AP- 43

GENERAL CORRESPONDENCE

YEAR(S): 2008

RICE Operating Company

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

2008 AUG 19 PM 2 47

CERTIFIED MAIL RETURN RECEIPT NO. 7007 0220 0001 1736 1166

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: EME Jct. A-20 (AP-43)

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 A-20 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. Two individuals on the interested parties list were 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 Colin Adams could not be confirmed via mail or e-mail. The notification to the Director of State Parks & Recreation could not be confirmed and no e-mail address was provided. 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.

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, Chris Williams, Wayne Price (NMOCD)

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 Junction A-20, located in Section 20, 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 and phase separated hydrocarbons. 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. A-20

Unit 'A', Sec. 20, T20S, R37E

Public Notice Mailings (07-8-08) Stage 2 Abatement Plan

		D	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 310 Old Santa Fe Trail P.O. Box 1148 Santa Fe, NM 87504-1148	X			Return Receipt Received
3	C/O Bank of America/Tim Wolters Millard Deck Trust P.O. Box 270 Midland, TX 79702	X			Return Receipt Received
4	Trent Stradley S&W Cattle Company P.O. Box 1800 Hobbs, NM 88240	Х			Return Receipt Received
5	Lea County Administration Office Attn: Lue Ethridge 100 N. Main Street, Suite 4 Lovington, NM 88260	Х			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	х			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
12	Jack A Barnett Colorado River Basin Ctrl. Forum 106 West 500 South Suite 101 Bountiful, UT 84010	х		Return Receipt Received
13	Department of Game & Fish Director Villagra Building Santa Fe, NM 87503	X		Return Receipt Received
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 Email: cadams@pnm.com		X	Sent; Unknown E- mailed 8/05/2008; Unknown
16	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	Х			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
26	Chris Shuey Southwest Research & Information Center P.O. Box 4524 Albuquerque, NM 87106 E-mail: sricdon@earthlink.net	х			Return Receipt Received
27	Ron Dutton Southwestern Public Service P.O. Box 1261 Amarillo, Texas 79170 e-mail: ron.dutton@xcelenergy.com	Х			Return Receipt Received
28	Elmo Baca State Historic Preservation Officer 228 East palace Avenue Villa Rivera Room 101 Santa Fe, NM 87503		X		Return to Sender/ Insufficient Address/ Unable to Forward; E-mailed 8/5/2008
29	Director State Parks & Recreation 1220 S. St. Francis Santa Fe, NM 87505			Х	Unknown
30	Field Supervisor US Fish & Wildlife Service 2105 Osuna Road, Northeast Albuquerque, NM 87113-1001	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
32	State Engineer Water Resources Division Bataan Building Santa Fe, NM 87503	X			Return Receipt Received
	William Turner New Mexico Trustee for Natural Resources C/O American Ground Water consultants 610 Gold St. SW, Suite 111 Albuquerque, NM 87102	Х			Return Receipt Received
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State of New Mexico
Energy Minerals and Matural
Resources Department
Oli Conservation Division
Notice is hereby given that pursual
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Notice is hereby given that pursual
in State of New Mexico Colliconservation Division Regulations the following Stage 27 Abatement Plan
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Proposal Thas Deen's Dimitted Notice Coperating Manager
In Stage 12 Abatement Plan
Burrows Engineering Manager
Telephone (505)/303-9174-122
West Taylor Hobbs New Mexico
188240 China's Submitted a Stage 2
Abatement Plan Revision Proposal
for the "Pipeline" Junction EME
Junction Na-20 Hocated In Section
20. Township 20 South, Range 37
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near the town of Monument New
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STATE OF NEW MEXICO County of Bernalillo SS

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 ________, 2008, and the subsequent consecutive publications on _______

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

(a) day of Sully of 208

PRICE

Statement to come at end of month.

ACCOUNT NUMBER & 82274

OFFICIAL SEAL

Elyn Sloane

Commission Expires:

__, 20__

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

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.

of	
	weeks.
Beginning with the issue date	ed
July 11	2008
and ending with the issue dat	
July 11	2008
Hayri Polarden	
PUBLISHER Sworn and subscribed to be	efore
me this 11th	day of
July // // //	2008

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.

LEGĂL July 11, 2008

NOTICE OF PUBLICATION

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

Notice is hereby diven that oursuant to New Mexicos C Conservation Division Regulations, the dollowing Stage Conservation identifications, the following Stage 2
Abatement Plan Proposal has been submitted to the Direction of the Oil Conservation Division 1220IS SIMFrancis Dr. Sana Fe New Mexico 87505. Telephone (505) 476-3440.

Rice Operating Company, Marvin Burrows, Engineering Manager Telephone (505) 393-9174-1122 West-Taylor Hobbs, New Mexico 88240 has submitted a Stage 2 Abatement Plan Revision Proposal for the Pripeline Junction EME dunction A 20, located in Section 20, Township 20 south Range 37 east Lea County New Mexico; near the flown of Monument New Mexico. Rice Operating Company operates a stage 12 hours of the Proposal for the Pripeline Sunction of Monument Plan Revision and Figure 19 for the Proposal the site Solisimpacts at the site include chlorides and TPH Groundwater samples exhibit elevated chlorides and TPH Groundwater samples exhibit elevated chloride concentrations and sphase separated thydrocarbons. 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 extentions soil impact and a groundwater recovery systems will be installed to pact, and a groundwater, recovery, system will be installed to treat for an estimated chloride mass removal.

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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 mailpiece,	Received by (Pring)		B. Received by (Printed Name) C. Date of De
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C/O American Ground Water Consultants L 610 Gold St. SW, Suite 111 Albuquerque, NM 87102	3. Service Type Certified Mail Express Mail Registered Return Receipt for Merchandise Insured Mail C.O.D.	P.O. Box 4‡ :4 Albuquerque, NM 87106 Email: sricdon@earthlink.com	3. Service Type Certified Mail
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Jack A. Barnett Colorado River Basin Ctrl. Forum		Secretary New Mexico Environment Dept.	
106 West 500 South Sante 151 Bountiful, UT 84010 Email: James.Bearzi@state.nm.us	3. Service-Type ☐ Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.	Santa Fe, NM 87504 Email: cathy.Tyson@state.nm.us	3. Service Type Clertified Mail Clerpress Mail Clegistered Receipt for Merch. Clinsured Mail C.O.D.
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☑ Complete items 1, 2, and 3. Also complete	A. Signature
item 4 if Restricted Delivery is desired.	X Wallow JUNG Con a Adda
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1. Article Addressed to:	If YES, enter delivery address below:
Gerald R. Zimmerman	a.
Colorado River Board of Calif.	
770 Fairmont Ave. Ste 100	3 Service Type
Glendale, CA 91203-1035	☐ Certified Mail ☐ Express Mail
Email: icc crb@pacbell.net	
	☐ Insured Mail ☐ C.O.D.
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Domestic Return Receipt

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A. Signature A. Signature A. Signature A. Signature B. Received by (Prinfed Name) B. Received by (Prinfed Name) C. Date of Delivery D. Is delivery address different from item 1? If YES, enter delivery address below:	3. Service Type Certified Mail	005 3110 000 2019 8320 Domestic Return Receipt	A. Signature A. Signature A. Signature B. Beceived by (Printed Name 1 C. Date of Delivery Address different from item 17 C. Date of Delivery Address different from item 17 C. Date of Delivery Address different from item 17 C. Date of Delivery Address different from item 17 C. Date of Delivery C. Date of Delivery C. Date of Delivery C. C. Date of Delivery C. Date of Deli	0000 2019 8375
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PS Form 3811, February 2004

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NDIASISISI GOUDA TELEBRISIS SECTION.	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			Department of Game & Fish Director	Building	2. Article Number (Gransfer from service label)	PS Form 3811, February 2004 Domestic Return Receipt	Wolfe competentings as an entire section.	item 4 if Restricted Delivery is desired.	Attach this card to the back of the mailpiece, or on the front if space permits.	1. Article Addressed to:	State Engineer Water Resources Division	· , <u>-</u>		7005	PS Form 3811, February 2004 Domestic Return Receipt
GOMPHEITHERSE GROWING METALERY	A. Signature A. Signature A. Signature	B. Rec AIONANG NAME EN C. Date of Delivery	D. Is delivery address different from item 1? Yes If YES, enter delivery address below: No		3. Service (Type C Certified) Mail D Registered A. Co.D. D Restricted Deliver Active East	1 0000 2019 8474	turn Receipt 102595-02-M-1540	WHENTEGINO/NOLLOES SILLIETE TENDED	A. Signature	B. Received by (Printed Name) C. Date of Delivery	D. is delivery address different from item 1? If YES, enter delivery address below:	8500 81000 1	3. Service Type Control of the co	4. Restricted Delivery? (Extra Fee)	3110 0000 2019 8481	turn Receipt 102595-02-M-1540 ;
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PCE Operating Company

Hobbs, NM 88240 122 West Taylor

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

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Elmo Baca State Historic Preservation Officer 228 East Palace Avenue

Villa Rivera Room 101 Santa Fe, NM 87503

BICE OFFINA HOBBS, NM

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The the state of t

From: Katie Jones [kjones@riceswd.com]

Sent: Tuesday, August 05, 2008 3:23 PM

To: 'cgarcia@fs.fed.us'

Subject: Rule 19 Public Notice (A-20)

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 3:53 PM Katie Jones

To: Katie Jon

Subject:

Rule 19 Public Notice (A-20)

Return Receipt

Your

Rule 19 Public Notice (A-20)

document:

was

Christina M Garcia/R3/USDAFS

received

by:

at:

08/05/2008 15:53:21

From: Katie Jones [kjones@riceswd.com]

Sent: Tuesday, August 05, 2008 3:30 PM

To: 'katherine.slick@state.nm.us'
Subject: Rule 19 Public Notice (A-20)

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:

Slick, Katherine, DCA [katherine.slick@state.nm.us]

To:

Katie Jones

Sent: Subject: Tuesday, August 05, 2008 3:32 PM Read: Rule 19 Public Notice (A-20)

Your message

To:

katherine.slick@state.nm.us

was read on Tue, 5 Aug 2008 15:31:50 -0600

From: Katie Jones [kjones@riceswd.com]

Sent: Tuesday, August 05, 2008 3:17 PM

To: 'cadams@pnm.com'

Subject: Rule 19 Public Notice (A-20)

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