

GW - 358

**GENERAL
CORRESPONDENCE**

YEAR(S):

2005

AFFIDAVIT OF PUBLICATION

State of New Mexico,
County of Lea.

I, KATHI BEARDEN

Publisher

of the Hobbs News-Sun, a
newspaper published at
Hobbs, New Mexico, do solemnly
swear that the clipping attached
hereto was published once a
week in the regular and entire
issue of said paper, and not a
supplement thereof for a period.

of 1

weeks.

Beginning with the issue dated

November 26 2005

and ending with the issue dated

November 26 2005

Kathi Bearden

Publisher

Sworn and subscribed to before

me this 28th day of

November 2005

[Signature]
Notary Public.

My Commission expires
February 07, 2009
(Seal)



OFFICIAL SEAL
DORA MONTZ
NOTARY PUBLIC
STATE OF NEW MEXICO

My Commission Expires: _____

This newspaper is duly qualified
to publish legal notices or adver-
tisements within the meaning of
Section 3, Chapter 167, Laws of
1937, and payment of fees for
said publication has been made.

LEGAL NOTICE
November 26, 2005

NOTICE OF PUBLICATION

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

Notice is hereby given that pursuant to the New Mexico Water Quality Control Commission Regulations, the following discharge permit application has been submitted to the Director of the Oil Conservation Division, 1220 South St. Francis Drive, Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

(GW-358) - Lobo Trucking, LTD, Mr. Joe Smith, (505) 391-1331, P.O. Box 2914, Hobbs, New Mexico 88240, has submitted a discharge permit application for its Hobbs facility located in the SW/4 NW/4, Section 28, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico. The discharge permit addresses how oilfield products and wastes will be properly handled, stored and disposed of, including how spills, leaks, and other accidental discharges to the surface will be managed in order to protect fresh water. Ground water most likely to be affected in the event of an accidental discharge is at a depth of approximately 55 feet with a total dissolved solids concentration of approximately 370 mg/l. The application can be viewed at <http://www.emnrd.state.nm.us/emnrd/ocd/ENV-DraftPublicEtc.htm>

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 discharge permit application may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed discharge 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 and public hearing may be requested by any interested person. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

If no hearing is held, the Director will approve or disapprove the permit based on the information available. If a public hearing is held, the Director will approve the permit based on the information in the permit and information presented at the hearing.

GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 16th day of November 2005.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

MARK FEISMIE, P.E., Director
#21968

49100175000

67534698

LOBO TRUCKING
P.O. BOX 2914
HOBBS, NM 88240



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

November 16, 2005

Mr. Joe Smith
Lobo Trucking, LTD
P.O. Box 2914
Hobbs, NM 88240

RE: Lobo Trucking, LTD Discharge Permit Application
For Facility Located in SW/4 NW/4 Sec. 28, TWP 18 South, RNG 38 East
Dated October 17, 2005

Dear Mr. Smith:

The New Mexico Oil Conservation Division (NMOCD) has received and reviewed the application shown above. The discharge permit is hereby deemed administratively complete. Lobo Trucking, LTD (Lobo) must issue public notice, by December 15, 2005, pursuant to 20.6.2.3108 NMAC. Pertinent parts of this regulation are shown below. Please note paragraph B showing proof of publication, which will be required by the NMOCD prior to taking action on your application.

20.6.2.3108 PUBLIC NOTICE AND PARTICIPATION:

A. Within 30 days of submission of an application for discharge permit, modification or renewal:

(1) The applicant shall provide notice, in accordance with the requirements of Section E of this Section, to the general public in the locale of the proposed discharge in a form provided by the department by each of the three methods listed below:

- (a) prominently posting a synopsis of the public notice, in English and in Spanish, at a conspicuous public location, approved by the department, at or near the existing or proposed facility for 30 days; and
- (b) providing written notice of the discharge by certified mail, return receipt requested, to owners of record of all adjacent properties; and
- (c) providing notice by certified mail, return receipt requested, to the owner of the discharge site if the applicant is not the owner;

(2) In lieu of the public notice requirements of Subparagraph (b) of Paragraph (1) of Subsection A above, the applicant may publish a synopsis of the notice in a display ad at least two inches by three inches in a newspaper of general circulation in the location of the proposed discharge.

(3) In lieu of the public notice requirements of Subparagraph (a) and (b) of Paragraph (1) of Subsection A above, the applicant may provide notice of the discharge by certified mail, return receipt requested, to property owners of record within 1/2 mile of the discharge site on a form provided by the department.

(4) If there are no adjacent properties other than properties owned by the discharger, the applicant shall, in lieu of the requirements in Subparagraph (b) of Paragraph (1) of Subsection A above, publish a synopsis of the notice in a display ad at least two inches by three inches in a newspaper of general circulation in the location of the facility.

B. Within fifteen days of completion of the public notice requirements in Subsection A of this Section, the applicant shall submit to the department proof of notice, including certified mail receipts and an affidavit of posting, as appropriate. If the department determines that the notice provided pursuant to Subsection A of this Section is inadequate, the department may require additional notice in accordance with Subsection A of this Section.

Lobo Trucking, LTD
Discharge Permit Application
November 16, 2005
Page 2 of 3

Public notice format is shown on the attachment to this letter.

If you have any questions, please contact Ed Martin at (505) 476-3492 or ed.martin@state.nm.us

NEW MEXICO OIL CONSERVATION DIVISION

A handwritten signature in black ink, appearing to read "Roger C. Anderson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Roger C. Anderson
Environmental Bureau Chief

Copy: NMOCD, Hobbs
Controlled Recovery, Inc.

NOTICE OF PUBLICATION

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

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GIVEN under the Seal of New Mexico Conservation Commission at Santa Fe, New Mexico, on this 16th day of November 2005.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

SEAL

MARK FEISMIER, P.E., Director

CRI
CONTROLLED RECOVERY INC.

P.O. BOX 388, HOBBS, NM 88241
(505) 393-1079 • FAX (505) 393-3615

October 17, 2005

State of New Mexico Energy Minerals and Natural Resources
Oil Conservation Division
1220 South St. Frances Dr.
Santa Fe, New Mexico 87505

GW-358

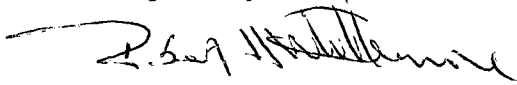
RE: Lobo Trucking LTD - Discharge Plan

To Whom it May Concern;

We are respectfully submitting for your review and approval the above reference plan. Enclosed find the Lobo Trucking application fee check number 20172 in the amount of \$100 and the original plus one copy of the Lobo Trucking, LTD Discharge Plan.

If you have any comments or question, do not hesitate to contact me at the above address or telephone number.

Respectfully,



Robert H. Whittemore
Project Manager

RHW:RHW

Enclosures/2/

cc: OCD Division 1
 Lobo Trucking, LTD
 File Copy

I hereby acknowledge receipt of check No. [REDACTED] dated 10-14-05,
or cash received on 11-17-05 in the amount of \$ 100.00
from LOBO TRUCKING LTD.
for GW-358 FILING Fee
(Facility Name)
Submitted by: _____ Date: _____ (DP No.)
Submitted to ASD by: ED MARTIN Date: 11-17-05
Received in ASD by: _____ Date: _____
Filing Fee ☒ New Facility _____ Renewal _____
Modification _____ Other _____
(signature)
Organization Code 521.07 Applicable FY 2006
~~2001~~

To be deposited in the Water Quality Management Fund.
Full Payment ☒ or Annual Increment _____

Cyndi Barola

Pay
to the
order
of