

Davidson, Florene, EMNRD

From: Gerholt, Gabrielle, EMNRD
Sent: Wednesday, September 12, 2012 3:30 PM
To: Davidson, Florene, EMNRD
Subject: Pit Rule Stipulated Exhibit List
Attachments: Stipulated Exhibit List.docx

Importance: High

Dear Florene,
Would you please see that this makes it to the court reporter today. Thank-you!

Gabrielle A. Gerholt
Assistant General Counsel
Oil Conservation Division
505.476.3451

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

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**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION**

APPLICATION OF THE NEW MEXICO OIL AND GAS ASSOCIATION FOR AMENDMENT OF CERTAIN PROVISIONS OF TITLE 19, CHAPTER 15 OF THE NEW MEXICO ADMINISTRATIVE CODE CONCERNING PITS, CLOSED-LOOP SYSTEMS, BELOW GRADE TANKS, SUMPS AND OTHER ALTERNATIVE METHODS RELATED TO THE FOREGOING AND AMENDING OTHER RULES TO CONFORMING CHANGES, STATEWIDE.

CASE NO. 14784

APPLICATION OF THE INDEPENDENT PETROLEUM ASSOCIATION OF NEW MEXICO FOR AMENDMENT OF CERTAIN PROVISIONS OF TITLE 19, CHAPTER 15 OF THE NEW MEXICO ADMINISTRATIVE CODE CONCERNING PITS, CLOSED-LOOP SYSTEMS, BELOW GRADE TANKS, SUMPS AND OTHER ALTERNATIVE METHODS RELATED TO THE FOREGOING AND AMENDING OTHER RULES TO CONFORMING CHANGES, STATEWIDE.

CASE NO. 14785

Stipulated Exhibit List

IPANM:

IPANM Exhibits 5 - 14 Tr. 1387

- Ex. 5 - Resume of Tom Mullins
- Ex. 6 - Slide ppt presentation by Tom Mullins
- Ex. 7 - HELP model run 3-5-12
- Ex. 8 - MultiMed Model run 3-5-12
- Ex. 9 - MultiMed Model Manual
- Ex. 10 - HELP Model Manual
- Ex. 11 - HELP Engineering Manual
- Ex. 12 - Climatological DATA
- Ex. 13 - Non Aqueous Phase Liquid Mobility Limits in Soils
- Ex. 14 - USGS Fact Sheets

IPANM Exhibit 16 Tr. 1408

Ex. 16 - Mullins Rebuttal Modelling

IPANM Exhibit 15, 17 Tr. 1702

Ex. 15 - Rig Counts in NMSE Counties and Texas 2007-2011

Ex. 17 - Scott Rebuttal Economic testimony

IPANM Exhibit 18 Tr. 2021

Ex. 18 - Mullins additional rebuttal Modelling

OGAP:

Ex. 1, Mary Ellen Denomy CV (admitted, Tr. p. 961);

Ex. 2, Mary Ellen Denomy Powerpoint presentation, with the exception of slides 15, 16 (regarding EPA study), 21 and 22 (regarding BP spill) (admitted, Tr. p. 1117);

Ex. 3, Kathy Martin CV

Ex. 5, Spreadsheet created by Ms. Martin showing instances of groundwater contamination from pits, based on OCD database

Ex. 6a, OCD files on AP 81, Chevron Mark #13

Ex. 6b, OCD files on AP 78, Pride Energy Reserve Pit #15

Ex. 6c, OCD files on AP 77, Pride Energy #14

Ex. 6d, OCD files on AP 94, Marbob Scratch State Corn No 1

Ex. 6e, OCD files on AP 68, Apache NEDU #527

Ex. 6f, OCD files on AP 62, Samson Livestock 30-1

Ex. 6g, OCD files on AP 61, Chesapeake Herradura #3

OCD:

Ex. 1 Affidavit of Notice

Ex. 2 OCD's Proposed Modifications to Rule 19.15.17

NMOGA:

| <u>EXHIBIT #</u> | <u>DESCRIPTION</u> |
|-----------------------------|---|
| 1 | Notice of NMOGA's Modifications to Title 19, Chapter 15, Part 17 |
| 2 | Biography of Bruce A. Gantner |
| 3 | Slide presentation by Gantner |
| 4 | Biography of Ed Hasely |
| 5 | Slide presentation by Hasely |
| 6 | Biography of Michael K. Lane, PE |
| 7 | Slide presentation of Lane, PE |
| 8 | Biography of Jerry D. Fanning, Jr. |
| 9 | Slide presentation by Fanning |
| 10 | CV of Ben Thomas, Ph.D. |
| 11 | Slide presentation by Thomas, Ph.D. |
| 12 | Overview of Testimony of Thomas, Ph.D. |
| 13 | CV of J. Daniel Arthur, P.E., SPEC |
| 14 | Slide presentation by Arthur, P.E., SPEC |
| 15 | Expert Report of Arthur, P.E., SPEC |
| 16 | Resume of Bruce A. Buchanan, Ph.D. |
| 17 | Slide presentation by Buchanan, Ph.D. |
| 17-46 thru 17-48 | WITHDRAWN - Rebuttal Exhibits filed on 6-12-2012 (rebutting Neeper) |
| 17-49 | Figure 2 – Threshold values of SAR of topsoil and EC of infiltrating water - Rebuttal Exhibit presented at hearing on 8-29-2012 by Buchanan, Ph.D. |
| 17-50 thru 17-51 | WITHDRAWN – Rebuttal Exhibits filed on 6-12-2012 (rebutting Neeper) |
| 17-52 | Chart: Soil Water Characteristic, 3 soils - Rebuttal Exhibit presented at hearing on 8-29-2012 by Buchanan, Ph.D. |
| 18 | Expert Report: Pit Reclamation and Salt Migration Control by Buchanan, Ph.D. |
| 19 | Expert Report: Salt Migration Study – ConocoPhillips 2007 by Buchanan, Ph.D. |

NMCCA W:

- Ex. 1 Permission letter (1 page)
- Ex. 2 Bartlit qualifications (1 page)
- Ex. 3 Bartlit testimony (3 pages)
- Ex. 4 Neeper qualifications (2 pages)
- Ex. 5 Neeper testimony (68 pages)
- Ex. R2 Rebuttal of Mullins (5 pages)