



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

6/8/2004

Marks and Gardner Prod. Co. Ltd.
Att: Devin Garner
P.O. Box 70
Lovington, N.M. 88260

Re: 30-015-24991 Ut.I sec. 5-17s-29e
Cave Pool Unit Central Tank Battery.

Dear Mr. Devin Garner,

The Artesia Oil Conservation Division is in receipt of the initial C-141 form (copy included) dated 5/26/2004 from Marks and Garner Prod. Co. Ltd.

Please submit a Corrective Action work plan to the Artesia O.C.D. for correction of this release. Please use the "Guidelines For Remediation of leaks, spills, and releases" as your guide.

A copy of the Guidelines for Remediation of Leaks, Spills, and Releases, published 1993, can be found at the O.C.D. web address WWW.EMNRD.STATE.NM.US/OCD. The published document can be found on the O.C.D. web page under Publications/Environmental Handbook/Miscellaneous Guidelines/Spill Prevention Clean up.

The work plan presented to the O.C.D. must include general site characteristics, soil remediation action levels, soil remediation methods, and planned analytical, which will require testing for TPH, B-Tex.

A Final C-141 form is required for closure of the initial C-141 form filed. The Final C-141 Form filed must include a report of remediation actions taken with analytical results attached

Please have the requested work plan in the Artesia office on or before 7/8/2004.

The Artesia O.C.D. must be notified 24 hours prior to any remediation actions and/or subsequent soil samples taken for analytical.

In the event that a satisfactory response is not received to this letter further enforcement will occur. Such enforcement may include this office applying to the Division for an order summoning you to a hearing before a Division Examiner in Santa Fe. Such a hearing may result in imposition of **CIVIL PENALTIES** for your violation of OCD rules.

If I can be of assistance in this matter please do not hesitate to contact me at 505-748-1283
Or E-mail me at MSTUBBLEFIELD@STATE.NM.US.

Sincerely,

Mike Stubblefield

Environ. Eng. Spec.

N.M.O.C.D.

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-141
Revised October 10, 2003

Submit 2 Copies to appropriate
District Office in accordance
with Rule 116 on back
side of form

30-015-24991

Release Notification and Corrective Action

OPERATOR

Initial Report Final Report

Name of Company Marks and Garner Prod. Co. Ltd	Contact Devin Garner
Address P.O. Box 70 Lovington NM 88260	Telephone No. (505) 631-4770
Facility Name Gathering system for Central SWD	Facility Type Gathering system for produced water
Surface Owner N/A	Mineral Owner Marks and Garner Prod. Co. Ltd. Lease No. N/A

LOCATION OF RELEASE

Unit Letter	Section	Township	Range	Feet from the	North/South Line	Feet from the	East/West Line	County
	4	17S	29E	660	FNL	2310	FEL	Eddy

Latitude _____ Longitude _____

NATURE OF RELEASE

Type of Release Water and Oil	Volume of Release 1BBL Oil & 3 BBL Water	Volume Recovered N/A
Source of Release Gathering system for produced water for surrounding wells	Date and Hour of Occurrence 5-18-04 0400	Date and Hour of Discovery 5-18-04 0700
Was Immediate Notice Given? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Required	If YES, To Whom?	
By Whom?	Date and Hour	
Was a Watercourse Reached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If YES, Volume Impacting the Watercourse.	

If a Watercourse was Impacted, Describe Fully.*

Describe Cause of Problem and Remedial Action Taken.*
The central gathering system centrifugal pump had failed to come on and therefore the water from the surround wells had accumulated in the tanks and had run over. Discovered problem and fixed electrical on pump and water and oil had evaporated before vacuum truck could be located.

Describe Area Affected and Cleanup Action Taken.*
There is about a 100' X 100' area that the spill had affected and we intend on getting a backhoe and remove all old dirt down to 2' and replacing it with fresh new dirt.

I hereby certify that the information given above is true and complete to the best of my knowledge and understand that pursuant to NMOCD rules and regulations all operators are required to report and/or file certain release notifications and perform corrective actions for releases which may endanger public health or the environment. The acceptance of a C-141 report by the NMOCD marked as "Final Report" does not relieve the operator of liability should their operations have failed to adequately investigate and remediate contamination that pose a threat to ground water, surface water, human health or the environment. In addition, NMOCD acceptance of a C-141 report does not relieve the operator of responsibility for compliance with any other federal, state, or local laws and/or regulations.

Signature:		OIL CONSERVATION DIVISION	
		Approved by District Supervisor:	
Printed Name: Devin Garner		Approval Date:	Expiration Date:
Title: Supervisor		Conditions of Approval:	
E-mail Address: Garneroil@yahoo.com		Attached <input type="checkbox"/>	
Date: 5-26-04	Phone: (505) 631-4770		

* Attach Additional Sheets If Necessary