

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

**IN RE API 30-025-07119, ABANDONED WELL
AND ACTIVE RELEASE**

EMERGENCY ORDER

The Director of the New Mexico Oil Conservation Division (“Division”) issues this Emergency Order to remediate an active release and to plug and abandon API 30-025-07119.

FINDINGS

1. On November 22, 2022, the Division received notification of an active release of hydrocarbons at the wellhead location of API 30-025-07119.
2. The report to the Division and subsequent investigation information received from an offset operator confirmed the active release of oil or other oilfield waste, as identified in 19.15.2.7 (R)(4) NMAC. The Division received photographed pooling of waste and staining on the ground surrounding the identified wellhead as well as a verbal report from the offset operator confirming the notification received.
3. Division records indicate that the referenced well was plugged and abandoned by Ike Lovelady, Inc. as of October 3, 1980. The site was subsequently released by the Division.
4. On July 6, 2005, Platinum Exploration Inc. (“Platinum”), OGRID 227103, submitted form C-101 in application to re-enter the referenced well. The Division approved the application.

5. Platinum did not file any subsequent report of re-entry or production related to the referenced well. Due to the lack of any subsequent filing, the well remains classified as plugged and abandoned, site released within the Division's Permitting system.
6. On November 12, 2009, the Division issued Order R-13190 ordering Platinum to plug and abandon certain inactive wells and authorizing the Division to plug and abandon the wells in the event that Platinum failed to comply with the Order. Platinum did not participate in the underlying hearing, held on October 15, 2009.
7. The Division ultimately plugged and abandoned the wells referenced in Order R-13190 after Platinum failed to comply.
8. API 30-025-07119 was not referenced in Order R-13190 or underlying case, number 14380, due to its status as "plugged, site released" within the Division's Permitting system.
9. Platinum is the last identifiable potential operator of API 30-025-07119. According to New Mexico Secretary of State records last visited on November 23, 2022, Platinum is a foreign profit corporation incorporated in Texas, with a cancelled business registration in New Mexico.
10. As of the date of this Order, the Division is unable to identify a responsible party for API 30-025-07119.
11. Upon information and belief, the release documented at API 30-025-07119:
 - a. may result in a major release pursuant to 19.15.29.7 (A) NMAC if allowed to continue to leak;
 - b. may with reasonable probability endanger public health; or,

- c. substantially damage property or the environment; and,
 - d. is not subject to plugging or remediation activity by any currently identifiable operator.
- 12. The Division finds that, absent additional information, API 30-025-07119 is an abandoned well pursuant to Section 70-2-38 of the Oil and Gas Act and is eligible for remediation, reclamation, and any necessary plugging and abandonment activity through use of the Reclamation Fund.
- 13. Pursuant to Section 70-2-23 of the Oil and Gas Act, the Division finds that an emergency exists regarding the release identified at API 30-025-07119, which requires an Order permitting the Division to immediately remediate the release and perform any necessary plugging and abandonment of the well.

ORDER

- 14. To reduce waste, prevent potential damage to correlative rights, and to protect public health and the environment, the Division hereby ORDERS that the Division may immediately remediate the identified release and perform any necessary work to properly plug and abandon API 30-025-07119 through use of the Reclamation Fund.
- 15. The Division retains jurisdiction of this matter for the entry of such further orders as determined necessary and retains the right to pursue possible enforcement actions or potential actions to recover costs associated with work performed pursuant to this Order.

**STATE OF NEW MEXICO
OIL CONSERVATION DIVISION**



**ADRIENNE SANDOVAL
DIRECTOR**

Date: 11/23/2022