



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Betty Rivera

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

File
Copy

20 November 2002

BP America Production
P.O. Box 1089
Eunice, New Mexico 88231

RE: Empire Abo Unit "F" # 334	E-34-17-28	30-015-22910
Empire Abo Unit "F" # 336	E-34-17-28	30-015-22919

Dear Sirs:

Both of the wells above are in violation of Rule 203. These wells must be brought into compliance. Each well has had their temporary Abandonment status expire and have failed a MIT.

Rule 201 of the New Mexico Oil Conservation Division provides as follows:

203 TEMPORARY ABANDONMENT

203.A. WELLS WHICH MAY BE TEMPORARILY ABANDONED

(1) The Division may permit any well which is required to be properly abandoned under these rules but which has potential for future beneficial use for enhanced recovery or injection, and any other well for which an operator requests temporary abandonment, to be temporarily abandoned for a period of up to five (5) years. Prior to the expiration of any approved temporary abandonment the operator shall return the well to beneficial use under a plan approved by the Division, permanently plug and abandon said well or apply for a new approval to temporarily abandon the well. [7-12-90...2-1-96]

203.B. REQUEST FOR APPROVAL AND PERMIT

(1) Any operator seeking approval for temporary abandonment shall submit on Form C-103, Sundry Notices and Reports on Wells, a notice of intent to temporarily abandon the well describing the proposed temporary abandonment procedure to be used. No work shall be commenced until approved by the Division and the operator shall give 24 hours notice to the appropriate District office of the Division before work actually begins. [7-12-90...2-1-96]

(2) No temporary abandonment shall be approved unless evidence is furnished to show that the casing of such well is mechanically sound and in such condition as to prevent:

(a) damage to the producing zone;

- (b) migration of hydrocarbons or water;
- (c) the contamination of fresh water or other natural resources; and
- (d) the leakage of any substance at the surface.

[7-12-90...2-1-96]

(3) If the well fails the mechanical integrity test required herein, the well shall be plugged and abandoned in accordance with these rules or the casing problem corrected and the casing retested within

ninety (90) days. [7-12-90...2-1-96]

(4) Upon successful completion of the work on the temporarily abandoned well, the operator will submit a request for Temporary Abandonment to the appropriate district office on Form C-103

together with such other information as is required by Rule 1103 E.(1). [7-12-90...2-1-96]

(5) The Division may require the operator to post with the Division a one-well plugging bond for the well in an amount to be determined by the Division to be satisfactory to meet the particular requirements of the well. [7-12-90...2-1-96]

(6) The Division shall specify the expiration date of the permit, which shall be not more than five (5) years from the date of approval. [7-12-90...2-1-96]

In the event that a satisfactory response is not received to this letter of direction by 21 February,

2002 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,

Van Barton
Field Rep. II