexico
(505) 988-4421

OPPOSITION PARTY

Elsie M. Reeves
3902 W. Keim Drive
Phoenix, Ariz. 85019

ATTORNEY

W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87501
(505) 982-4285

STATEMENT OF CASE

OPPOSITION PARTY

As her statement of the case, Elise M. Reeves adopts her "Statement of Objections" filed on June 5, 1992 in this case and attached hereto.

PROPOSED EVIDENCE

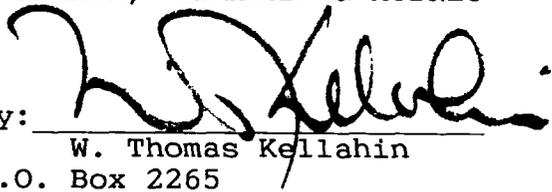
OPPOSITION

WITNESSES	EST. TIME	EXHIBITS
Elsie M. Reeves, landowner	20 Min.	approx 4
James R. Woods, geologist	60 min.	approx 20

PROCEDURAL MATTERS

pending.

KELLAHIN, KELLAHIN & AUBREY

By: 

W. Thomas Kellahin

P.O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285

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

IN THE MATTER OF THE APPLICATION
OF C & C LANDFARM INC. FOR A
PROPOSED COMMERCIAL SURFACE
DISPOSAL FACILITY,
LEA COUNTY, NEW MEXICO

RECEIVED

JUN 01 1992

OIL CONSERVATION DIVISION

REQUEST FOR HEARING
AND
STATEMENT OF OBJECTIONS

Comes now Elsie M. Reeves ("Reeves"), by and through her attorneys, Kellahin, Kellahin & Aubrey, and objects to the New Mexico Oil Conservation Division granting the application of C & C Landfarm Inc. for a proposed commercial surface disposal facility ("Landfarm") in the SW/4NE/4 of Section 3, T20S, R37E, NMPM, Lea County, New Mexico, and in support states:

(1) AFFECTED PARTY:

Elsie M. Reeves ("Reeves"), is a property owner in Section 4 and 9, T20S, R37E in the vicinity of the area of subject application and is affected by this application.

(2) NOTIFICATION:

The applicant has failed to timely notify the interested and affected parties and the Application should be dismissed.

(3) AREA REQUESTED:

Applicant's application requests approval of a 40 acre tract but proposes to use only 2 acres. The application, if approved, should be confined to the 2 acre tract.

(4) OCD CONDITIONS OF APPROVAL

The Division's Conditions of Approval attached to the Division's May 20, 1992 notification letter are flawed. For example, OCD Condition (5) proposes to grant the Applicant significantly greater disposal authority than the Applicant has requested in its application. For example, OCD Condition (10) is inadequate.

(5) FAILURE TO PROTECT GROUND WATER, HUMAN HEALTH AND THE ENVIRONMENT:

At the NMOCD hearing, Reeves will present a geological engineer as a qualified expert witness to present evidence that the granting of the application as contemplated by the Division fails to protect human health and the environment and constitutes a risk of contamination of ground water, including the following:

(a) The Applicant's proposed plan will place as risk shallow water wells located down-dip from the proposed landfarm which will be subject to contamination from seepage of leachate contaminants.

(b) The Applicant's plans to prevent migration of contaminants down gradient along the red bed surface is inadequate.

(c) The proposed monitor wells are improperly located and will not afford adequate assurance of detection of contaminants.

(d) The propose dike identified in OCD Condition (10) is insufficient and conditions of compaction and verification are inadequate to stop the mobility of the leachate contaminants.

(e) The composition of the berm is not environmentally safe.

(f) Additional soil tests should be performed on the redbed soil including:

- (1) Falling head permeability tests,
- (2) Soil property tests,
- (3) Cation Exchange Capacity tests,

(g) Applicant need to perform liquid and plastic test on the redbeds.

(h) The applicant's proposed barrier is inadequate for its proposed landfarm.

(i) Applicant's geology is inadequate and fails to include an east-west cross section.

(6) PROCEDURE:

Reeves hereby Moves that:

(a) The application be set on the Examiner's docket now scheduled for July 23, 1992, as may be continued,

(b) The applicant be required to satisfy the Division's notice requirement for this hearing as modified by the Udden case.

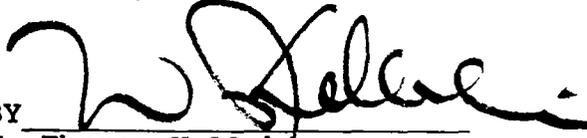
(c) The applicant be required to meet the burden of proof by substantial evidence, and

(d) That a full and complete evidentiary hearing be conducted by the Division's Chief Hearing Examiner with all parties having the right to present evidence and to cross-examine witnesses.

Elsie M. Reeves
Request for Hearing/Statement of Objections
Page 5

Respectfully submitted,

KELLAHIN, KELLAHIN & AUBREY

BY 
W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285
Attorneys for Applicant

appt605.645

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

RECEIVED

JUL 17 1992

OIL CONSERVATION DIVISION

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

CASE NO. 10507

APPLICATION OF C & C LANDFARM INC.
FOR A COMMERCIAL SURFACE WASTE
DISPOSAL FACILITY, LEA COUNTY
NEW MEXICO

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by W. Thomas Kellahin, Esq. on behalf of ELSIE M. REEVES as required by the Oil Conservation Division.

APPEARANCE OF PARTIES

APPLICANT

C & C LANDFARM INC.
P. O. Box 55
Monument, N.M. 88265

ATTORNEY

William F. Carr, Esq.
Box 2208
Santa Fe, New Mexico
(505) 988-4421

OPPOSITION PARTY

Elsie M. Reeves
3902 W. Keim Drive
Phoenix, Ariz. 85019

ATTORNEY

W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87501
(505) 982-4285

STATEMENT OF CASE

OPPOSITION PARTY

As her statement of the case, Elise M. Reeves adopts her "Statement of Objections" filed on June 5, 1992 in this case and attached hereto.

PROPOSED EVIDENCE

OPPOSITION

WITNESSES	EST. TIME	EXHIBITS
Elsie M. Reeves, landowner	20 Min.	approx 4
James R. Woods, geologist	60 min.	approx 20

PROCEDURAL MATTERS

pending.

KELLAHIN, KELLAHIN & AUBREY

By: 

W. Thomas Kellahin
P.O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285

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

IN THE MATTER OF THE APPLICATION
OF C & C LANDFARM INC. FOR A
PROPOSED COMMERCIAL SURFACE
DISPOSAL FACILITY,
LEA COUNTY, NEW MEXICO

RECEIVED

JUN 05 1997

OIL CONSERVATION DIVISION

REQUEST FOR HEARING
AND
STATEMENT OF OBJECTIONS

Comes now Elsie M. Reeves ("Reeves"), by and through her attorneys, Kellahin, Kellahin & Aubrey, and objects to the New Mexico Oil Conservation Division granting the application of C & C Landfarm Inc. for a proposed commercial surface disposal facility ("Landfarm") in the SW/4NE/4 of Section 3, T20S, R37E, NMPM, Lea County, New Mexico, and in support states:

(1) AFFECTED PARTY:

Elsie M. Reeves ("Reeves"), is a property owner in Section 4 and 9, T20S, R37E in the vicinity of the area of subject application and is affected by this application.

(2) NOTIFICATION:

The applicant has failed to timely notify the interested and affected parties and the Application should be dismissed.

(3) AREA REQUESTED:

Applicant's application requests approval of a 40 acre tract but proposes to use only 2 acres. The application, if approved, should be confined to the 2 acre tract.

(4) OCD CONDITIONS OF APPROVAL

The Division's Conditions of Approval attached to the Division's May 20, 1992 notification letter are flawed. For example, OCD Condition (5) proposes to grant the Applicant significantly greater disposal authority than the Applicant has requested in its application. For example, OCD Condition (10) is inadequate.

(5) FAILURE TO PROTECT GROUND WATER, HUMAN HEALTH AND THE ENVIRONMENT:

At the NMOCD hearing, Reeves will present a geological engineer as a qualified expert witness to present evidence that the granting of the application as contemplated by the Division fails to protect human health and the environment and constitutes a risk of contamination of ground water, including the following:

(a) The Applicant's proposed plan will place as risk shallow water wells located down-dip from the proposed landfarm which will be subject to contamination from seepage of leachate contaminants.

(b) The Applicant's plans to prevent migration of contaminants down gradient along the red bed surface is inadequate.

(c) The proposed monitor wells are improperly located and will not afford adequate assurance of detection of contaminants.

(d) The propose dike identified in OCD Condition (10) is insufficient and conditions of compaction and verification are inadequate to stop the mobility of the leachate contaminants.

(e) The composition of the berm is not environmentally safe.

(f) Additional soil tests should be performed on the redbed soil including:

- (1) Falling head permeability tests,
- (2) Soil property tests,
- (3) Cation Exchange Capacity tests,

(g) Applicant need to perform liquid and plastic test on the redbeds.

(h) The applicant's proposed barrier is inadequate for its proposed landfarm.

(i) Applicant's geology is inadequate and fails to include an east-west cross section.

(6) PROCEDURE:

Reeves hereby Moves that:

(a) The application be set on the Examiner's docket now scheduled for July 23, 1992, as may be continued,

(b) The applicant be required to satisfy the Division's notice requirement for this hearing as modified by the Uhden case.

(c) The applicant be required to meet the burden of proof by substantial evidence, and

(d) That a full and complete evidentiary hearing be conducted by the Division's Chief Hearing Examiner with all parties having the right to present evidence and to cross-examine witnesses.

Elsie M. Reeves
Request for Hearing/Statement of Objections
Page 5

Respectfully submitted,

KELLAHIN, KELLAHIN & AUBREY

BY 

W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285
Attorneys for Applicant

appt605.645

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

RECEIVED

JUL 1 1992

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

OIL CONSERVATION DIVISION

CASE NO. 10507

APPLICATION OF C & C LANDFARM INC.
FOR A COMMERCIAL SURFACE WASTE
DISPOSAL FACILITY, LEA COUNTY
NEW MEXICO

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by W. Thomas Kellahin, Esq. on behalf of ELSIE M. REEVES as required by the Oil Conservation Division.

APPEARANCE OF PARTIES

APPLICANT

C & C LANDFARM INC.
P. O. Box 55
Monument, N.M. 88265

ATTORNEY

William F. Carr, Esq.
Box 2208
Santa Fe, New Mexico
(505) 988-4421

OPPOSITION PARTY

Elsie M. Reeves
3902 W. Keim Drive
Phoenix, Ariz. 85019

ATTORNEY

W. Thomas Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87501
(505) 982-4285

STATEMENT OF CASE

OPPOSITION PARTY

As her statement of the case, Elise M. Reeves adopts her "Statement of Objections" filed on June 5, 1992 in this case and attached hereto.

PROPOSED EVIDENCE

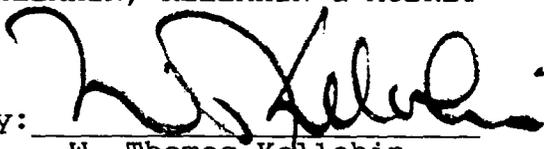
OPPOSITION

WITNESSES	EST. TIME	EXHIBITS
Elsie M. Reeves, landowner	20 Min.	approx 4
James R. Woods, geologist	60 min.	approx 20

PROCEDURAL MATTERS

pending.

KELLAHIN, KELLAHIN & AUBREY

By: 

W. Thomas Kellahin

P.O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285

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

IN THE MATTER OF THE APPLICATION
OF C & C LANDFARM INC. FOR A
PROPOSED COMMERCIAL SURFACE
DISPOSAL FACILITY,
LEA COUNTY, NEW MEXICO

RECEIVED

JUN 05 1997

OIL CONSERVATION DIVISION

REQUEST FOR HEARING
AND
STATEMENT OF OBJECTIONS

Comes now Elsie M. Reeves ("Reeves"), by and through her attorneys, Kellahin, Kellahin & Aubrey, and objects to the New Mexico Oil Conservation Division granting the application of C & C Landfarm Inc. for a proposed commercial surface disposal facility ("Landfarm") in the SW/4NE/4 of Section 3, T20S, R37E, NMPM, Lea County, New Mexico, and in support states:

(1) AFFECTED PARTY:

Elsie M. Reeves ("Reeves"), is a property owner in Section 4 and 9, T20S, R37E in the vicinity of the area of subject application and is affected by this application.

(2) NOTIFICATION:

The applicant has failed to timely notify the interested and affected parties and the Application should be dismissed.

(3) AREA REQUESTED:

Applicant's application requests approval of a 40 acre tract but proposes to use only 2 acres. The application, if approved, should be confined to the 2 acre tract.

(4) OCD CONDITIONS OF APPROVAL

The Division's Conditions of Approval attached to the Division's May 20, 1992 notification letter are flawed. For example, OCD Condition (5) proposes to grant the Applicant significantly greater disposal authority than the Applicant has requested in its application. For example, OCD Condition (10) is inadequate.

(5) FAILURE TO PROTECT GROUND WATER, HUMAN HEALTH AND THE ENVIRONMENT:

At the NMOCD hearing, Reeves will present a geological engineer as a qualified expert witness to present evidence that the granting of the application as contemplated by the Division fails to protect human health and the environment and constitutes a risk of contamination of ground water, including the following:

(a) The Applicant's proposed plan will place as risk shallow water wells located down-dip from the proposed landfarm which will be subject to contamination from seepage of leachate contaminants.

(b) The Applicant's plans to prevent migration of contaminants down gradient along the red bed surface is inadequate.

(c) The proposed monitor wells are improperly located and will not afford adequate assurance of detection of contaminants.

(d) The propose dike identified in OCD Condition (10) is insufficient and conditions of compaction and verification are inadequate to stop the mobility of the leachate contaminants.

(e) The composition of the berm is not environmentally safe.

(f) Additional soil tests should be performed on the redbed soil including:

- (1) Falling head permeability tests,
- (2) Soil property tests,
- (3) Cation Exchange Capacity tests,

Elsie M. Reeves
Request for Hearing/Statement of Objections
Page 5

Respectfully submitted,

KELLAHIN, KELLAHIN & AUBREY

BY 

W. Thomas Kellahin

P. O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285

Attorneys for Applicant

appt605.645

(g) Applicant need to perform liquid and plastic test on the redbeds.

(h) The applicant's proposed barrier is inadequate for its proposed landfarm.

(i) Applicant's geology is inadequate and fails to include an east-west cross section.

(6) PROCEDURE:

Reeves hereby Moves that:

(a) The application be set on the Examiner's docket now scheduled for July 23, 1992, as may be continued,

(b) The applicant be required to satisfy the Division's notice requirement for this hearing as modified by the Uhden case.

(c) The applicant be required to meet the burden of proof by substantial evidence, and

(d) That a full and complete evidentiary hearing be conducted by the Division's Chief Hearing Examiner with all parties having the right to present evidence and to cross-examine witnesses.