



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON
Governor
Jennifer A. Salisbury
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

August 18, 2000

Mark Farnsworth
PO Box 568
4174 US Hwy 64
Kirtland NM 87417

Well File

Re: BMNS Company, Brown #2, M-29-30N-12W, API# 30-045-09173

Dear Mr. Farnsworth:

Presently our regulations allow for below grade abandonment only for agricultural reasons. This is allowed in anticipation that there will not be residences built around them. I have a serious safety concern when residences are constructed around or over abandoned well sites because, historically, there have been some of these older plugged wells that have leaked gas, oil, or salt water to the surface. There could be a terrible tragedy if such a leak were to occur near or under a residence.

Over the years we have been advising developers, realtors, land owners, and county government about this issue. Their response has been that it is the land purchaser's responsibility to determine the condition of the land and the suitability of the land for the purpose for which it is being purchased.

Sincerely,

Frank T. Chavez
District Supervisor
ftchavez@state.nm.us

FTC/mk

Farnsworth 1 Doc

WMSNS Company, Room #2

M. 2950 N. 12th

5000 9153



Food Fair SUPERMARKET

P.O. Box 568 • 4174 US Hwy. 64 • KIRTLAND, NEW MEXICO 87417
PHONE: (505) 598-1500 • FAX: (505) 598-0500

August 9, 2000

Frank Chavez
1000 Rio Bravos
Aztec, NM 87410

Frank,

Following up on the conversation we had on the phone, I am trying to find out if the capped well (please find the enclosed description of the lot) in question, can be capped below ground, and the lot sold for residential construction.

If this well can not be capped could you please send me a letter stating this. Does the well pretty much condemn the property?

I just need to know the State of New Mexico's exact position on this property.

Thanks for your help,

Mark Farnsworth



MARK FARNSWORTH

(505) 598-6823

