

LAW OFFICES

HEIDEL, SAMBERSON, NEWELL, COX & McMAHON

C. GENE SAMBERSON
MICHAEL T. NEWELL
LEWIS C. COX, III
PATRICK B. McMAHON

311 NORTH FIRST STREET
POST OFFICE DRAWER 1599
LOVINGTON, NM 88260
TELEPHONE (505) 396-5303
FAX (505) 396-5305

F.L. HEIDEL
(1913-1985)

NM-1-045

November 28, 2005

RECEIVED
DEC 1 - 2005
OIL CONSERVATION
DIVISION

Case 13689

State of New Mexico
Oil Conservation Division
ATTN: MARK E. FESMIRE
P.O. Box 6429
Santa Fe, NM 87505

**Re: Application For Waste Management Facility By Jay Dan Landfarm
Lovington, Lea County, New Mexico**

Gentlemen:

On behalf of Dan Field and the City of Lovington, this firm hereby submits the following comments, concerns, and objections to the above-described Application wherein Jay Dan Landfarm seeks to operate a 40-acre commercial landfarm, located in the Northwest Quarter (NW/4) Southwest Quarter (SW/4) Northwest Quarter (NW/4) of Section 32, Township 15 South, Range 35 East, Lea County, New Mexico; to wit:

1. Dan Field owns property which would be negatively impacted by the presence of a land farm at this location. Additionally, this location is located in the rural/urban interface outside of Lovington, Lea County, New Mexico, and it will impair and impede economic development in the surrounding area, as well as, cause a devaluation in the property values to the adjacent or nearly properties.
2. The City of Lovington owns a right to water for its municipal water supply in the area around the proposed location. The depth of groundwater is approximately 60 feet or less. The vadose zone above the groundwater is primarily comprised of fractured caliche type formation which would provide little protection to the water supply.

Please forward all notice to this firm and advise of all scheduled matters.

Letter to State of New Mexico
Oil Conservation Division
ATTN: MARK E. FESMIRE
November 28, 2005
Page two.

Sincerely,

HEIDEL, SAMBERSON, NEWELL, COX & McMAHON

By:


Patrick B. McMahon

PBM:cd

pc: Dan Field
City of Lovington, New Mexico

Affidavit of Publication

STATE OF NEW MEXICO)
) ss.
COUNTY OF LEA)

Joyce Clemens being first duly sworn on oath deposes and says that she is Advertising Director of **THE LOVINGTON DAILY LEADER**, a daily newspaper of general paid circulation published in the English language at Lovington, Lea County, New Mexico; that said newspaper has been so published in such county continuously and uninterruptedly for a period in excess of Twenty-six (26) consecutive weeks next prior to the first publication of the notice hereto attached as hereinafter shown; and that said newspaper is in all things duly qualified to publish legal notices within the meaning of Chapter 167 of the 1937 Session Laws of the State of New Mexico.

That the notice which is hereto attached, entitled

Legal Notice

was published in a regular and entire issue of **THE LOVINGTON DAILY LEADER** and not in any supplement thereof, for one (1) day, beginning with the issue of October 29, 2005 and ending with the issue of October 29, 2005.

And that the cost of publishing said notice is the sum of \$ 27.68 which sum has been (Paid) as Court Costs.

Joyce Clemens
Subscribed and sworn to before me this 2nd day of November 2005

Debbie Schilling
Debbie Schilling
Notary Public, Lea County, New Mexico
My Commission Expires June 22, 2006

RECEIVED
NOV - 7 2005
OIL CONSERVATION
DIVISION

ity located in the NW/4 SW/4 NW/4 of Section 32, Township 15 South, Range 35 East, N.M.P.M., Lea County, New Mexico. The permit application addresses the construction, operations, spill and leak prevention and monitoring procedures to be incorporated at the proposed site. *

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, 1220 South Saint Frances Drive, Santa Fe, New Mexico 87505, Telephone 505-476-3440. The application may be viewed at the above address or at the Hobbs district office at 1625 N. French Dr., Hobbs, NM 88240 between 8:00 a.m.

and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed application, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted and any interested person may request public hearing. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest. Published in the Lovington Leader October 29, 2005.

LEGAL NOTICE
Jay Dan Landfarm, LLC, Mr. Danny Watson, Operator, P.O. Box 632, Lovington, NM-88260 has submitted for approval an application to construct and operate a Rule 711 commercial landfarm facil-

NM-1-045



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

Mark E. Fesmire, P.E.

Director

Oil Conservation Division

October 26, 2005

Mr. Danny Watson
Jay Dan Landfarm, LLC
P.O. Box 632
Lovington, NM 88260

Dear Mr. Watson:

The New Mexico Oil Conservation Division has received your Application For Waste Management Facility (OCD Form C-137) and it has been deemed administratively complete. NMOCD Rule 711 [NMAC 19.15.9.711 B. (2) (b)] states "The applicant will issue public notice in a form approved by the Division in a newspaper of general circulation in the county in which the facility is to be located". The format for this public notice is as follows:

Jay Dan Landfarm, LLC, Mr. Danny Watson, Operator, P.O. Box 632, Lovington, NM 88260 has submitted for approval an application to construct and operate a Rule 711 commercial landfarm facility located in the NW/4 SW/4 NW/4 of Section 32, Township 15 South, Range 35 East, N.M.P.M., Lea County, New Mexico. The permit application addresses the construction, operations, spill and leak prevention and monitoring procedures to be incorporated at the proposed site.

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, 1220 South Saint Frances Drive, Santa Fe, New Mexico 87505, Telephone 505-476-3440 The application may be viewed at the above address or at the Hobbs district office at 1275 N. French Dr., Hobbs, NM 88240 between 8:00 a.m. and 4:00 p.m., Monday thru Friday. Prior to ruling on any proposed application, the Director of the Oil Conservation Division shall allow at least thirty (30) days after the date of publication of this notice during which comments may be submitted and any interested person may request public hearing. Request for public hearing shall set forth the reasons why a hearing shall be held. A hearing will be held if the director determines that there is significant public interest.

Upon publication of the above notice, the public is allowed 30 days in which to submit comments on the application. Please send me the affidavit of publication you receive from the newspaper. At the end of this period, barring any requests for a hearing, the application will be acted upon by the OCD and you will be notified of its decision.

If you have any questions, please contact me at (505) 476-3492 or emartin@state.nm.us

NEW MEXICO OIL CONSERVATION DIVISION

Edwin E. Martin
Environmental Bureau

Cc: NMOCD, Hobbs
Mr. Michael Newell

June 29, 2005

RECEIVED

NMOCD Environmental
ATTN: Ed Martin
Box 6429
1220 S. Saint Francis Dr.
Santa Fe, NM 87504

JUL - 1 2005

OIL CONSERVATION
DIVISION

RE: Jay Dqn Landfarm, LLC

Mr. Martin:

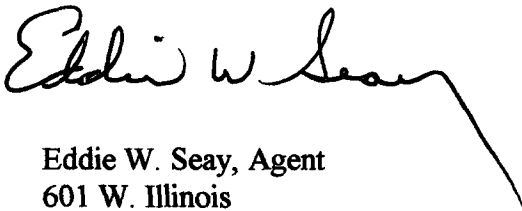
NM-1-045

Find attached the revised C-137 for Jay Dqn. We would like to move the location approximately one mile West within the same section we first applied for. All of this section is still owned by Watson and all notices are the same. The new location is Unit F of Section 32, Tws. 15 S., Rng. 35 E., Lea Co. All of the original information will be the same as far as construction, bonding and operations.

I have notified Mr. Newell, but have not heard from him.

We would like to move on with this permit, and appreciate your efforts.

Sincerely,



Eddie W. Seay, Agent
601 W. Illinois
Hobbs, NM 88242
(505)392-2236
seay04@leaco.net

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-137
Revised June 10, 2003

Submit Original Plus 1
Copy to Santa Fe
1 Copy Appropriate
District Office

APPLICATION FOR WASTE MANAGEMENT FACILITY

(Refer to the OCD Guidelines for assistance in completing the application)

☐ Commercial

☐ Centralized

1. Type: ☐ Evaporation ☐ Injection ☐ Other
☒ Solids/Landfarm ☐ Treating Plant

2. Operator: Jay Don Landfarm, LLC

Address: Box 632 Lovington, NM 88260

Contact Person: Danny Watson Phone: (505)631-3482

3. Location: NW 1/4 of SW 1/4 of NW 1/4 32 Section 15 S. Township 35 E. Range
Submit large scale topographic map showing exact location

4. Is this a modification of an existing facility? ☒ Yes ☐ No Change of Location
5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.
6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.
7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.
8. Attach a contingency plan for reporting and clean-up for spills or releases.
9. Attach a routine inspection and maintenance plan to ensure permit compliance.
10. Attach a closure plan.
11. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact groundwater. Depth to and quality of ground water must be included.
12. Attach proof that the notice requirements of OCD Rule 711 have been met.
13. Attach a contingency plan in the event of a release of H₂S.
14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations and orders.

15. CERTIFICATION

I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

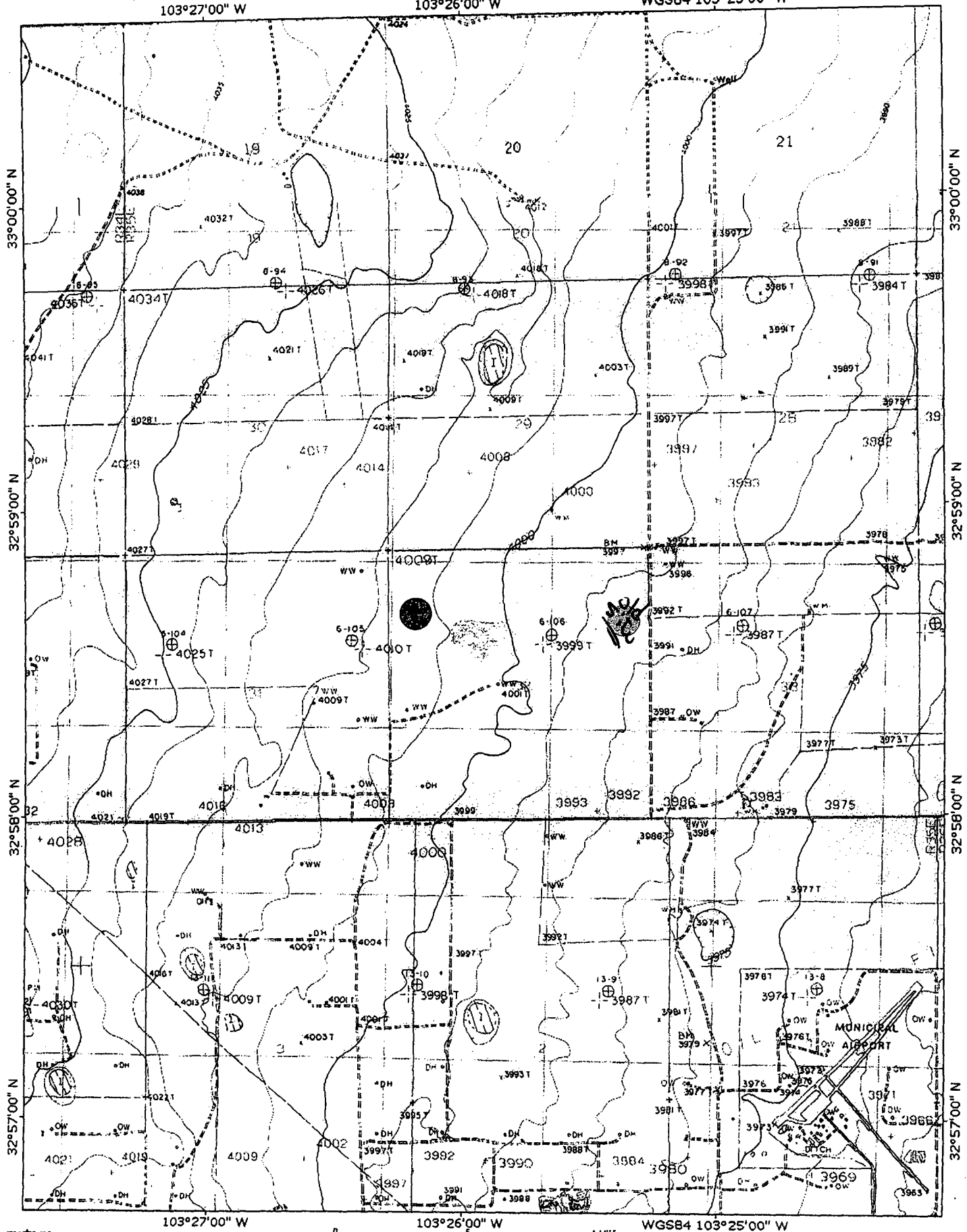
Name: Eddie W. Seay

Title: Agent

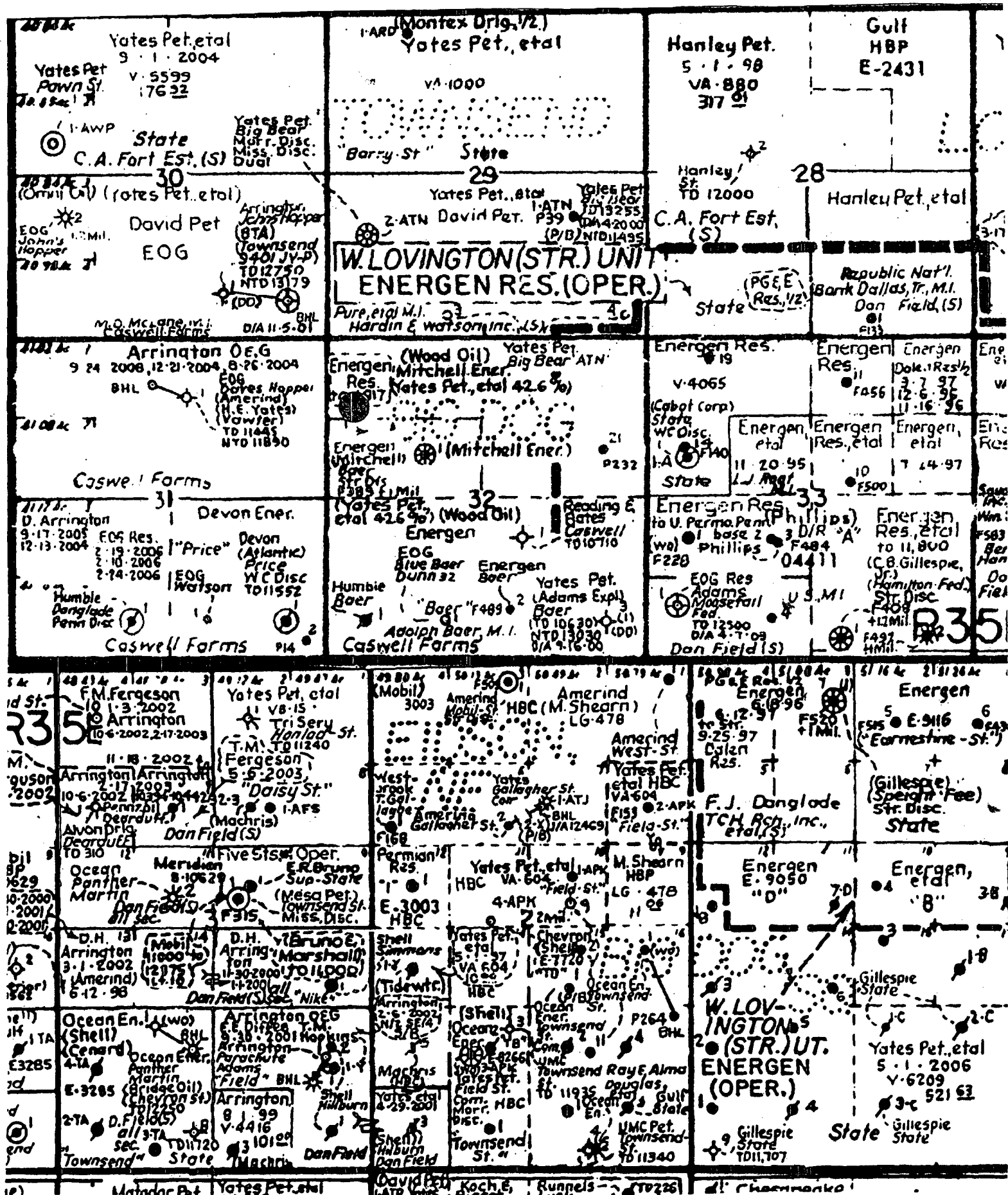
Signature: 

Date: 6-29-05

E-mail Address: seay04@leaco.net



TN MN
84°



6/22/2005 FAYE
FAYE

LEA COUNTY ASSESSOR
INDIVIDUAL PROPERTY LIST

Page 1
Assessment Year 2005

Owner # 0034687 Non-Rend% 0 HARDIN & WATSON RT 2 BOX 43 N LOVINGTON NM 88260	Dist 010	V A L U A T I O N		R E C A P	
		0	Central	19002	Full Value
		17493	Land		
		1509	Improvements	6334	Taxable Value
		0	Personal Prop	0	Exemptions
		0	Mfg Home		
		0	Livestock	6334	Net Taxable

Property Description	Code	Value	Description	Quantity	Rate	Taxable
4 000 346 870 001	120		GRAZING	1655.69		3725
FILE 468 PG 863 000000232 01/07/91	130		IRRIGATED LAND	62.00		1529
SECTION-29 TOWNSHIP-15S RANGE-35E	140		DRY FARMING LAND	86.50		577
320.00 AC BEING S2	240		FENCES			503

*1990-SHIPLEY, W W *

4 000 346 870 002

FILE 468 PG 863 000000232 01/07/91
SECTION-30 TOWNSHIP-15S RANGE-35E
321.91 AC BEING S2

1990-SHIPLEY, W W #33905

4 000 346 870 004

FILE 468 PG 863 000000232 01/07/91
SECTION-31 TOWNSHIP-15S RANGE-35E
522.28 BEING ALL

*LESS 122.12 AC LOC S2 SEC 31
BEG N89D46'E 2581.8', TH
N0D14'W 495', N89D46'E 410.3', TH
N23D54'40"E 2347.9', TH N89D31'15"
E 1370.51', TH S0D11'W 2642.1',
TH S89D46'W 2738.1 TO PT BEG

EAS-S 40' CO RD

1992-REDESCRIBED

4 000 346 870 003

FILE 468 PG 863 000000232 01/07/91
SECTION-32 TOWNSHIP-15S RANGE-35E
640.00 AC ALL

1990-SHIPLEY, W W #33905

N/R-Values Full	19002
N/R-Values Taxable	6334
114.82 N/R-Values Net	6334

May 23, 2005

Heidel, Samberson, Newell, Cox & McMahon
ATTN: Michael Newell
P.O. Drawer 1599
311 North First
Lovington, NM 88260

RE: Jay Dan Landfarm
Application for Waste Management Facility

Mr. Newell:

As discussed between you, me and Danny Watson of Jay Dan Landfarm, pertaining to the location of the proposed landfarm.

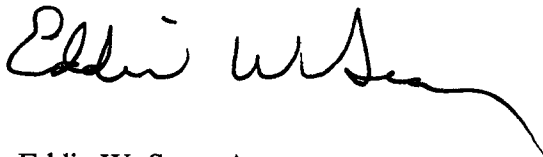
Jay Dan has agreed to move the proposed location site approximately one mile West to the other side of the same section. We agree to monitor and test as required and make available all data to your clients upon request.

I have discussed this change with Ed Martin of the OCD, and he has no problem if you consent.

If this is agreeable, please let me know so I can proceed with amending the application.

Thank you for your time in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Eddie W. Seay", with a long, sweeping underline.

Eddie W. Seay, Agent
601 W. Illinois
Hobbs, NM 88242
(505)392-2236
seay04@leaco.net

cc: Jay Dan Landfarm

LAW OFFICES

HEIDEL, SAMBERSON, NEWELL, COX & McMAHON

C. GENE SAMBERSON
MICHAEL T. NEWELL
LEWIS C. COX, III
PATRICK B. McMAHON

311 NORTH FIRST STREET
POST OFFICE DRAWER 1599
LOVINGTON, NM 88260
TELEPHONE (505) 396-5303
FAX (505) 396-5305

F.L. HEIDEL
(1913-1985)

RECEIVED

DEC 02 2004

November 30, 2004

OIL CONSERVATION
DIVISION

State of New Mexico
Oil Conservation Division
P.O. Box 6429
Santa Fe, NM 87505

**Re: Application For Waste Management Facility By Jay Dan Landfarm
Lovington, Lea County, New Mexico**

Gentlemen:

On behalf of Dan Field, Branch Ranch, Wilma Fort, Toots Bissett and the City of Lovington, this firm hereby submits the following comments, concerns, and objections to the above-described Application wherein Jay Dan Landfarm seeks to operate a 40-acre commercial landfarm, located in the southeast quarter of the northeast quarter (NE/4) of Section 32, Township 15 South, Range 35 East, Lea County, New Mexico; to wit:

1. Dan Field, Branch Ranch, Wilma Fort and Toots Bissett have property or residences which would be negatively impacted by the presence of a land farm at this location. Additionally, this location is located in the rural/urban interface outside of Lovington, Lea County, New Mexico, and it will impair and impede economic development in the surrounding area, as well as, cause a devaluation in the property values to the adjacent or nearby properties.
2. The City of Lovington owns a right to water for its municipal water supply in the area around the proposed location. The depth of groundwater is approximately 60 feet or less. The vadose zone above the groundwater is primarily comprised of fractured caliche type formation which would provide little protection to the water supply.

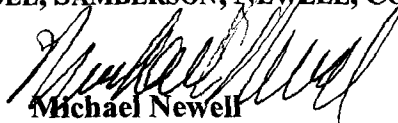
Please forward all notice to this firm and advise of all scheduled matters.

Letter to State of New Mexico
Oil Conservation Division
November 30, 2004
Page two.

Sincerely,

HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON

By:


Michael Newell

MTN:cd

pc: Dan Field
Wilma Fort
Toots Bissett
City of Lovington, New Mexico
Jay Dan Landfarm

District I
1625 N. French Dr., Hobbs, NM 88240
District II
1301 W. Grand Avenue, Artesia, NM 88210
District III
1000 Rio Brazos Road, Aztec, NM 87410
District IV
1220 S. St. Francis Dr., Santa Fe, NM 87505

State of New Mexico
Energy Minerals and Natural Resources

Oil Conservation Division
1220 South St. Francis Dr.
Santa Fe, NM 87505

Form C-137
Revised March 17, 1999

Submit Original Plus 1
Copy to Santa Fe
1 Copy Appropriate
District Office

APPLICATION FOR WASTE MANAGEMENT FACILITY

(Refer to the OCD Guidelines for assistance in completing the application)

☒ Commercial

☐ Centralized

NM-1-045

1. Type: ☐ Evaporation ☐ Injection ☐ Other
☒ Solids/Landfarm ☐ Treating Plant

2. Operator: Jay Dan Landfarm LLC 1000458

Address: Box 632 Lovington, NM 88260

Contact Person: Danny Watson Phone: (505) 631-3482

3. Location: SE /4 NE /4 Section 32 Township 15 S Range 35 E.
Submit large scale topographic map showing exact location

4. Is this a modification of an existing facility? ☐ Yes ☒ No
5. Attach the name and address of the landowner of the facility site and landowners of record within one mile of the site.
6. Attach description of the facility with a diagram indicating location of fences, pits, dikes, and tanks on the facility.
7. Attach designs prepared in accordance with Division guidelines for the construction/installation of the following: pits or ponds, leak-detection systems, aerations systems, enhanced evaporation (spray) systems, waste treating systems, security systems, and landfarm facilities.
8. Attach a contingency plan for reporting and clean-up for spills or releases.
9. Attach a routine inspection and maintenance plan to ensure permit compliance.
10. Attach a closure plan.
11. Attach geological/hydrological evidence demonstrating that disposal of oil field wastes will not adversely impact groundwater. Depth to and quality of ground water must be included.
12. Attach proof that the notice requirements of OCD Rule 711 have been met.
13. Attach a contingency plan in the event of a release of H₂S.
14. Attach such other information as necessary to demonstrate compliance with any other OCD rules, regulations and orders.

15. CERTIFICATION

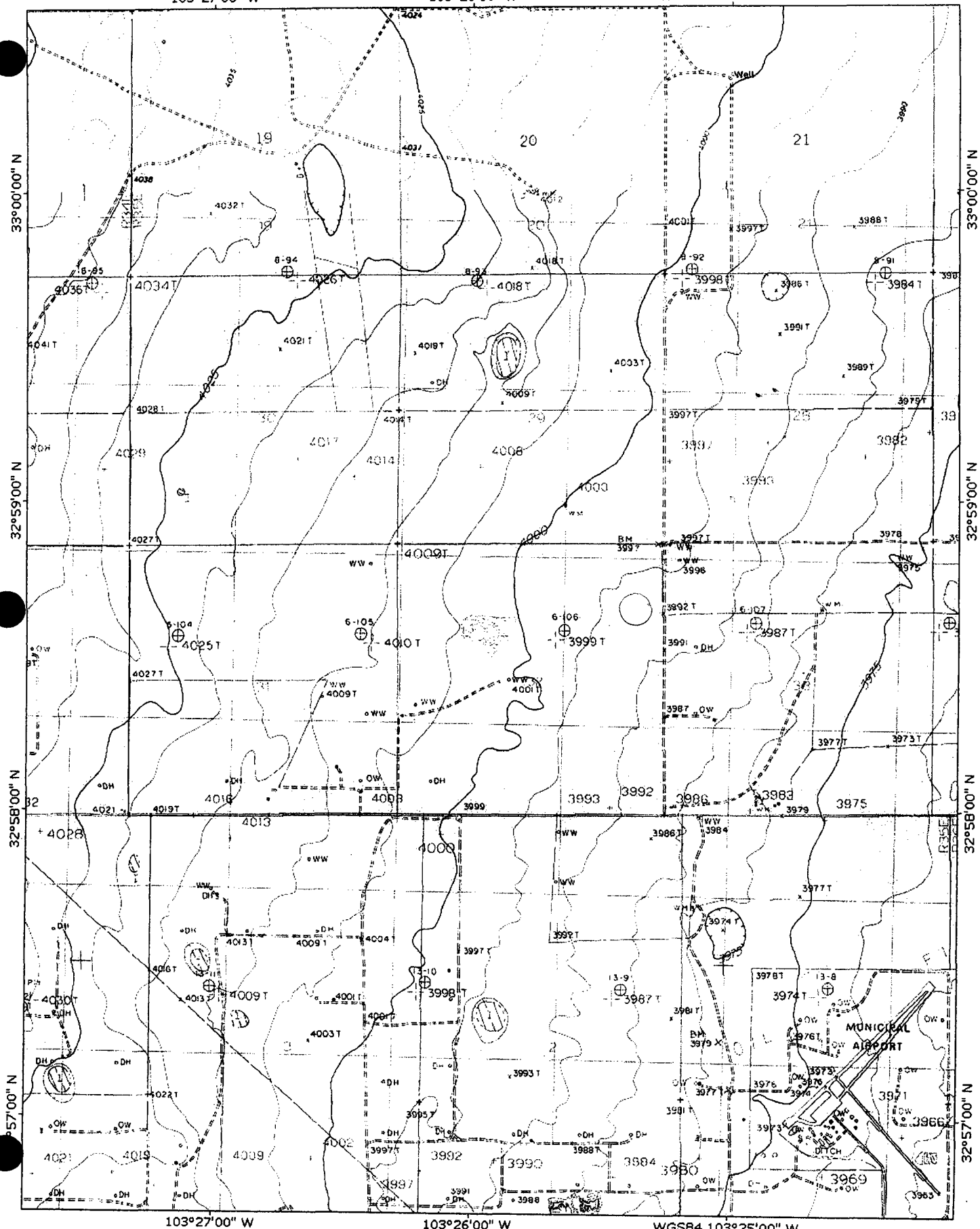
I hereby certify that the information submitted with this application is true and correct to the best of my knowledge and belief.

Name: Eddie W. Seay

Title: Agent (505) 392-2236

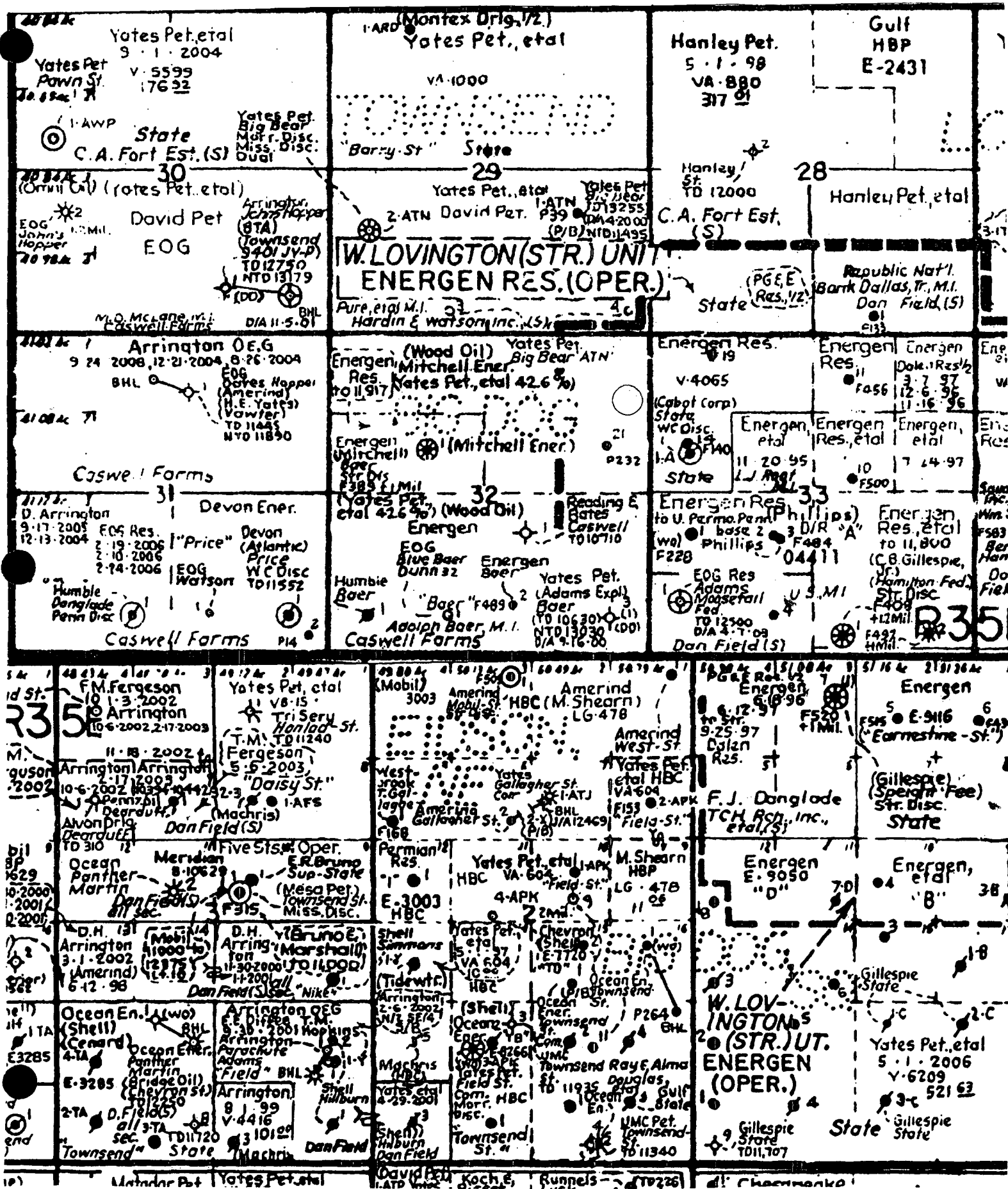
Signature: Eddie W. Seay

Date: November 16, 2004



TN MN
84°

0 1000 FEET 0 500 1000 METERS
Printed from TOPOI ©2001 National Geographic Holdings (www.topoi.com)



2) Jay Dan Landfarm, LLC
Danny Watson

3) SE 1/4 of the NE 1/4 of Section 32, Tws. 15 S., Range 35 E., Lea Co., NM
a 40 acre tract

4) No

5) Attachment - Landowners of Record within 1 mile.

6) The 40 acre proposed site will be operated according to OCD guidelines as set forth in the permit.

- a) The entire facility will be fenced with 4 strain barbed wire.
- b) A 100 ft. buffer zone will be maintained around the facility.
- c) Berms will be installed around the site to direct runoff and run-on of rainwater. These berms will be constructed 3 ft. wide x 2 ft. high, this should control and contain any moisture from a 100 yr. flood. Also, water will not be allowed to pond. Any excess rain will be vacuumed up and taken to an approved disposal.
- d) All accesses and gates will be locked at all times.
- e) Soils will only be allowed when landfarm personnel are on location and only with proper documentation.
- f) The permit area is located approximately 1/2 mile North of county road 83, West of the city of Lovington, NM. There are no pipelines running through the property, only an electric line on the extreme North end.
- g) A sign will be posted at entrance and will detail all the OCD requirements, phone, permit no., name, etc.

7) Diagram within.

8) Jay Dan Landfarm will adhere to OCD Rule 116.

- a) Report any accidental discharge by phone immediately.
- b) Cleanup and/or remediate according to OCD policy.
- c) File written reports as necessary.

9) Inspection and Maintenance Plan

- a) The facility will be fenced and gates locked at all times. Personnel will be on location at all times when material is being hauled, and each load will be documented. Records of all operations will be maintained.
- b) When and if any water accumulated on the property from rain, it will be vacuumed up and hauled to an approved OCD disposal.
- c) Water may be added to the landfarm from time to time for dust control and to enhance remediation and will help keep any odor down, if that were to occur.
- d) Berms will be inspected and maintained on a routine basis so as to prevent erosion, especially after rainfall or windstorm.

- e) Because a landfarm is designed to remediate contaminated soils and not transfer contaminants into underlying native soil and/or groundwater, "Treatment Zone Monitoring" will be used at the facility. The treatment zone monitoring will consist of:
- 1) Test the background soil at the facility at a depth of 2 to 3 ft. The samples will be analyzed for TPH, BTEX, Cations/Anions and heavy metals using approved EPA methods.
 - 2) A treatment zone not to exceed 3 ft. beneath the landfarm will be monitored. Samples will be taken from each cell on a quarterly schedule and analyzed for BTEX and TPH and for BTEX, TPH, Cations/Anions and heavy metals annually. All Sample holes will be filled with an impermeable material such as cement or bentonite. All test results will be submitted to the OCD in Santa Fe.
 - 3) Only exempt oil and gas waste will be accepted at the landfarm unless special approval by OCD. The material accepted will have documentation as to where, what company, who delivered it and signed by an authorized company person. The material will be hauled in by truck, spread in 6 in. lifts and disked every other week.
 - 4) A new lift may be added only after testing and approval from OCD.
- 10) Closure Plan: once Jay Dan has stopped operations, it is estimated that it will take approximately two years to finish remediating what soils are left in the landfarm. We will continue to disk, test, and monitor until facility meets with OCD guidelines. After all criteria is met, the area will be leveled, contoured and seeded.

Closure cost for this two year period is as follows:

(Estimating that there will be 8-five acre cells in use at time of closure)

Analytical tests for 2 years	
BTEX - 8 quarters - \$40.00 x 8	\$ 2,560
TPH - 8 quarters - \$50.00 x 8	\$ 3,200
Metals - 2 years - \$200.00 x 8	\$ 3,200
Cations/Anions - 2 years - \$100.00 x 4	\$ 800
TOTAL	\$ 9,760

Quarterly sampling, time and labor for 8 cells

Labor at \$50.00 per hour

30 Minutes per cell

8 cells equals 2 hours per sampling event plus 1 hr. for report

3 hrs. x \$50.00 x 8 quarters

TOTAL	\$2,400
-------	---------

Disking for two years every two weeks
Actual disking area approximately 30 acres (roads, buffer zone, pipeline, etc.)
\$30.00 per hr. - 30 min. per acre
30 acres x 30 min. x 26 weeks 2 years = 46800 min. = 780 hrs.
780 hrs. x \$30.00 per hour

TOTAL disking & tilling \$23,400

Freshwater as needed

\$120.00 per load

\$120 x 5 loads x 8 events in two years

TOTAL \$ 4,800

Leveling and Contouring Landfarm

D-6 dozer with operator \$75.00 per hr.

1 Hr. per acre.

\$75 x 40 acres

TOTAL \$ 3,000

Revegetation for 40 acres

Tractor and drill \$30.00 per hr. at 30 min. per acre, 40 acres = \$600

Seed cost & material

\$10.00 per lb. at 5 lbs. per acre x 40 acres = \$2,000

TOTAL REVEGETATION \$ 2,600

TOTAL ESTIMATED CLOSURE COST WOULD BE = \$45,960

11) Geology - Hydrology

Geographically, the site is situated in the southeastern corner of New Mexico in central Lea Co., an extension of the High Plains.

The High Plains is underlain by a hard caliche surface and is almost entirely covered by reddish brown dune sand.

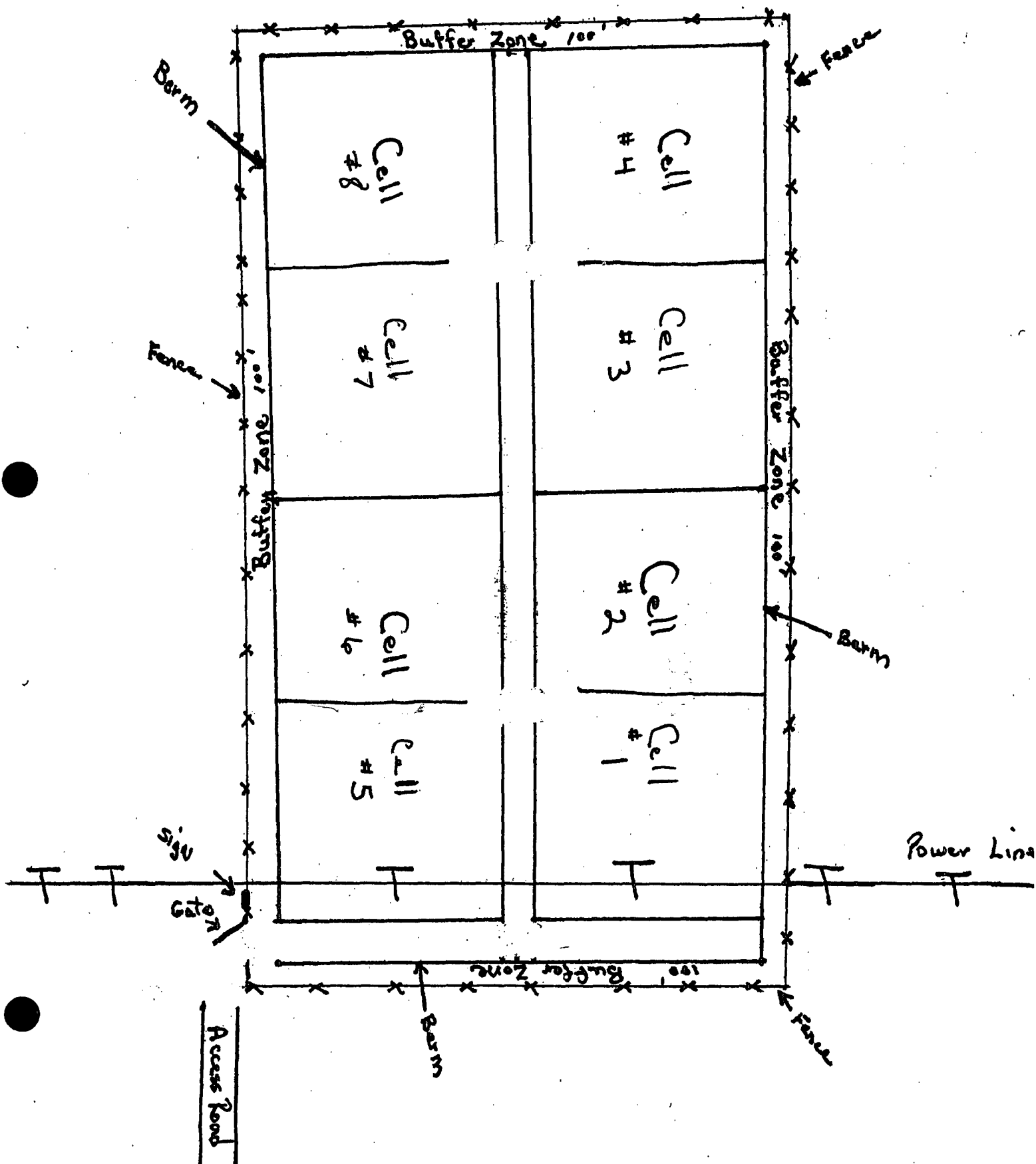
The primary source of drinking water for this area is the Ogallala formation. The top of the water formation in the area is approximately 75' with the base at 150' to 175'. The State Engineer information is attached along with a water analysis of a nearby windmill.

12) Notice of requirement to offsets.

13) An open system such as a landfarm should not have an H2S problem. If H2S becomes a problem, proper testing and notification will be conducted.

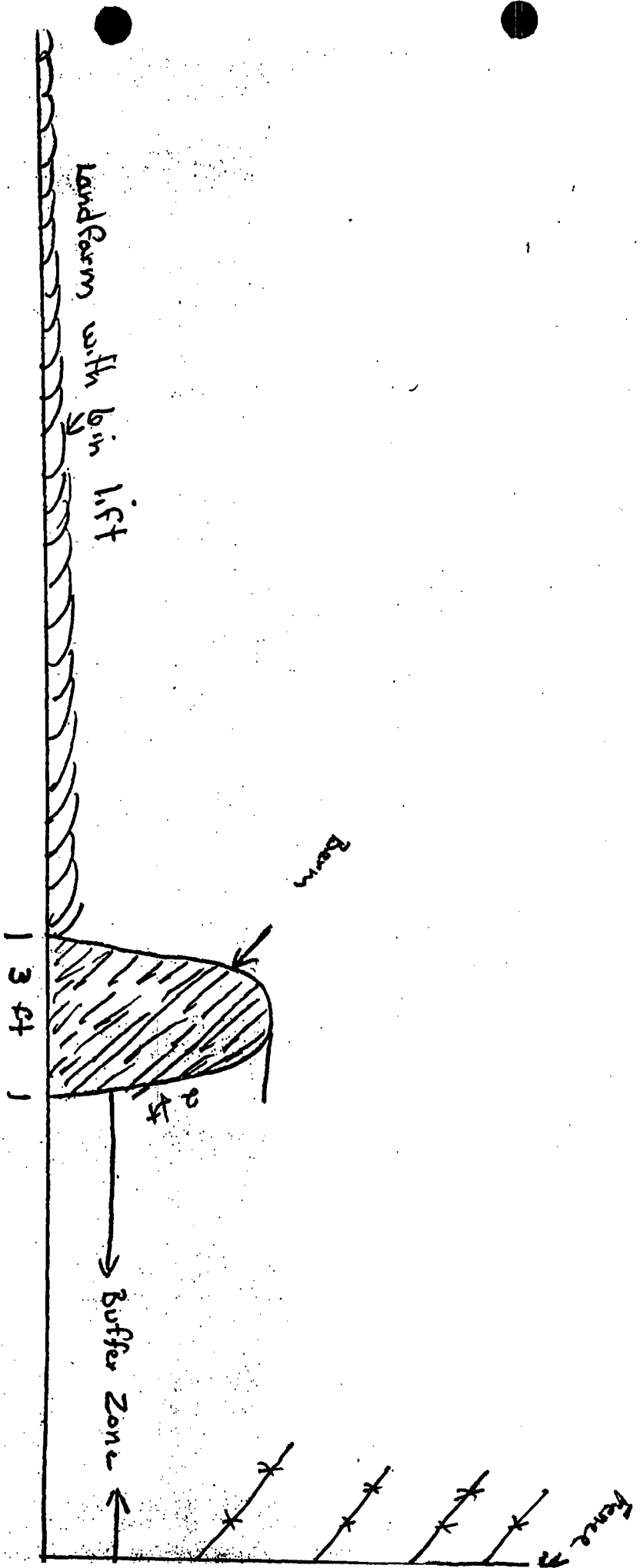
14) Jay Dan will adhere to all applicable rules and regulations pertaining to this permit.

Jay Dan Landfarm



Jay Dan Landfarm

Section 32 Twp 15 Rng 35
Lee Co. N.M.



3 ft
Treatment Zone



PHONE (325) 673-7001 • 2111 BEECHWOOD • ABILENE, TX 79603

PHONE (505) 393-2326 • 101 E. MARLAND • HOBBS, NM 88240

ANALYTICAL RESULTS FOR
EDDIE SEAY CONSULTING
ATTN: EDDIE SEAY
601 W. ILLINOIS
HOBBS, NM 88242
FAX TO:

Receiving Date: 01/14/04
Reporting Date: 01/15/04
Project Number: ENERGEN/M&S
Project Name: ENERGEN BAER LEASE
Project Location: LOVINGTON, NM

Sampling Date: 01/13-01/14/04
Sample Type: GROUNDWATER
Sample Condition: COOL & INTACT
Sample Received By: GP
Analyzed By: AH

LAB NUMBER SAMPLE ID	P-Alkalinity (mg/L)	T-Alkalinity (mg/L)	Hardness (mg/L)	Chloride (mg/L)	Sulfates (mg/L)	pH (s.u.)
ANALYSIS DATE	01/14/04	01/14/04	01/14/04	01/14/04	01/14/04	01/14/04
H8359-1 BAER #1 WW	0	55	171	44	31	7.79
H8359-2 WATSON/BAER #2 WW	0	198	233	64	53	8.07
Quality Control	NR	NR	59	980	53.65	7.00
True Value QC	NR	NR	50	1000	50.00	7.00
% Recovery	NR	NR	118	98.0	107	100
Relative Percent Difference	NR	NR	0	3.0	1.5	0.1

METHODS: EPA 600/4-79-02	-	-	130.2	325.3	375.4	150.1
Standard Method	2320 B	2320 B	-	-	-	-

LAB NUMBER SAMPLE ID	Hydroxides (mg/L)	Carbonates (mg/L)	Bicarbonates (mg/L)	Conductivity (u S/cm)	TDS (mg/L)
ANALYSIS DATE	01/14/04	01/14/04	01/14/04	01/14/04	01/14/04
H8359-1 BAER #1 WW	0	0	67	567	268
H8359-2 WATSON/BAER #2 WW	0	0	241	767	430
Quality Control	NR	NR	996	1322	NR
True Value QC	NR	NR	1000	1413	NR
% Recovery	NR	NR	99.6	93.6	NR
Relative Percent Difference	NR	NR	0	0.7	1.4

METHODS: EPA 600/4-79-02	-	-	-	120.1	160.1
Standard Method	2320 B	2320 B	2320 B	-	-


Chemist


Date 1/15/04

PLEASE NOTE: Liability and Damages. Cardinal's liability and client's exclusive remedy for any claim arising, whether based in contract or tort, shall be limited to the amount paid by client for analyses. All claims, including those for negligence and any other cause whatsoever shall be deemed waived unless made in writing and received by Cardinal within thirty (30) days after completion of the applicable service. In no event shall Cardinal be liable for incidental or consequential damages, including, without limitation, business interruptions, loss of use, or loss of profits incurred by client, its subsidiaries, affiliates or successors arising out of or related to the performance of services hereunder by Cardinal, regardless of whether such claim is based upon any of the above-stated reasons or otherwise.

H8359b

New Mexico Office of the State Engineer
Well Reports and Downloads

Township: 15S Range: 35E Sections: 32

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) ☐ Non-Domestic ☒ Domestic ☐ All

Well / Surface Data Report

Avg Depth to Water Report

Water Column Report

Clear Form

WATERS Menu

Help

WELL / SURFACE DATA REPORT 01/27/2004

(acre ft per annum)				(quarters are 1=NW 2=NE 3=SW 4=SE)												
DB File Nbr	Use	Divers	Owner	Well Number	Source	Tws	Rng	Sec	q	q	q	Zone	X	Y	are in Feet	UTM are in
L 03122	PRO	3	HUMBLE OIL & REFINING COMPANY	L 03122	Shallow	15S	35E	32	3	2	4					13
L 09817	PRO	0	MITCHELL ENERGY CORPORATION	L 09817	Shallow	15S	35E	32	3	2	4					13
L 11266	PRO	3	ENERGEN RESOURCES CORPORATION	L 11266	Shallow	15S	35E	32	2	4	1					13

Record Count: 4

New Mexico Office of the State Engineer
Well Reports and Downloads

Township: 15S Range: 35E Sections: 32

NAD27 X: Y: Zone: Search Radius:

County: Basin: Number: Suffix:

Owner Name: (First) (Last) ☐ Non-Domestic ☐ Domestic ☒ All

Well/Surface Data Report

Avg Depth to Water Report

Water Column Report

Clear Form

WATERS Menu

Help

AVERAGE DEPTH OF WATER REPORT 01/27/2004

Bsn	Tws	Rng	Sec	Zone	X	Y	Wells	(Depth Water in Feet)		
								Min	Max	Avg
L	15S	35E	32				3	65	70	68

Record Count: 3

**LANDOWNERS OF RECORD WITHIN 1 MILE
AND
NOTICE REQUIREMENT**

Lea County Commissioner
100 N. Main, Suite. 4
Lovington, NM 88260

State of New Mexico Land Office
310 Old Santa Fe Trail
Box 1148
Santa Fe, NM 87514-1148

Caswell Farms, Inc.
1702 Gillham
Brownfield, TX 79316

Hardin & Watson, Inc. - Surface Owner
Rt. 2, Box 43 N
Lovington, NM 88260

Dan Field
P.O. Box 1105
Lovington, NM 88260

C.H. Fort Est.
(Roy P. Fort)
1006 W. Ave. J
Lovington, NM 88260

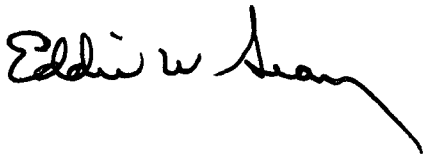
November 16, 2004

Dear Landowner:

Pursuant to the rules of the NMOCD, Jay Dan Landfarm is seeking application with the New Mexico Oil Conservation Division to operate a commercial land treatment facility. The facility, a 40 acre tract of land, is located in the SE 1/4 of the NE 1/4 of Section 32, Tws. 15 S., Range 35 E., Lea Co., New Mexico. The facility is seeking to remediate RCRA exempt and characteristically non-hazardous contaminated soils associated with oil and gas production. The soils are remediated by spreading them on the ground surface in 6 in. lifts or less and periodically disking them to enhance natural remediation of the contaminants. The facility will be owned and operated by Danny Watson.

Any questions about the application may be directed to Eddie W. Seay, (505)392-2236 or 601 W. Illinois, Hobbs, NM 88242. Any protest or comments may be directed to the Oil Conservation Division, Box 6429, 1220 S. Saint Francis Dr., Santa Fe, NM 87505, (505)476-3440, within 30 days.

Thank you,

A handwritten signature in black ink, appearing to read "Eddie W. Seay", with a long, sweeping underline.

Eddie W. Seay, Agent