



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

File
Copy

23 January 2003

Via Certified Mail

Asher Enterprises LTD. Co.
P.O. Box 423
Artesia, New Mexico 88211-04234

RE:	NOTICE OF VIOLATION:	NMOCD Rule 201	Inactive Wells
	GRAYBURG JACKSON UNIT	001 F-26-17-30	30-015-04337
	GRAYBURG JACKSON UNIT	001 J-26-17-30	30-015-04339
	GRAYBURG JACKSON UNIT	004 P-26-17-30	30-015-04341
	GRAYBURG JACKSON UNIT	008 L-26-17-30	30-015-04342
	GRAYBURG JACKSON UNIT	001 P-23-17-30	30-015-04298

Ladies and Gentlemen:

This letter shall serve as a Notice of Violation of the rules of the New Mexico Oil Conservation Division.

You were notified of this matter by letters dated 4-12-2002, and 9-20-2002. The letter dated 9-20-2002 had a deadline of 12-20-2002. After a phone call from Robin this dead line was extended to 1-20-2003. An inspection of the locations and files on 1-22-2003 found no work had been done. This certified letter is being sent in part because all of the foregoing directives have brought no response.

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

201 WELLS TO BE PROPERLY ABANDONED

201.A. The operator of any well drilled for oil, gas or injection; for seismic, core or other exploration, or for a service well, whether cased or uncased, shall be responsible for the plugging thereof. [7-12-90...2-1-96]
201.B. A well shall be either properly plugged and abandoned or temporarily abandoned in accordance with these rules within ninety (90) days after:

- (1) A sixty (60) day period following suspension of drilling operations, or
- (2) A determination that a well is no longer usable for beneficial purposes, or
- (3) A period of one (1) year in which a well has been continuously inactive.

Your above referenced wells have remained inactive for a considerably longer time than allowed under this Rule. Your failure to respond to OCD directives and failure to bring these wells into compliance are serious violations and merit a severe sanction, up to and including abandonment and plugging as well as civil penalties. In the event that this well is not brought into compliance **on or before February 28, 2003** this third and **final Notice of Violation** precedes a request to the Division that you be summoned to a hearing in Santa Fe to **Show Cause why this well should not be plugged and civil penalties assessed.**

Respectfully yours,

cc: Tim Gum, District Supervisor, District II
OCD Legal