



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

Response Required – Deadline Enclosed

Field Inspection Program

"Preserving the Integrity of Our Environment"

23-Oct-09

LOV NO. 02-09-099

MERIT ENERGY COMPANY, LLC

13727 NOEL ROAD, SUITE 500

DALLAS TX 75240

LETTER OF VIOLATION - Inspection

Dear Operator:

The following inspection(s) indicate that the well, equipment, location or operational status of the well(s) failed to meet standards of the New Mexico Oil Conservation Division as described in the detail section below. To comply with standards imposed by Rules and Regulations of the Division, corrective action must be taken immediately and the situation brought into compliance. The detail section indicates preliminary findings and/or probable nature of the violation. This determination is based on an inspection of your well or facility by an inspector employed by the Oil Conservation Division on the date(s) indicated.

Please notify the proper district office of the Division, in writing, of the date corrective actions are scheduled to be made so that arrangements can be made to reinspect the well and/or facility.

INSPECTION DETAIL SECTION

H E WEST B No.033

L-3-17S-31E

30-015-25944-00-00

Inspection Date	Type Inspection	Inspector	Violation?	*Significant Non-Compliance?	Corrective Action Due By:	Inspection No.
10/26/2009	Routine/Periodic	Tim Gum	Yes	No	11/13/2010	iTWG0929639740

Comments on Inspection: Produced water (from water injection well) contamination on location and over old pit area. Violation of Rule 19.15.29 NMAC.
Pumper was notified of release and instructed to submit a Form C-141 and remediation plan . These two documents have not been received to date.

Corrective action to be taken 1.) submit Form C-141 along with a plan of remediation to address the noted contaminated areas (location and pit area). 2.) Send to attention Tim W. Gum.

Corrective action to be taken by 11/13/09.

In the event that a satisfactory response is not received to this letter of direction by the "Corrective Action Due By:" date shown above, 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 to show cause why you should not be ordered to permanently plug and abandon this well. Such a hearing may result in imposition of CIVIL PENALTIES for your violation of OCD rules.

Sincerely,



Artesia OCD District Office

Note: Information in Detail Section comes directly from field inspector data entries - not all blanks will contain data.

*Significant Non-Compliance events are reported directly to the EPA, Region VI, Dallas, Texas.