

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION COMMISSION

IN THE MATTER OF THE HEARING CALLED BY )  
 THE OIL CONSERVATION COMMISSION FOR THE )  
 PURPOSE OF CONSIDERING: )  
 ) CASE NO. 13,142  
 APPLICATION OF THE NEW MEXICO OIL )  
 CONSERVATION DIVISION FOR AN ORDER )  
 REQUIRING MARALO, LLC, TO REMEDIATE )  
 HYDROCARBON CONTAMINATION AT AN )  
 ABANDONED WELL AND BATTERY SITE, )  
 LEA COUNTY, NEW MEXICO )  
 \_\_\_\_\_ )

OFFICIAL EXHIBIT FILE  
(2 OF 2: Maralo and Anthony Exhibits)  
COMMISSION HEARING

BEFORE: MARK E. FESMIRE, CHAIRMAN  
 JAMI BAILEY, COMMISSIONER  
 FRANK T. CHAVEZ, COMMISSIONER

November 10th, 2004

Santa Fe, New Mexico

This matter came on for hearing before the Oil Conservation Commission, MARK E. FESMIRE, Chairman, on Wednesday, November 10th, 2004, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

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# **MARALO, LLC**

## **EXHIBIT BOOK**

**New Mexico Oil Conservation Commission  
Cases 13142  
DeNovo Hearing  
November 10, 2004**

**KELLAHIN & KELLAHIN**  
**Attorney at Law**

**W. Thomas Kellahin**  
Recognized Specialist in the Area of  
Natural Resources-oil and gas law-  
New Mexico Board of Legal Specialization

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November 5, 2004

Mr. Mark E. Fesmire, Chairman  
New Mexico Oil Conservation Commission  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**HAND DELIVERED**

Mrs. Jamie Bailey, Member  
New Mexico Oil Conservation Commission  
C/O State Land Office  
Old Santa Fe Trail  
Santa Fe, New Mexico 87501

**HAND DELIVERED**

Mr. Frank Chavez, Member  
1000 Rio Brazos Road  
Aztec, New Mexico 87410

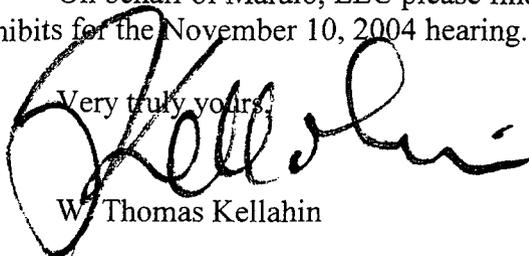
**FEDERAL EXPRESS**  
(505) 334-6178

Re: NMOCD Case 13142 (De Novo)  
Application of the NMOCD for an Order  
Requiring Maralo, LLC to Remediate  
Hydrocarbon Contamination at an  
Abandoned well's tank battery Site  
(Jay Anthony Complaint)  
Lea County, New Mexico

Dear Members of the Commission:

On behalf of Maralo, LLC please find enclosed its pre-hearing statement and proposed exhibits for the November 10, 2004 hearing.

Very truly yours,



W. Thomas Kellahin

cc: Carol Leach, Esq.  
Attorney for the Commission  
Gail MacQuesten,  
Attorney for the Division  
David Sandoval, Esq,  
Attorney for Jay Anthony  
Rick G. Strange, Esq.  
Attorney for Maralo, LLC.

**INDEX OF  
MARALO, LLC  
EXHIBITS FOR  
CASES13142-denovo**

<b>Exhibit</b>	<b>Exhibit Title</b>	<b>Description</b>
(1)	Maralo's Pre-Hearing Statement	
(2)	NMOCD Order R-12152	Clean-up order for Humble State #3 site
(3)	Locator Map	Humble State #3
(4)	Timeline	
(5)	Shell "A" State #1 Well	OCD well file
(6)	Humble State #1 Well	OCD well file
(7)	Humble State #2 Well	OCD well file
(8)	Humble State #3 Well	OCD well file
(9-A)	Maralo, Inc. acquired wells	June 7, 1973
(9-B)	Assignment from Maralo, Inc. to Hal J. Rasmussen Operating Inc. of all wells and shallow rights	April 1, 1994
(10)	Groundwater Analytical Report TranceAnalysis, Inc.	October 18, 2000
(11)	OCD-William Olson's letter	November 22, 2000
(12)	Maralo to Olson (OCD) letter	December 15, 2000

- (13) Groundwater Analytical Report  
Cardinal Laboratories February 19, 2001
- (14) OCD to Maralo letter demanding  
Clean-up of Humble State #3 Well's  
Tank Battery April 11, 2001
- (15) Maralo to OCD denying responsibility April 23, 2001
- (16) OCD to Maralo rescinding demand for  
Clean-up April 22, 2003
- (17) OCD now claiming surface pollution  
In letter to Maralo's attorney July 9, 2003
- (18) Maralo to OCD disputing retroactive  
Applicability of Rule 313 July 16, 2003
- (19) Drilling report Summary  
(No more fluid into tank battery) July 7, 1982
- (20) Invoices for clean-up February 24, 1994  
March 2, 1994
- (21) Maralo, Inc.'s Article of Incorporation May 31, 1973
- (22) Transcript from Examiner's Hearing November 20, 2004