

AP-079

**GENERAL
CORRESPONDENCE**

2009

AP-079

VonGonten, Glenn, EMNRD

From: Andrew Parker <andrew@rthicksconsult.com>
Sent: Tuesday, April 28, 2009 1:28 PM
To: VonGonten, Glenn, EMNRD
Cc: Hill, Larry, EMNRD; 'Matt Pride'; 'Gil Van Deventer'
Subject: Proof of written notice and publication - Stage 1 Abatement Plan Proposal for the State X #1 Site (AP-79)
Attachments: Proof of Publication AP-79.pdf

Glenn:

On behalf of Pride Energy Company, attached is proof of written notice and proof of publication for the Stage 1 Abatement Plan Proposal for the State X #1 Site (AP-79) as required by OCD Rule Part 30.15. A hard copy has also been sent to you today via certified mail. Email copies were also mailed to the Hobbs District 1 Office and Pride Energy.

On March 20, 2009, written notice was sent to interested parties by certified mail or email as directed by NMOCD. Public notices were published in the Hobbs News-Sun and the Santa Fe New Mexican on March 24, 2009.

If you have any questions please call me at 505-266-5004 or Matt Pride at 918-524-9200.

Thanks,

Andrew Parker
R.T. Hicks Consultants
Cell: 505-350-5535

This inbound email has been scanned by the MessageLabs Email Security System.

R. T. HICKS CONSULTANTS, LTD.

901 Rio Grande Blvd NW ▲ Suite F-142 ▲ Albuquerque, NM 87104 ▲ 505.266.5004 ▲ Fax: 505.266-0745

April 27, 2009

Mr. Glenn von Gonten
New Mexico Energy, Minerals, & Natural Resources
Oil Conservation Division, Environmental Bureau
1220 S. St. Francis Drive
Santa Fe, New Mexico 87504

**RE: Proof of Written Notice and Proof of Publication For Stage 1 Abatement Plan Proposal
State X #1 Site (AP-79)
T12S-R34E-Section 1 Lea County, New Mexico**

Mr. von Gonten:

On behalf of Pride Energy Company, enclosed is proof of written notice and proof of publication for the Stage 1 Abatement Plan Proposal for the above-referenced site as required by OCD Rule Part 30.15.

On March 20, 2009, written notice was sent to interested parties by certified mail or email as directed by NMOCD. The Notice of Publication and mailing lists of interested parties are included in Attachment A.

Public notices were published in the Hobbs News-Sun and the Santa Fe New Mexican on March 24, 2009. Affidavits of publication are included in Attachment B.

We look forward to working with you on this project. If you have any questions please call me at 505-266-5004 or Matt Pride at 918-524-9200.

Sincerely,

Andrew Parker
R.T. Hicks Consultants

cc (via email): Matt Pride (Pride Energy Co., Tulsa, OK)
 Larry Hill (NMOCD -District 1, Hobbs, NM)

APPENDIX A

NOTICE OF PUBLICATION

**State of New Mexico
Energy, Minerals and Natural Resources Department
Oil Conservation Division**

Notice is hereby given that pursuant to Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 1220 S. St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Matthew L. Pride, President of Pride Production Co., Inc., which is a General Partner of Pride Energy Company, an Oklahoma General Partnership, Telephone (918) 524-9200, P. O. Box 701950, Tulsa, Oklahoma 74170, has submitted a Stage 1 Abatement Plan Proposal (AP- 79) for the State X #1 site, located in Section 1, Township 12 South, Range 34 East, Lea County, New Mexico, approximately 10 miles west of Tatum, New Mexico. Pride Energy Company is the operator of an oil and gas well at the site. A former drilling pit is a suspected source of a release of brines into the vadose zone and groundwater at the site. Assuming that the release of brine occurred after drilling was completed in October 2006, the down gradient extent of ground water impairment could be 80 feet southeast (down gradient) of the former drilling pit. The volume of any release is unknown. The Stage 1 Abatement Plan includes (1) a description of the site, site maps, and discussion of the site history including the nature of the release, (2) a description of the site geology and hydrology, (3) results of previous investigations, (4) the proposed characterization program, which includes the installation of soil borings and/or monitoring well(s) to delineate the vertical and horizontal extent of the constituents of concern, (5) a quality assurance plan, (6) assessment of restoration options, and (7) a schedule of proposed activities.

The division has determined that the application satisfies the requirements of OCD Rule Part 30.13C and is therefore, administratively complete. The division will accept written comments on the abatement plan if the director receives them within 30 days after the date of publication of the public notice. Persons who are interested in obtaining further information, submitting comments, or wish to be placed on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The application and administrative completeness determination may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, or may also be viewed at the OCD web site (<http://www.emnrd.state.nm.us/ocd>). Persons who are interested in obtaining a copy of the application and administrative completeness determination may contact Jim Snyder at the address given above, or by telephone at 505-476-3484, or by email at Jim.Snyder@state.nm.us.

Mailing List:

1. Surface owners within one mile (parcel post)
 - a. State QE 13 #1:
 - i. A.D. Jones Estate, Inc. Attn. Dirk Jones HC 12, Box 25 Tatum, NM 88267
2. Federal, State, and Local Agencies (certified mail)
 - a. Office of Natural Resources Trustee Attn: Jim Baca 610 Gold Avenue SW, Suite 236 Albuquerque, New Mexico 87102
 - b. New Mexico State Land Office, Commissioner of Public Lands P.O. Box 1148 Santa Fe, NM 87504-1148
 - c. Lea County Commission 100 North Main Lovington, NM 88260-4030
 - d. New Mexico Oil Conservation Division Attn: Glenn Von Gonten 1220 South St. Francis Drive Santa Fe, NM 87505
3. Attached List (email only)
4. City Officials
 - a. none (< 1-mile for city limits)
5. Tribal Lands (certified mail)
 - a. none

EMAIL LIST:

Bruce Thompson, Director, NM Department of Game & Fish
Email: Bruce.thompson@state.nm.us

Matthew Wunder, Chief, Conservation Services, NM Department of Game & Fish
Email: matthew.wunder@state.nm.us

Alvin Warren, Cabinet Secretary, Indian Affairs Department
Email: alvin.warren@state.nm.us

Director, Agriculture Programs and Resources Division, Soil and Water Conservation
Bureau, New Mexico Department of Agriculture
Email: ddapr@nmda.nmsu.edu

Linda Rundell, State Director, Bureau of Land Management
Email: Linda_Rundell@nm.blm.gov

Phil Sisneros and Lynn Southard, Attorney General's Office,
Email: psisneros@nmag.gov and lsouthard@nmag.gov

Randy Hicks, R. T. Hicks Consultants, Ltd.
Email: r@rthicksconsult.com

Chris Shuey, Southwest Research & Information Center
Email: sricdon@earthlink.net

Director, State Parks & Recreation
Email: nmparks@state.nm.us

John Dantonio , State Engineer
Water Resources Division, NM Bureau of Mines & Mineral Resources
Email: john.dantonio@state.nm.us

Marie Gutierrez, New Mexico Oil & Gas Association
Email: marieg@nmoga.org and sreid@nmoga.org

William Fetner , New Mexico Trustee for Natural Resources
Email: william.fetner@state.nm.us

Jay Lazarus, Glorieta Geoscience Inc.
Email: lazarus@glorietageo.com

Marissa Stone, Secretary, New Mexico Environment Department
Email: marissa.stone@state.nm.us

Ron Dutton, Southwestern Public Service
Email: ron.dutton@xcelenergy.com

Christina Garcia, Regional Forester, USFS Regional Office
Email: cgarcia@fs.fed.us

John E. Kieling, Program Manager, Permits Management Program, HWB
Email: john.kieling@state.nm.us

Bruce S. Garber, Attorney at Law
Email: bsg@garbhall.com

Bill Olson, Chief, Groundwater Bureau
Email: Bill.Olson@state.nm.us

Claudette Horn, Environmental Counsel, Public Service Company of New Mexico
Email: claudette.horn@pnm.com

Ned Kendrick, Attorney at Law
Email: ekendrick@montand.com

Jeffrey Harris, (Los Lobos LLC), Rubin, Winston, Dierecks, Harris & Cooke, LLP
Email: jharris@rwdhc.com

Damon Seawright (Los Lobos LLC Application), Talapia Fish Farm
E-mail: dseawright@gmail.com

Karin Foster, Director, Independent Petroleum Association of New Mexico
Email: fosterassociates2005@yahoo.com and staff@ipanm.org

OCD District 1 Manager
Email: chris.williams@state.nm.us

OCD District 1 Environmental Inspector
Email: larry.johnson@state.nm.us

OCD District 1 Environmental Inspector
Email: GeoffreyR.Leking@state.nm.us

OCD District 2 Manager
Email: tim.gum@state.nm.us

OCD District 2 Environmental Inspector
Email: mike.bratcher@state.nm.us

OCD District 3 Manager
Email: charlie.perrin@state.nm.us

OCD District 3 Environmental Inspector
Email: brandon.powell@state.nm.us

OCD District 4 Manager
Email: ed.martin@state.nm.us

Track & Confirm													
<p>Search Results</p> <p>Label/Receipt Number: 7004 1350 0001 9663 5653 Status: Delivered</p> <p>Your item was delivered at 9:06 AM on March 24, 2009 in TATUM, NM 88267.</p>	<p>U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only, No Insurance Coverage Provided)</i></p> <p>For delivery information visit our website at www.usps.com</p> <p>OFFICIAL USE</p> <p>TATUM NM 88267</p> <table border="1"> <tr> <td>Postage</td> <td>\$ 40.42</td> <td rowspan="4"> 0101 ALBUQUERQUE NM 03/19/2009 </td> </tr> <tr> <td>Certified Fee</td> <td>\$2.70</td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td>\$0.00</td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td>\$0.00</td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$ 43.12</td> <td></td> </tr> </table> <p>Send To AD Jones Estate Attn: Dirk Jones Street, Apt. No. or PO Box No. HC 12 Box 25 City, State, ZIP+4 Tatum, NM 88267</p> <p>PS Form 3800, June 2002 See Reverse for Instructions</p>	Postage	\$ 40.42	0101 ALBUQUERQUE NM 03/19/2009	Certified Fee	\$2.70	Return Receipt Fee (Endorsement Required)	\$0.00	Restricted Delivery Fee (Endorsement Required)	\$0.00	Total Postage & Fees	\$ 43.12	
Postage	\$ 40.42	0101 ALBUQUERQUE NM 03/19/2009											
Certified Fee	\$2.70												
Return Receipt Fee (Endorsement Required)	\$0.00												
Restricted Delivery Fee (Endorsement Required)	\$0.00												
Total Postage & Fees	\$ 43.12												
<p>Search Results</p> <p>Label/Receipt Number: 7004 1350 0001 9663 5684 Status: Delivered</p> <p>Your item was delivered at 11:48 AM on March 20, 2009 in ALBUQUERQUE, NM 87102.</p>	<p>U.S. Postal Service CERTIFIED MAIL RECEIPT <i>(Domestic Mail Only, No Insurance Coverage Provided)</i></p> <p>For delivery information visit our website at www.usps.com</p> <p>OFFICIAL USE</p> <p>ALBUQUERQUE NM 87102</p> <table border="1"> <tr> <td>Postage</td> <td>\$ 40.42</td> <td rowspan="4"> 0101 ALBUQUERQUE NM 03/19/2009 </td> </tr> <tr> <td>Certified Fee</td> <td>\$2.70</td> </tr> <tr> <td>Return Receipt Fee (Endorsement Required)</td> <td>\$0.00</td> </tr> <tr> <td>Restricted Delivery Fee (Endorsement Required)</td> <td>\$0.00</td> </tr> <tr> <td>Total Postage & Fees</td> <td>\$ 43.12</td> <td></td> </tr> </table> <p>Send To Office of Natural Resources Attn: Jim Bacon Street, Apt. No. or PO Box No. 610 Gold Avenue SW Suite 236 City, State, ZIP+4 Albuquerque NM 87102</p> <p>PS Form 3800, June 2002 See Reverse for Instructions</p>	Postage	\$ 40.42	0101 ALBUQUERQUE NM 03/19/2009	Certified Fee	\$2.70	Return Receipt Fee (Endorsement Required)	\$0.00	Restricted Delivery Fee (Endorsement Required)	\$0.00	Total Postage & Fees	\$ 43.12	
Postage	\$ 40.42	0101 ALBUQUERQUE NM 03/19/2009											
Certified Fee	\$2.70												
Return Receipt Fee (Endorsement Required)	\$0.00												
Restricted Delivery Fee (Endorsement Required)	\$0.00												
Total Postage & Fees	\$ 43.12												

Track & Confirm

Search Results

Label/Receipt Number: **7004 1350 0001 9663 5578**
Status: **Delivered**

Your item was delivered at 10:24 AM on March 20, 2009 in SANTA FE, NM 87505.

7004 1350 0001 9663 5578



For delivery information visit our website at www.usps.com

Postage	\$	\$0.42	
Certified Fee	\$	\$2.70	
Return Receipt Fee (Endorsement Required)	\$	\$0.00	
Registered Delivery Fee (Endorsement Required)	\$	\$0.00	
Total Postage & Fees	\$	\$3.12	

Sent to: **NMOC** Attn: Glenn Van Bortem
 Street, Apt. No.:
 or PO Box No. **1220 South St. Francis Dr.**
 City, State, ZIP+4: **Santa Fe NM 87505**

Track & Confirm

Search Results

Label/Receipt Number: **7004 1350 0001 9663 5523**
Status: **Delivered**

Your item was delivered at 7:58 AM on March 23, 2009 in SANTA FE, NM 87504.

7004 1350 0001 9663 5523



For delivery information visit our website at www.usps.com

Postage	\$	\$0.42	
Certified Fee	\$	\$2.70	
Return Receipt Fee (Endorsement Required)	\$	\$0.00	
Registered Delivery Fee (Endorsement Required)	\$	\$0.00	
Total Postage & Fees	\$	\$3.12	

Sent to: **NM State Land Office, Game Public Lands**
 Street, Apt. No.:
 or PO Box No. **PO Box 1148**
 City, State, ZIP+4: **Santa Fe, NM 87504-1148**

Track & Confirm

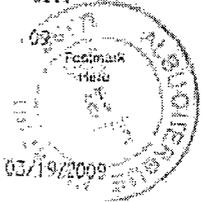
Search Results

Label/Receipt Number: **7004 1350 0001 9663 5677**
Status: **Unclaimed**

Your item was returned to the sender on April 7, 2009 because it was not claimed by the addressee.

7004 1350 0001 9663 5677

U.S. Postal Service		
CERTIFIED MAIL RECEIPT		
<i>(Domestic Mail Only; No Insurance Coverage Provided)</i>		
For delivery information visit our website at www.usps.com		
LOVINGTON NM 88260		
OFFICIAL USE		
Postage	\$ 40.42	0101
Certified Fee	\$ 2.70	
Return Receipt Fee (Endorsement Required)	\$ 0.00	
Restricted Delivery Fee (Endorsement Required)	\$ 0.00	
Total Postage & Fees	\$ 43.12	
Sent To		
Lea County Commission		
Street, Apt. No.		
or P.O. Box No. 100 North Main		
City, State, ZIP+4		
Lovington NM 88260-4030		
PS Form 3800, July 2002 See Reverse for Instructions		



From: Sandra Stout [sstout@leacounty.net] Sent: Mon 3/30/2009 3:38 PM
To: Andrew Parker
Cc:
Subject: RE: Receival of Public Notices

Thank you Andrew.

Sandra J Stout

Administrative Assistant
Lea County Commission/Manager's Office
100 North Main, Suite 4
Lovington, New Mexico 88260

(575) 396-8602 office (575) 605-1441 cell
(575) 396-2093 fax

Confidentiality Notice: This e-mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited unless specifically provided under the New Mexico Inspection of Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

-----Original Message-----

From: Andrew Parker [mailto:andrew@rthicksconsult.com]
Sent: Monday, March 30, 2009 3:33 PM
To: Sandra Stout
Cc: gilbertvandeventer@suddenlink.net
Subject: Receival of Public Notices

Sandy:

Per our conversation you should have received 5 public notices via certified mail. The receipt number is 7004 1350 0001 9663 5677. Please let me know if you receive the notices in th mail.

Until then, I have attached copies of the notices. Please distribute the public notices as appropriate to the County Commission.

Please call me if you have any questions.

Andrew Parker
R.T. Hicks Consultants
505-266-5004

APPENDIX B

THE SANTA FE
NEW MEXICAN
Founded 1849

RT Hicks Consultants
Andrew Parker
901 Rio Grande Blvd NW #F-142
Albuquerque, NM 87104

ALTERNATE ACCOUNT: 01001
AD NUMBER: 00282812 ACCOUNT: 00000123
LEGAL NO: 86945 P.O. #:
142 LINES 1 TIME(S) 154.70
AFFIDAVIT: 7.00
TAX: 12.83
TOTAL: 174.53

AFFIDAVIT OF PUBLICATION

STATE OF NEW MEXICO
COUNTY OF SANTA FE

I, L. Paquin, being first duly sworn declare and say that I am Legal Advertising Representative of THE SANTA FE NEW MEXICAN, a daily newspaper published in the English language, and having a general circulation in the Counties of Santa Fe and Los Alamos, State of New Mexico and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 on Session Laws of 1937; that the publication # 86945 a copy of which is hereto attached was published in said newspaper 1 day(s) between 03/24/2009 and 03/24/2009 and that the notice was published in the newspaper proper and not in any supplement; the first date of publication being on the 24th day of March, 2009 and that the undersigned has personal knowledge of the matter and things set forth in this affidavit.

/s/ L. Paquin
LEGAL ADVERTISEMENT REPRESENTATIVE

Subscribed and sworn to before me on this 24th day of March, 2009

Notary Mary Margaret Vigil-Weldeman
Commission Expires: 11-13-2012



NOTICE OF PUBLICATION

State of New Mexico
Energy, Minerals and
Natural Resources De-
partment
Oil Conservation Divi-
sion

Notice is hereby given that pursuant to Oil Conservation Division Regulations, the following Stage 1 Abatement Plan Proposal has been submitted to the Director of the Oil Conservation Division, 1220 S. St. Francis Dr., Santa Fe, New Mexico 87505, Telephone (505) 476-3440:

Matthew L. Pride, President of Pride Production Co., Inc., which is a General Partner of Pride Energy Company, an Oklahoma General Partnership, Telephone (918) 524-9200, P. O. Box 701950, Tulsa, Oklahoma 74170, has submitted a Stage 1 Abatement Plan Proposal (AP-79) for the State X #1 site, located in Section 1, Township 12 South, Range 34 East, Lea County, New Mexico, approximately 10 miles west of Tatum, New Mexico. Pride Energy Company is the operator of an oil and gas well at the site. A former drilling pit is a suspected source of a release of brines into the vadose zone and groundwater at the site. Assuming that the release of brine occurred after drilling was completed in October 2006, the down gradient extent of ground water impairment could be 80 feet southeast (down gradient) of the former drilling pit. The volume of any release is unknown. The Stage 1 Abatement Plan includes (1) a description of the site, site maps, and discussion of the site history including the nature of the release, (2) a description of the site geology and hydrology, (3) results of previous investigations, (4) the proposed characterization program, which includes the installation of soil borings and/or monitoring well(s) to delineate the vertical and horizontal extent of the constituents of concern, (5) a quality assurance plan, (6) assessment of restoration options, and (7) a schedule of proposed activities.

The division has determined that the application satisfies the requirements of OCD Rule Part 30.13C and is therefore, administratively complete. The division will ac-

cept written comments on the abatement plan if the director receives them within 30 days after the date of publication of the public notice. Persons who are interested in obtaining further information, submitting comments, or wish to be placed on a facility-specific mailing list for future notices may contact the Environmental Bureau Chief of the Oil Conservation Division at the address given above. The application and administrative completeness determination may be viewed at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, or may also be viewed at the OCD web site (<http://www.emnrd.state.nm.us/ocd>). Persons who are interested in obtaining a copy of the application and administrative completeness determination may contact Jim Snyder at the address given above, or by telephone at 505-476-3484, or by email at Jim.Snyder@state.nm.us.
Legal No. 86945
Pub. March 24, 2009

Affidavit of Publication

State of New Mexico,
County of Lea.

I, KATHI BEARDEN
PUBLISHER

of the Hobbs News-Sun, a
newspaper published at Hobbs, New
Mexico, do solemnly swear that the
clipping attached hereto was
published in the regular and entire
issue of said newspaper, and not a
supplement thereof for a period

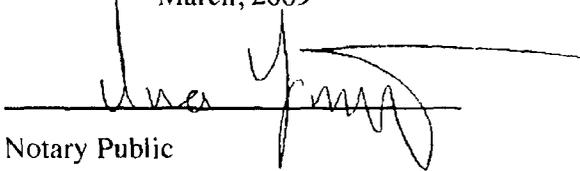
of 1 issue(s).

Beginning with the issue dated
March 24, 2009
and ending with the issue dated
March 24, 2009



PUBLISHER

Sworn and subscribed to before me
this 24th day of
March, 2009



Notary Public

My commission expires
February 09, 2013
(Seal)



This newspaper is duly qualified to
publish legal notices or
advertisements within the meaning of
Section 3, Chapter 167, Laws of
1937 and payment of fees for said
publication has been made.

LEGAL
MARCH 24, 2009

NOTICE OF PUBLICATION
State of New Mexico
Energy, Minerals and Natural Resources Department
Oil Conservation Division

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#24819

67104327 00027924
TRIDENT ENVIRONMENTAL
P.O. BOX 7624
MIDLAND, TX 79708