AP- 42

# GENERAL CORRESPONDENCE

YEAR(S): 2008

# RICE Operating Company

122 West Taylor • Hobbs, NM 88240 Phone: (505) 393-9174 • Fax: (505) 397-1471

2008 AUG 19 PM 2 47

RECEIVED

# CERTIFIED MAIL RETURN RECEIPT NO. 7007 0220 0001 1736 1159

August 14, 2008

Mr. Edward Hansen New Mexico Energy, Minerals, & Natural Resources Oil Conservation Division, Environmental Bureau 1220 S. St. Francis Drive Santa Fe, New Mexico 87505

RE: 1

EME Jct. M-16-1 (AP-42)

**PUBLIC NOTIFICATION PROOF** 

Mr. Hansen:

In accordance with Rule 19 (Section 19.15.1.19 NMAC, Subsection G) Public Notice requirements, please accept the enclosed copies of proof that the appropriate individuals and entities were notified of the Stage 2 Abatement Plan submitted by Arcadis for the M-16-1 Junction Box Site on January 30, 2007. In an e-mail dated July 1, 2008, the Oil Conservation Division (OCD) notified Rice Operating Company (ROC) that the Stage 2 Abatement Plan was conditionally administratively complete and directed ROC to proceed with public notice.

Notices were sent via certified mail to landowners within the prescribed radius and return receipts were received for landowners indicated in the attached spreadsheet. Mailings were also sent to the Lea County Commission and the list of Interested Parties found on the OCD website. One individual on the Interested Parties list was notified via e-mail to the address provided on the list. Thirty-three total notifications were sent and three were not delivered. The notification to Mike Schultz of the International Technology Corp. (from the OCD Interested Parties list) was returned as "attempted-not known." Previous mailings to this address have been refused. The notification to Elmo Baca, the State Historic Preservation Officer (from the OCD Interested Parties list) was returned as "not deliverable as addressed, unable to forward" and could not be confirmed via e-mail. The notification to Colin Adams could not be confirmed via mail or e-mail.

As directed by OCD, the Stage 2 Abatement Plan notifications were published in the *Albuquerque Journal* on July 10, 2008 and the *Hobbs News-Sun* newspapers on July 11, 2008. Affidavits for these publications are enclosed.

ROC requests that OCD consider public notice complete for this abatement plan. Should you have any further questions regarding this request, do not hesitate to contact me. Thank you for your consideration.

ROC is the service provider (agent) for the Eunice Monument Eumont (EME) SWD System and has no ownership of any portion of the pipeline, well, or facility. The System is owned by a consortium of oil producers, System Partners, who provide all operating capital on a percentage ownership/usage basis.

RICE OPERATING COMPANY

Hack Conder

**Environmental Manager** 

enclosures:

summary table of notifications,

newspaper affidavits, return receipt copies,

e-mail copies

electronic version on cd

cc:

MB, Arcadis, file, Wayne Price (NMOCD), Chris Williams

### NOTICE OF PUBLICATION

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

Notice is hereby given that pursuant to New Mexico Oil Conservation Division Regulations, the following Stage 2 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:

Rice Operating Company, Marvin Burrows, Engineering Manager, Telephone (505) 393-9174, 122 West Taylor, Hobbs, New Mexico 88240, has submitted a Stage 2 Abatement Plan Revision Proposal for the Pipeline Junction EME M-16-1, located in Section 16, Township 20 south, Range 37 east, Lea County, New Mexico, near the town of Monument, New Mexico. Rice Operating Company operates a saltwater disposal pipeline at the site. Soil impacts at the site include chlorides and TPH. Groundwater samples exhibit elevated chloride concentrations. The Stage 2 Abatement Plan Proposal presents the following site soil and groundwater investigation activities: Perform a one-mile water well inventory, further delineation of the vertical and lateral extent of soil impact, and a groundwater recovery system will be installed to treat for an estimated chloride mass removal.

Any interested person may obtain further information from the Oil Conservation Division and may submit written comments to the Director of the Oil Conservation Division at the address given above. The Stage 2 Abatement Plan Revision Proposal may be viewed at the above address or at the Oil Conservation Division District Office, 1625 N. French Drive, Hobbs, New Mexico 88240, Telephone (505) 393-6161 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Prior to ruling on any proposed Stage 2 Abatement Plan, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which written requests for a public hearing that includes reasons why a hearing should be held and written comments may be submitted to him.

# EME jct. M-16-1

Unit 'M', Sec. 16, T20S, R37E

## Public Notice Mailings (07-08-08) Stage 2 Abatement Plan

		De	elivery Sta	tus	
	Landowner or Interested Party	Delivered US Mail	Delivered e-mail	Not Delivered	Comments
1	Jimmie T. Cooper Star Route A, Box 55 Monument, NM 88265	Х			Return Receipt Received
2	Thaddeus Kostrubala New Mexico State Land Office P.O. Box 1148 Santa Fe, NM 87504-1148	х			Return Receipt Received
3	C/O Bank of America/Tim Wolters Millard Deck Trust P.O. Box 270 Midland, TX 79702	х			Return Receipt Received
4	Trent Stradley S&W Cattle Company P.O. Box 1800 Hobbs, NM 88240	X			Return Receipt Received
5	Lea County Administration Office Attn: Lue Ethridge 100 N. Main Street, Suite 4 Lovington, NM 88260	X			Return Receipt Received
6	Attorney General's Office P.O. Box 1508 Santa Fe, NM 87504	x			Return Receipt Received
7	Bruce S. Garber Attorney at Law P.O. Box 0850 Santa Fe, NM 87504-0850 Email: bsg@garbhall.com	X			Return Receipt Received
8	State Director Bureau of Land Management P.O. Box 27115 Santa Fe, NM 87502-0115	X			Return Receipt Received
9	Chief Groundwater Bureau Runnels Building Santa Fe, NM 87504 Email: Bill.Olsen@state.nm.us	Х			Return Receipt Received
10	Chief Hazardous Waste Bureau Runnels Building Santa Fe, NM 87504 E-Mail: James.Bearzi@state.nm.us	Х			Return Receipt Received
11	Gerald R. Zimmerman Colorado River Board of Calif. 770 Fairmont Ave. Ste 100 Glendale, CA 91203-1035 e-mail: jcc_crb@pacbell.net	х			Return Receipt Received

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12	Jack A Barnett Colorado River Basin Ctrl. Forum 106 West 500 South Suite 101	х		Return Receipt Received
	Bountiful, UT 84010 Email: James.Bearzi@state.nm.us			
	Department of Game & Fish Director Villagra Building	Х		Return Receipt Received
13_	Santa Fe, NM 87503			
14	Dr. Harry Bishara P.O. Box 748 Cuba, NM 78013	Х		Return Receipt Received
15	Colin Adams Environmental Counsel Public Service Company of new Mexico 414 Silver, Southwest Albuquerque, NM 87158		x	Sent, Unknown; E-mailed 8/5/2008, Unknown
16	Email: cadams@pnm.com  Mike Schulz International Technology Corp. 5301 Central Avenue, N.E Suite 700 Albuquerque, NM 87108 E-mail: mschulz@theitgroup.com		х	Return to Sender/ Attempted Unknown
17_	Jay Lazarus P.O. Box 5727 Santa Fe, NM 87502 E-mail: Lazarus@glorietageo.com	х		Return Receipt Received
18	Ken Marsh P.O. Box 388 Hobbs, NM 88241	X		Return Receipt Received
19	Lee Wilson & Associates P.O. Box 931 Santa Fe, N.M. 87501 E-mail: lwa@lwasf.com	х		Return Receipt Received
20	Ned Kendrick Attorney at Law 325 Paseo de Peralta Santa Fe, NM 87501 E-mail: ekendrick@montand.com	Х		Return Receipt Received
21_	Secretary New Mexico Environment Department P.O. Box 26110 Santa Fe, NM 87504 E-mail: Cathy. Tyson@state.nm.us	х		Return Receipt Received
22	Lynn Brandvold NM Bureau of Mines & Mineral Resources NM Institute of Mining & Tech. Socorro, NM 87801	Х		Return Receipt Received
23_	NM Oil & Gas Association P.O. Box 1864 Santa Fe, NM 87504-1864	Х		Return Receipt Received
24	Randy Hicks 910 Rio Grande Blvd. NW Suite F-142 Albuquerque, NM 87104	X		Return Receipt Received

	TOTALS	29	1	3	
33	William Turner New Mexico Trustee for Natural Resources C/O American Ground Water consultants 610 Gold St. SW, Suite 111 Albuquerque, NM 87102	x			Return Receipt Received
32	State Engineer Water Resources Division Bataan Building Santa Fe, NM 87503	Х			Return Receipt Received
31	Regional Forester USFS Regional Office 517 Gold Avenue SW Albuquerque, NM 87102 E-mail: cgarcia@fs.fed.us		х		Return to Sender/ Insufficient Address/ Unable to Forward; E-mailed 8/5/2008
30	Field Supervisor US Fish & Wildlife Service 2105 Osuna Road, Northeast Albuquerque, NM 87113-1001	х			Return Receipt Received
29	Director State Parks & Recreation 1220 S. St. Francis Santa Fe, NM 87505	х			Return Receipt Received
28	Elmo Baca State Historic Preservation Officer 228 East palace Avenue Villa Rivera Room 101 Santa Fe			х	Unknown, Unable to forward; E-mailed 8/5/2008, Unknown
27	Ron Dutton Southwestern Public Service P.O. Box 1261 Amarillo, Texas 79170	х			Returen Receipt Received
26	Chris Shuey Southwest Research & Information Center P.O. Box 4524 Albuquerque, NM 87106 E-mail: sricdon@earthlink.net	x			Return Receipt Received
25	Soil and Water Conservation Bureau New Mexico Department of Agriculture Agriculture Programs and Resources Division Box 30005/APR Las Cruces, NM 88003-8005	Х			Return Receipt Received

# STATE OF NEW MEXICO County of Bernalillo St

State of New Mexico Energy, Minerals and Natural Resources Department Oil Conservation Division
Notice is thereby given that pursuant to New Mexico State of New Mexico New

Bill Tafoya, being duly sworn, declares and says that he is Classified Advertising Manager of The Albuquerque Journal, and that this newspaper is duly qualified to publish legal notices or advertisements within the meaning of Section 3, Chapter 167, Session Laws of 1937, and that payment therefore has been made of assessed as court cost; that the notice, copy of which is hereto attached, was published in said paper in the regular daily edition, for \_\_\_\_\_\_\_ times, the first publication being on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_.

Sworn and subscribed to before me, a Notary Public, in and for the County of Bernaillo and State of New Mexico this

10 day of <u>fully</u> of 2008.

PRICE

42.44

Statement to come at end of month.

account number <u>C</u> 82214

OFFICIAL SEAL

Elyn Sloane

STATE OF MEN NEMCON

My Commission Expires:

CLA-22-A (R-1/93)

M

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 once a week in the regular and entire issue of said paper, and not a supplement thereof for a period.

of1
weeks.
Beginning with the issue dated
July 11 2008 and ending with the issue dated
July 11 2008
Kryw Mearden
PUBLISHER Sworn and subscribed to before
me this day of
July // 2008
Mac IIIm A

My Commission expires February 07, 2009 (Seal)



Notary Public.

OFFICIAL SEAL DORA MONTZ NOTARY PUBLIC STATE OF NEW MEXICO

My Commission Expires:

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 July 11, 2008

### NOTICE OF PUBLICATION

State of New Mexico (Series) State of New Mexico (Series) Pepartment (Oli Conservation Division (Series) Pepartment (Oli Conservation Division (Series) Pepartment (Se

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01104367000 02601431 RICE OPERATING COMPANY 122 WEST TAYLOR HOBBS, NM 88240

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Sandan County at this Sand Management of the pack of the mailpiece, or on the front if space permits.  Ned Kendrick  Attorney at Law 325 Paseo de Peralta	Santa Fe, NM 87501 Email: ekendrick@montand.com	2. Article Number (Transfer from service label) PS Form 3811, February 2004 Domestic Return Receipt	Sanbark Connect and 3. Also complete items 1, 2, and 3. Also complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.  Print your name and address on the reverse so that we can return the card to you.  Attach this card to the back of the malipiece, or on the front if space permits.	Attorney General's Office P.O. Box 1508 Santa Fe, NM 87504	2. Article Number (Transfer from service label) PS Form 3811, February 2004 Domestic R
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A. Signature  A Agent  Addressee  B. Received by (Printed Name)  C. Date of Delivery	D. Is delivery address differentially light of the lift YES, enter delivery address below:		Service type     □ Certified Mail    □ Express Mail     □ Registered    □ Return Receipt for Merchandise     □ Insured Mail    □ C.O.D.	4. Restricted Delivery? (Extra Fee)	7005 3110 0000 2019 8771	turn Receipt 102595-02-M-1540	Computationsission on paintern. A. Storature
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- Attach this card to the back of the mailpiece, or on the front if space permits.
- Article Addressed to:

mail:Bill.Olson@state.nm.us roundwater Bureau anta Fe, NM 87504 unnels Building

0000 3770 7005

□ Yes

4. Restricted Delivery? (Extra Fee) 유유나권 2019

PS Form 3811, February 2004 (Transfer from service label)

2. Article Number

Agen Addr C. Date of De D. Is delivery address different from tem 19. These If YES, enter delivery address below: The No USX AUG-72000]9 If YES, enter delivery address below: E. Received by (Printed Name)

Attach this card to the back of the mailpiece,

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图 Print your name and address on the reverse

item 4 if Restricted Delivery is desired. so that we can return the card to you.

☐ Return Receipt for Merchar ☐ Express Mail □ C.O.D. Certified Mail
Registered
Insured Mail Service Type

Email: Lazarus@glorietageo.com

Santa Fe, NM 87502

P.O. Box 5727

Jay Lazarus

4. Restricted Delivery? (Extra Fee)

□ Yes

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P C Operating Company

Hobbs, NM 88240

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Albuquerque, NM 87102 Email: cgarcia@fs.fed.us USFS Regional Office 517 Gold Avenue SW Regional Forester

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☐ Certified Mail☐ Registered☐ Insured Mail☐

Email: jcc\_crb@pacbell.net Gléndale, CA 91203-1035

C.O.D.

☐ Express Mail

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4. Restricted Delivery? (Extra Fee)

# PC Operating Company

Hobbs, NM 88240

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P C E Operating Sompany Hobbs, NM 88240 122 West Taylor



State Historic Preservation Officer

Elmo Baca

228 East Palace Avenue Villa Rivera Room 101

Santa Fe, NM 87503

RICE OPERATING HOBBS, NM JUL 1 3 2008

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From: Katie Jones [kjones@riceswd.com]

Sent: Tuesday, August 05, 2008 3:38 PM

To: 'cgarcia@fs.fed.us'

Subject: Rule 19 Public Notice (M-16-1)

### Regional Forester:

In accordance with the NMOCD Rule 19 Public Notice requirements, please find the attached public notification document. This document was originally mailed to you on July 8, 2008 but a return receipt was not received.

Katie Jones RICE Operating Company Hobbs, New Mexico

From: Sent: Christina M Garcia [cgarcia@fs.fed.us] Tuesday, August 05, 2008 3:54 PM Katie Jones

To: Katie Jone

Subject:

Rule 19 Public Notice (M-16-1)

Return Receipt

Your

Rule 19 Public Notice (M-16-1)

document:

was

Christina M Garcia/R3/USDAFS

received

by:

at:

08/05/2008 15:53:44

From: Katie Jones [kjones@riceswd.com]

Sent: Tuesday, August 05, 2008 3:41 PM

To: 'katherine.slick@state.nm.us'

Subject: Rule 19 Public Notice (M-16-1)

### State Historic Preservation Officer:

In accordance with the NMOCD Rule 19 Public Notice requirements, please find the attached public notification document. This document was originally mailed to you on July 8, 2008 but a return receipt was not received.

Katie Jones RICE Operating Company Hobbs, New Mexico

From: Katie Jones [kjones@riceswd.com]

Sent: Tuesday, August 05, 2008 3:37 PM

To: 'cadams@pnm.com'

Subject: Rule 19 Public Notice (M-16-1)

### Colin Adams:

In accordance with the NMOCD Rule 19 Public Notice requirements, please find the attached public notification document. This document was originally mailed to you on July 8, 2008 but a return receipt was not received.

Katie Jones RICE Operating Company Hobbs, New Mexico