

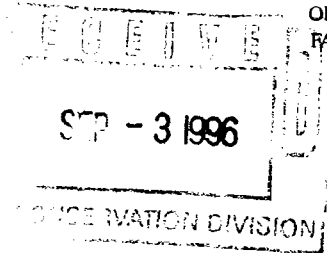
CURTIS & DEAN

ATTORNEYS AT LAW

506 WEST ARRINGTON • P. O. DRAWER 1259
FARMINGTON, NEW MEXICO 87499

SCOTT M. CURTIS
JOHN A. DEAN, JR.

OFF.: (505) 327-6031
FAX: (505) 327-6034



August 30, 1996

Rand Carroll
Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

via fax

RE: Case 11604 Application of Sunco Trucking

Dear Mr. Carroll:

When we talked about continuing this case from August 22, 1996 I indicated that it would be acceptable to move it to the September 5, 1996 docket. Even though I have not received a copy of the docket I have looked at it on the internet. It appears that this case is on the September 5th docket even though at the beginning of the docket it indicates that the cases are set for the 5th and the 19th. As it turns out I have a hearing set for 1:30 pm on the 5th. This case has been pending for some time and has been continued on several prior occasions. I don't want to have to ask the Judge to do so again.

I would respectfully ask that this case be called on September 19, 1996.

Sincerely:

John A. Dean, Jr.

JAD\jv

xc: client

Cont'd to 9/26

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August 30, 1996

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via fax

RE: Case 11604 Application of Sunco Trucking

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Sincerely:

John M

John A. Dean, Jr.

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xc: client

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~~(1) Sue Ellen Kelly~~
~~Barbara~~
~~7/73~~
~~217-7296~~
~~17:15~~

~~(2) Doctor~~

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~~(8) [unclear]~~

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FARMINGTON, NEW MEXICO 87499SCOTT M. CURTIS
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August 21, 1996

Case 11604

Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

via fax 505-827-8177

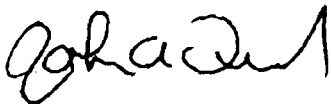
RE: Application of Sunco Trucking Water Disposal Company for a show Cause hearing as
to why it should not be fined for violations of Oil Conservation Division Rule 711

Dear Florine:

The purpose of this letter is to request that the above referenced matter be continued until the September docket. I understand that the September dockets are scheduled for September 5th and 19th.

If there is any problem with this request please advise me immediately.

Sincerely:



John A. Dean, Jr.

JAD\jv

cc: client

CURTIS & DEAN

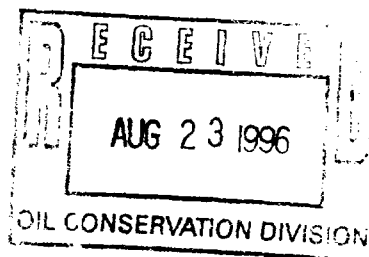
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OFF: (505) 327-6031
FAX: (505) 327-6034

August 21, 1996



Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

via fax 505-827-8177

RE: Application of Sunco Trucking Water Disposal Company for a show Cause hearing as to why it should not be fined for violations of Oil Conservation Division Rule 711

Dear Florine:

The purpose of this letter is to request that the above referenced matter be continued until the September docket. I understand that the September dockets are scheduled for September 5th and 19th.

If there is any problem with this request please advise me immediately.

Sincerely:

John A. Dean, Jr.

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xc: client

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FARMINGTON, NEW MEXICO 87499

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15

July 23, 1996

Roger Anderson
2040 S. Pacheco
Santa Fe, New Mexico 87505

RE: Sunco Trucking Pond

Dear Roger:

I appreciate the time and effort you and other OCD staff put into our meeting of last week. I feel like it was a very worthwhile meeting.

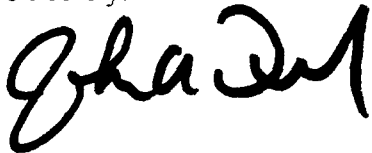
One of the areas discussed was the requirement that monitoring be conducted for H2S levels of .1 ppm. This standard came from the Basin Disposal lawsuit and was contained in the Final Judgment. The Final Judgment actually says monitoring will be for .010 ppm.

On June 7, 1994 I wrote to you and Denny Foust, copy enclosed, concerning the effect of the Final Judgment. Contained with that letter was a copy of the Stipulated Order dissolving the injunction. The monitoring requirements were part of the injunctive relief granted in the Final Judgment.

At our meeting the effect of the judgment was discussed at length. Since the Judgment is not in effect a portion of that discussion appears to be moot.

If you have any questions please give me a call.

Sincerely:



John A. Dean, Jr.

JAD\jv

enclosure

xc: George Coleman

JUN-12-91 WED 13:41 DISTRICT COURT AZTEC

P.

ELEVENTH JUDICIAL DISTRICT COURT
COUNTY OF SAN JUAN
STATE OF NEW MEXICO

FILED
DISTRICT COURT
SAN JUAN COUNTY,
NM

DEC 28 11 49 AM '90

THE STATE OF NEW MEXICO ex rel.
TIMOTHY PAYNE, et al.

Plaintiffs

vs.

No. CV-87-565-1107


BASIN DISPOSAL, INC., et al.,

Defendants.

STIPULATED ORDER

THIS MATTER is before the Court by agreement of the parties. The Court has been informed by the parties that the case has been resolved by settlement and as part of that agreement, the parties have stipulated to an order dissolving this Court's injunction directed to defendants and entered as part of the Court's final Judgment on June 6, 1989. The Court understands that the parties have stipulated to the dissolution of the injunction and plaintiffs have agreed to withdraw their Motion to Enforce Injunction and for Contempt which was filed on August 17, 1990.

It is therefore ORDERED that the injunction entered against the defendants by this Court's final Judgment dated June 6, 1989, shall be, and hereby is, dissolved.


THE HONORABLE SAMUEL Z. MONTOYA
DISTRICT JUDGE PRO TEM

CURTIS & DEAN

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FARMINGTON, NEW MEXICO 87499

SCOTT M. CURTIS
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OFF.: (505) 327-6031
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June 7, 1994

Denny Foutz
Oil Conservation Division
1000 Rio Brazos Road
Aztec, New Mexico 87410

Roger Anderson
Oil Conservation Division
Post Office Box 2088
Santa Fe, New Mexico 87504-2088

Re: Basin Disposal

Gentlemen:

This writer represents Basin Disposal. Some questions have recently come up concerning the Final Judgment entered on June 6, 1989 in the case entitled State of New Mexico; Timothy Payne, et al vs. Basin Disposal, Inc., et al. This Judgment sets out guidelines for the operation of Basin's disposal pit.

I enclose a copy of a letter from Michael O'Loughlin to this writer and dated May 27, 1994. I also enclose a copy of the Stipulated Order referred to by Mr. O'Loughlin.

We believe that the guidelines set out in the Final Judgment are no longer of any effect. As a result of the settlement of the case, those provisions were dissolved.

Should you have any questions, please let me know.

Sincerely,



JOHN A. DEAN, JR.

JAD:vj

Enclosures

xc: Basin Disposal, Inc.