



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

GARY E. JOHNSON

Governor

Jennifer A. Salisbury

Cabinet Secretary

Lori Wrotenbery

Director

Oil Conservation Division

March 30, 2001

Mr. Robert G. Hall
Lea Land, Inc.
1300 West Main Street
Oklahoma City, OK 73106

Re: Application of Lea Land, Inc. for a permit to operate a commercial surface waste management facility, Section 32, Township 20 South, Range 32 East, NMPM, Lea County, New Mexico

Dear Mr. Hall,

A timely request for hearing on the above-referenced application has been filed by Controlled Recovery Inc. A copy of the request is enclosed. In addition, a letter has been received from the City of Hobbs suggesting that the application may be of interest to the public of Lea County.

For reasons set forth in the attached Administrative Order, this matter has been referred to the New Mexico Oil Conservation Commission for hearing pursuant to N.M.S.A. 1978, § 70-2-6(B).

The matter will be docketed for hearing during the April 27, 2001 meeting of the Oil Conservation Commission.

Please feel free to give me a call if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen C. Ross".

Stephen C. Ross
Special Assistant Attorney General
Counsel, New Mexico Oil Conservation Commission

Cc: Michael H. Feldewert, Esq.
Lori Wrotenbery, Director, OCD
Roger C. Anderson, Chief, Environmental Bureau
Commission Secretary

ADMINISTRATIVE ORDER NO. MISL.-02

**IN RE: APPLICATION OF LEA LAND, INC. FOR A PERMIT TO OPERATE
A COMMERCIAL SURFACE WASTE MANAGEMENT FACILITY,
SECTION 32, TOWNSHIP 20 SOUTH, RANGE 32 EAST, NMPM, LEA
COUNTY, NEW MEXICO.**

**ADMINISTRATIVE ORDER
OF THE OIL CONSERVATION DIVISION**

THIS MATTER having come before the Oil Conservation Division of the New Mexico Energy, Minerals and Natural Resources Department (hereinafter referred to as "the Division") upon request for hearing on the application of Lea Land, Inc. for a permit to operate a commercial surface waste management facility in Section 32, Township 20 South, Range 32 East, NMPM, Lea County, New Mexico, and the Director of the Division, having reviewed the above-referenced request for hearing,

FINDS:

1. This hearing has the potential to attract public interest. In addition, one attorney has contacted this office about the matter, representing Controlled Recovery Inc. The matters are highly technical and will require the testimony of experts as well as lay persons. There could be many witnesses to hear and a multitude of exhibits and technical information presented.
2. Were the Division to hear this matter, any resulting order may be appealed to the Oil Conservation Commission (hereinafter referred to as "the Commission") *de novo* pursuant to Rule 1220; if that occurred in this case, the end result would be two long hearings instead of one, at great expense in time and resources to all concerned.
3. The Oil and Gas Act provides that the Director of the Division may refer matters for hearing to the Commission if the Director, in her discretion, determines that the Commission should hear the matter. *See* N.M.S.A. 1978, § 70-2-6(B).
4. Because of the potential that two hearings may ultimately be held in this matter instead of one, this matter should be referred directly to the Commission for hearing.

Administrative Order Misl.-02
Lea Land Incorporatied
March 30, 2001
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IT IS THEREFORE ORDERED, AS FOLLOWS:

This matter is hereby referred to the Oil Conservation Commission for docketing before that body.

DONE at Santa Fe, New Mexico, this 30th day of March, 2001.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION


LORI WROTENBERY, DIRECTOR

SEAL

Cc: Parties and attorneys of record
Roger C. Anderson, Chief, Environmental Bureau
Counsel, Oil Conservation Commission
Commission Secretary

HOLLAND & HART^{LLP}
and
CAMPBELL & CARR
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE • CASPER
CHEYENNE • JACKSON HOLE
SALT LAKE CITY • SANTA FE
WASHINGTON, D.C.

P.O. BOX 2208
SANTA FE, NEW MEXICO 87504-2208
110 NORTH GUADALUPE, SUITE 1
SANTA FE, NEW MEXICO 87501-6525

TELEPHONE (505) 988-4421
FACSIMILE (505) 983-6043

Michael H. Feldewert
(505) 988-4421
(505) 983-6043 Fax
mfeldewert@hollandhart.com

March 22, 2001

Via Hand Delivery

Lori Wrotenbery, Director
New Mexico Department of Energy,
Minerals and Natural Resources
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Re: Lea Land Inc.
Commercial Surface Waste Management Facility Application
Section 32, T-20-S, R-32-E
Lea County, New Mexico

Dear Ms. Wrotenbery:

Controlled Recovery Inc. ("CRI") hereby requests a public hearing on the above referenced application to address engineering, geological, health, economic and environmental concerns raised by the application.

CRI was unable to obtain until Monday of this week (March 19th) a copy of the supplemental information submitted by Lea Land or the proposed conditions of approval. CRI is therefore not in a position to offer specific objections to the application at this time. CRI intends to have the complete application and proposed conditions of approval reviewed by an engineer (Mark Turnbough) and a geologist (James Woods) as quickly as possible and intends to call these individuals to testify at the hearing.

Mr. Woods has indicated that he requires at least thirty days to conduct his geologic, health and environmental evaluation of the application. Mr. Turnbough likewise requires additional time to review the recently acquired materials. Because of the schedules of these witnesses, counsel, and CRI's representatives, CRI respectfully requests that any hearing on this matter be set no earlier than June 1st.

Your attention to this request is appreciated.

FILED
MAR 22 PM 3:35
CLERK OF DISTRICT COURT

HOLLAND & HART ^{LLP}
ATTORNEYS AT LAW

Roger Anderson
March 22, 2001
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Sincerely,

A handwritten signature in black ink, appearing to read "Michael H. Feldewert", written in a cursive style.

Michael H. Feldewert

MHF

cc: Roger Anderson, Environmental Bureau Chief
Ken Marsh