

Perrin, Charlie, EMNRD

From: Macquesten, Gail, EMNRD
Sent: Friday, July 27, 2007 11:23 AM
To: 'sjfrie@hotmail.com'
Cc: Perrin, Charlie, EMNRD; Gum, Tim, EMNRD; Williams, Chris, EMNRD; Martin, Ed, EMNRD
Subject: building near abandoned wells

30-045-09176

Dear Mr. Frie – Thank you for your call regarding the Oil Conservation Division's rules on building structures on or near abandoned oil or gas wells.

I understand from our discussion that you own property on which a plugged and abandoned well is located, and you wish to develop the property. As we discussed, the only rule the Oil Conservation Division (OCD) has on the issue is 19.15.4.202.B(2), which provides in relevant part that, "No permanent structures preventing access to the wellhead shall be built over a plugged and abandoned well without written approval of the OCD. No plugged and abandonment marker shall be removed without the written permission of the OCD."

Although the OCD rules do not address how close a structure may come to a plugged and abandoned well, you may wish to contact the appropriate OCD district office for advice on whether the structures you intend to build would impede access to the wellhead if any work needed to be done. If your property is located in San Juan, Rio Arriba, McKinley or Sandoval county, please contact Charlie Perrin at the Aztec District Office: (505) 334-6178. If your property is located in Curry, Roosevelt or Lea county, contact Chris Williams at the Hobbs District Office: (505) 393-6161. If your property is located in DeBaca, Lincoln, Chaves, Eddy, Otero or Dona Ana county, please contact Tim Gum at the Artesia District Office (505) 748-1283. For property located in other counties, please contact Ed Martin at the Santa Fe District Office: (505) 476-3470.

Gail MacQuesten
OCD Attorney

7/31/2007