NOTICE OF COMBINED PUBLIC MEETING AND POSSIBLE EXECUTIVE SESSION

OIL AND GAS CONSERVATION COMMISSION

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Oil and Gas Conservation Commission and to the general public that the Oil and Gas Conservation Commission will hold a meeting open to the public on August 20, 1993, at 10:00 a.m. in Room 500 of the State Capitol located at 1700 West Washington, Phoenix, Arizona 85007. As indicated in the agenda, the Oil and Gas Conservation Commission may vote to go into executive session which will not be open to the public to discuss certain matters.

The agenda for the meeting is as follows:

1. Call to Order.
2. Hearing on application to amend permit for injection well at Dry Mesa Field.
3. Approval of Minutes of Meeting of March 12, 1993.
4. Statement of Director and State Geologist.
6. Close record and repeal R12-7-193 and R12-7-195.
7. Discuss forfeiture of Contender Oil Company bond.
8. Assistant Attorney General report on Contender and Power Ranch wells.
10. Call to the public.
11. Announcements.

The Oil and Gas Conservation Commission may vote to go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(3), which will not be open to the public to consult with its attorney and receive legal advice with respect to any regular agenda item listed on this agenda.

A copy of the agenda background material provided to Commission members (with the exception of material relating to possible executive sessions) is available for public inspection at the Oil and Gas Program Administrator's office, 845 North Park Avenue, Suite 100, Tucson, Arizona 85719.

The public will be afforded an opportunity to comment on any item on the agenda; however, at the beginning of the meeting, the Commission may vote to set up a time limit on individual comments.

Dated this 6th day of August 1993.

OIL AND GAS CONSERVATION COMMISSION

Steven L. Rausi
Oil and Gas Program Administrator
NOTICE OF COMBINED PUBLIC MEETING AND POSSIBLE EXECUTIVE SESSION

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OIL AND GAS CONSERVATION COMMISSION

[Signature]
Steven L. Rauzi
Oil and Gas Program Administrator

PLEASE ADVISE AS SOON AS POSSIBLE IF YOU WILL NOT BE IN ATTENDANCE
TO: Oil and Gas Conservation Commissioners  
FROM: Steven L. Raus, Oil and Gas Program Administrator  
SUBJECT: Activity Report  

Governor Symington appointed Lisa C. Worthington to the Commission on July 2 replacing Barbara H. Murphy. I wrote a letter welcoming her to the Commission on July 13.

The minutes of your last meeting on March 12, 1993, were mailed to you on March 17, 1993, with a copy of Chairman Wilt's letter thanking Jim Mitchell for appearing on behalf of the City of Avondale. As a result, they are not enclosed with this mailing. Please let me know if you need another copy of these minutes.

One permit to drill a geothermal hole was issued since your last meeting. It was issued to Tonto Drilling Services of Salt Lake City who is currently coring the Alpine-Federal 1 in sec. 23, T. 6 N., R. 30 E. about four miles north of Alpine just off U.S. highway 180/666. I witnessed the circulation of cement on the surface casing set at 500 feet and the pressure test of the blow-out prevention equipment and the casing. The hole penetrated sedimentary rocks of the Tertiary Datil Formation from the surface to 1,093 feet and coarse- to fine-grained sedimentary rocks of the Eocene Baca Formation to 3,139 feet. As of this writing, they are coring through tentative Supai Formation at 3,206 feet. They plan to core to a total depth of 4,500 feet and obtain temperature data in the Precambrian basement rocks.

Chuska Energy Company drilled Black Rock 12 and 10 in July and may drill 11 and redrill 7. The 12 was completed for 1.5 million cubic feet of gas a day but the 10 was not encouraging. The 12 is located about midway between Black Rock 8 and Navajo 138-2 in the Dry Mesa Field suggesting that Pennsylvanian production is likely between the 12 and 138-2 wells. The 10 is located about one mile east of Black Rock 1, the easternmost producer at the Black Rock Field. These wells are shown on the map enclosed for the HEARING requested by Dry Mesa and Chuska. The permits for these wells were issued in early 1990 and had expired but Chuska resubmitted their filing fee to renew them. Chuska may buy the Dry Mesa Field and has requested a HEARING to dispose produced water in the Navajo-138 #1 well.

Kerr-McGee Corporation performed a successful mechanical integrity test on their disposal well in the Dinah-bi-Keyah Field on July 7, 1993. I witnessed this test. They called on July 19 to report they were going to transport the tank bottoms from their 30,000 barrel stock tank at the Dinah-bi-Keyah Field to the Control Recovery disposal facility at Hobbs, New Mexico. However, Control Recovery would not accept the tank bottoms until they had a letter showing the Commission's approval. I wrote to Control Recovery on July 23.

Jay Shields' requested an extension of the observational status on his Federal 12-24 well near Fredonia. I approved the extension based on our discussion of his pending request in your last meeting.
Activity Report
August 6, 1993
Page 2

In early May, Ken Hand requested that the Commission release him from further liability for the wells on the Navajo-O lease (Teece Nos Pos Field) because Dry Mesa Corporation has never owned any title interest in the Navajo-O lease and resigned as interim operator in January 1992. According to the BLM in Farmington, the BIA informed Ken that he had no rights to the Navajo-O and that ownership reverted to Cross Creek Corporation. The Farmington office ordered Cross Creek to plug and abandon the wells and Cross Creek appealed to the Interior Board of Land Appeals. I called the Farmington office on July 27 and learned that the appeals board had not issued a decision on this case and that it may be another year or so before they do issue a decision. Our records show that Dry Mesa Corporation assumed ownership and operatorship of the Navajo-O lease on or about February 1, 1989, and posted a $25,000 performance bond on November 24, 1989. I informed Ken that until Cross Creek posted a new bond or the wells were plugged and abandoned, I could not release Dry Mesa's liability on the Navajo-O lease.

In late June, Bob Hand called to report that they were negotiating the sale of the Navajo-138 lease (Dry Mesa Field) to Chuska Energy Company. I explained that they would need to advise us in writing of what is being transferred and Chuska would need to advise us in writing of their acceptance of liability for the Navajo-138 wells before the Commission could relieve Dry Mesa Corporation from liability for the wells. Bob called back on July 29 to report the sale was still pending and requested a HEARING to amend Dry Mesa's injection permit to allow disposal of water from all wells in the greater Dry Mesa-Black Rock Field. On August 3, I received a written request for a HEARING and a fifty dollar fee from Chuska. Black Rock is currently producing about 4 barrels of water per month and we already have water analyses from all the formations under consideration. The notice of HEARING, a map, water production data at Dry Mesa and Black Rock, injection data for Navajo-138 #1, and a proposed order are enclosed. The HEARING is first up and I see no problem with granting their requested amendment.


As you requested in your last meeting, I arranged to have the Aman 1 well near Yuma plugged and abandoned and mailed a certified letter to Contender Oil Company requesting that they voluntarily forfeit their bond by July 20, 1993, or the Commission would vote to forfeit the bond. My letter was returned unsigned so you may consider this matter under agenda item 7. An interesting development on the Aman 1 is the Arizona Department of Water Resources' interest in taking this well over as a groundwater monitoring well. They will accept responsibility for the well if the Commission transfers the bond with the well and they can work out an access agreement with the current landowner.

As for rules and rulemaking, this office has not received any written comments on the two rules that you repealed in your last meeting and you may close the rulemaking record for these two rules. As for the second set of rules that you approved on October 23, 1992, I have not received a response to my letter of July 7 to Karen Clark incorporating the changes that she and I discussed in her office on June 22. She called to arrange a conference call between her, Elizabeth Stewart and myself to discuss some additional points, but, so far, we have been unable to accomplish the conference call. As for the third set of rules that you approved in your last meeting, John Feegan of the Attorney General's Office had several comments to the rules before recommending certification. We discussed his comments in detail on August 3, 4, and 6, and I will review our discussions at the meeting.

Finally, agenda item 10 is election of officers. The last election of officers was February 1991.
State of Arizona
Executive Office

July 7, 1993

Steven L. Rauser
Program Administrator
Oil & Gas Conservation Commission
845 North Park Avenue, #100
Tucson, AZ 85719

Dear Steve:

On July 2, 1993, Governor Symington had the pleasure of appointing Lisa C. Worthington (replacing Barbara Murphy) to the OIL & GAS CONSERVATION COMMISSION. Please see the enclosed membership roster.

I know that she will be a valuable member of the Commission and that you will extend to her every courtesy and recognition due this important appointment.

Sincerely,

Linda Stiles
Special Assistant - Appointments

LS:ps
Enc.
Dale Nations  
520 N. Bertrand  
Flagstaff, AZ  86001

Zed Veale  
1490 E. Appalachian  
Flagstaff, AZ  86004

James E. Warne, Jr.  
Post Office Box 21387  
Phoenix, AZ  85036

Jan C. Wilt  
3035 S. Shiela Avenue  
Tucson, AZ  85746

Lisa C. Worthington  
4801 E. Moonlight Way  
Paradise Valley, AZ  85253

774-2542 (H) / 526-4561 (O)  
Term Expires: 1/15/96

779-6051 (H) & (O)  
Term Expires: 1/20/97  
Replaced: Archie Roy Bennett

840-5703 (H) / 952-8312 (O)  
Term Expires: 1/17/94

883-6669 (O)  
Term Expires: 1/16/95

483-1838 (H)  
Term Expires: 1/19/98  
Replaced: Barbara Murphy

Steven L. Rauzi  
845 North Park Avenue, #100  
Tucson, AZ  85719

Program Administrator  
882-4795 (O)

Rev. 7/14/93
OIL AND GAS CONSERVATION COMMISSION
845 North Park Avenue, #100
Tucson, Arizona 85719

Minutes of Meeting
March 12, 1993

Present:
Mrs. Jan C. Wilt, Chairman
Mr. J. E. Warne Jr., Vice-Chairman
Mrs. Barbara H. Murphy, Member
Mr. Zod Veale, Member
Dr. Larry D. Fellows, State Geologist
Mr. Steven L. Rauzi, Oil and Gas Program Administrator

The regular Commission Meeting of March 12, 1993, was called to order by Mrs. Jan C. Wilt at 10:00 a.m. in Room 500, State Capitol Building, Phoenix, Arizona.

APPROVAL OF MINUTES OF MEETING OF OCTOBER 23, 1992

Mr. Warne moved, seconded by Mr. Veale:

THAT THE MINUTES OF THE MEETING OF OCTOBER 23, 1992, BE ACCEPTED AS PRESENTED.

Motion carried unanimously.

DISCUSSION ON PROPOSED STATUTORY CHANGES ON BEHALF OF WESTMARC

Mr. Jim Mitchell, speaking on behalf of the City of Avondale, stated that their major concern is the protection of the water aquifers under their city. After commending the Commission and the Arizona Geological Survey on their excellent service with regard to the oil and gas program, Mr. Mitchell stated that because mud is used in drilling oil wells and that since mud is a form of wastewater product discharged from a well, an Aquifer Protection Permit (APP) from the Department of Environmental Quality (DEQ) should be required in addition to the Commission's drilling permit to protect against potential problems to water aquifers. He also believed that the liability now set is grossly inadequate to correct any damages that could happen and requested the Commission to raise the bond to 100% of construction cost of a well or $1 million, whichever is less. They want first, to be notified of the drilling in the area and secondly, to have the right to follow up and guarantee the interests of the people that their rights are being preserved.

Mr. Rauzi explained the drilling and casing procedure used to protect fresh-water aquifers and described how the casing is pressure tested after being cemented. He noted that the Commission requires a pressure test to make sure that the casing has no leaks before the drilling process is allowed to continue. He reported that the Commission's bond amount is consistent with surrounding states and noted that none of the surrounding states require a public hearing before drilling except that in California a county hearing is required before a well is drilled within city limits.
Dr. Fellows asked Mr. Mitchell to review the APP process and explain what they are normally issued for. Mr. Mitchell indicated that the APP is issued by DEQ to ensure that wastewater will not damage or harm an existing aquifer. He noted that DEQ lists 12 items that require an APP and they wanted oil and gas wells to be included. He indicated that aside from whether drilling mud is or is not toxic, it is a wastewater and wells drilled for oil should be required to obtain an APP. Mr. Razzi indicated that DEQ had recently classified drilling mud as a solid waste and noted that the Commission's rules forbid the use of any toxic substance to be used in drilling mud. Mr. Mitchell replied that classification of the mud was beyond their expertise but it was their interest that the drilling process be permitted more than what the Commission has entertained in the past and that for the public safety, there needs to be additional regulatory control.

Dr. Fellows asked Mr. Mitchell if someone drilled a water well and used drilling mud is Mr. Mitchell concerned that they also should get an APP or if that is already done. Mr. Mitchell replied that water wells have an APP and are permitted through the Department of Water Resources. Dr. Fellows asked if a public hearing is required for water wells and why they were more concerned about an oil well being drilled, which uses drilling mud, than they were about water wells which penetrate the same horizons. Mr. Mitchell indicated they were not so much concerned about the product to be mined out of the aquifer as they were concerned about preserving the water in the aquifer. Dr. Fellows asked if, to be consistent, they would like to see a public hearing for water wells in addition to oil wells. Mr. Mitchell replied that that was true and indicated that the state has a process whereby notification is sent out to interested communities about any water well being drilled. Mr. Warne and Mrs. Murphy stated that public notice was not required for the numerous water wells their companies had drilled.

Mr. Warne asked Mr. Mitchell what purpose the APP would serve that the Commission's permit does not already serve. Mr. Mitchell believed they need protection when things go wrong, for instance if the casing test previously described had failed. Mr. Razzi indicated that the Commission's rules would not allow the drilling to continue until the test was good. Mr. Mitchell noted that the well was drilled through the aquifer and asked what if they misjudged the location of the salt dome, what if the salt had dissolved into the aquifer? Mr. Warne again asked Mr. Mitchell what would the APP do to cause these things not to happen and noted that the Commission's rules do not allow the aquifer to be contaminated. Mr. Mitchell indicated that by requiring an APP a public notice and hearing would be required, guaranteeing their involvement in the permitting process before the rig goes up and the trucks move in. Mr. Warne asked if what they wanted then, was better communication and not different technology. Mr. Mitchell responded not just better communication but a direct input into the permitting process because they are in the business of protecting the public health and safety of the citizens of Avondale. Mr. Warne pointed out that that is also the business and obligation of the Commission.

Mrs. Wilt pointed out to Mr. Mitchell that the Commission's function is to protect the health and safety of individuals and that they have particular expertise in anything that has to do with oil well practices. She noted that having expertise in a field allows for better judgement as to what may go wrong and the kinds of things that have gone wrong in other states.

Mr. Veale indicated his sensitivity to Mr. Mitchell's concerns but noted that to involve too many people and organizations in things would result in a spreading of responsibility and may accomplish quite the opposite of what they have set out to accomplish. He noted that the
Oil and Gas Conservation Commission Minutes March 12, 1993

Commission has a program in place that is very effective as long as it is enforced and that as long as its guidelines or charge is working and is complete and total in its accomplishment, he could not see the justification for considering another level.

Mr. Warne noted that Houston, Tulsa, Midland, Odessa, Long Beach, Huntington Beach, and Los Angeles all have ground water they pump from and they all have many more oil wells than we do. He asked Mr. Rausi if there was any difference in technology or care to preserve these waters. Mr. Rausi indicated that the technology was the same, state of the art, and that the same care was taken to protect aquifers.

Mrs. Murphy reported that she reviewed the intent of the APP and the rules of the Commission and noted that both have the same goal in terms of protecting the aquifer. She was of the opinion that to require an APP would cause redundancy in the program. Mr. Mitchell indicated that the essence of their problem was that the well was being drilled and they were not made aware of it.

Mr. Warne suggested that the Commission adopt an attitude to inform communities within a certain distance for input, but that the Commission work within a legal framework to accept technical input and distinguish from other kinds of input that would preclude the Commission from going ahead and exercising their rules and regulations, which are based on technical expertise.

Mr. Veals noted that it made sense to notify interested parties just as a matter of courtesy but he was adamantly opposed to the Commission sharing its responsibility or authority in any way with another organization. He pointed out that the Commission has an obligation to listen to any presentation, as Mr. Mitchell has made today, but the responsibility and authority must remain with the Commission.

Mr. Warne moved, seconded by Mrs. Murphy:

THAT THE QUESTION BE STUDIED BY STAFF AND COUNSEL REGARDING THE CREATION OF ADDITIONAL PROCEDURES TO ADDRESS THE COMMUNICATION PROBLEM

Motion carried unanimously.

STATEMENT OF DIRECTOR AND STATE GEOLOGIST

Dr. Fellows distributed the 1991-1992 Annual Report of the Arizona Geological Survey (AZGS) pointing out the summary of oil and gas activities on page 13. He reported that the 2% mid-year budget cut for the current fiscal year has not occurred yet, and might not. If there is a 2% cut, there will be no direct impact on the oil and gas program. He noted the legislature is now in session discussing the 1993-1994 budget, which he does expect will include a reduction, but which should not directly impact the oil and gas program. He reported that no legislation regarding the Westmore proposal was introduced in this session because there was a full legislative schedule. The AZGS is actively involved in obtaining funding from the U.S. Geological Survey for geologic mapping. This funding would be matched on a 50-50 basis.
REPORT OF THE OIL AND GAS PROGRAM ADMINISTRATOR

The activity report of Mr. Rauzi was sent to the Commissioners and has been made a part of these minutes. He indicated that PI reported Merrion Oil and Gas Company's recompletion in the Mississippian Formation at the East Boundary Butte Field as a new pool discovery and noted that one or two more wells may be drilled there. He discussed the progress of the rules and noted Ms. Elizabeth Stewart's recommendation that R12-7-193 and R12-7-195 be repealed. He informed the Commission that in July Mr. Shields may request an extension of temporary abandonment on his well. Based on his plugging of other wells, the Commission was agreeable to that but felt he should plug the present well before another permit to drill is issued.

ORAL HEARING, CLOSE RECORD, AND ADOPT RULES PUBLISHED IN THE JANUARY 29, 1993, ISSUE OF THE ARIZONA ADMINISTRATIVE REGISTER

Mrs. Wilt opened the floor for comments and discussion on this set of rules. No oral comments were received.

Mr. Veale moved, seconded by Mrs. Murphy:

THAT THE OIL AND GAS CONSERVATION COMMISSION CLOSE THE RECORD THIS MARCH 12, 1993, ADOPT THE CONCISE EXPLANATORY STATEMENT, AND ADOPT THE RULES SUBJECT TO CERTIFICATION BY THE ATTORNEY GENERAL

Motion carried unanimously.

Mrs. Wilt signed the Concise Explanatory Statement and Form R102, Certification of Rules and Order of Adoption and Mr. Rauzi indicated that he would forward the rules to the Attorney General for certification.

REPEAL RULES R12-7-193 AND R12-7-195

The proposed repeal of R12-7-193 and R12-7-195 were sent to the Commissioners and have been made a part of these minutes. Mr. Rauzi discussed the proposed repeal and explained that these rules are redundant with statute and that Ms. Stewart had advised that they were unnecessary.

Mrs. Murphy moved, seconded by Mr. Warner:

THAT THE OIL AND GAS CONSERVATION COMMISSION INITIATE THE RULE MAKING PROCEEDINGS TO REPEAL R12-7-193 AND R12-7-195

Motion carried unanimously.

Mr. Rauzi noted that he would forward these rules to the Governor's Regulatory Review Council (GRRC) no later than April 12, 1993, so that he could appear before GRRC on June 1, 1993. He recommended that the Commission not schedule a hearing for these rules and that they could not meet to adopt the repeal of the rules until late August 1993.
Oil and Gas Conservation Commission Minutes March 12, 1993

Mrs. Wilt signed the new Notice of Proposed Rule Making Submitted to the Governor’s Regulatory Review Council for publication before the GRRC meeting and Form R101, Notice of Proposed Rule Making, for publication after the GRRC meeting.

ASSISTANT ATTORNEY GENERAL REPORT ON CONTENDER AND CAM-ROY WELLS.

Ms. Diane Hinton recommended that the Commission go into Executive Session to receive legal advice. Mrs. Wilt asked Mr. Pomeroy if he would like to make any statements on this agenda item before they go into executive session. Mr. Pomeroy indicated that they have not owned the wells since 1988 and requested that the Commission not refer to the wells as the Cam-Roy wells any longer and that in Washington D.C. the wells are referred to as the Power Ranch wells. He also requested that future communication on these wells be made to his attorney, Mr. Frey. Mr. Rauzi advised Mr. Pomeroy that the wells were indeed listed as the Power Ranch No. 1 and No. 2 in the Commission’s files and that “Cam-Roy” indicated the last known operator as recorded in the files.

Mr. Warne moved, seconded by Mr. Veale:

THAT THE COMMISSION GO INTO EXECUTIVE SESSION.

Motion carried unanimously. At 11:20 a.m., the Executive Session began.

The regular meeting resumed at 12:15 p.m.

Mr. Warne moved, seconded by Mr. Veale:

THAT THE OIL AND GAS CONSERVATION COMMISSION DIRECT MR. RAUZI TO MAKE AN EFFORT TO GET THE CONTENDER WELL PLUGGED AND ABANDONED WITH THE $5000 BOND.

Motion carried unanimously.

DISCUSS MEETING WITH THE NAVAJO MINERAL DEPARTMENT

Discussion tabled until later date.

ELECTION OF OFFICERS

Election of officers tabled until later date.

CALL TO THE PUBLIC

None.

ANNOUNCEMENTS

The next meeting was scheduled for August 20, 1993.
ADJOURNMENT

Mrs. Murphy moved, seconded by Mr. Veale:

THAT THE MEETING BE ADJOURNED.

Motion carried unanimously. Time of adjournment was 12:20 p.m.

APPROVED

Mrs. Jan C. Witt
Chairman

GUESTS IN ATTENDANCE:

Diane D. Hinton
Beryl I. Dulsiky
John Saxman
R. J. Pomeroy
Jim Mitchell

Attorney General's Office
Attorney General’s Office
Cam-Roy Research and Development Corporation
Cam-Roy Research and Development Corporation
City of Avondale
State of Arizona
Arizona Geological Survey
845 North Park Avenue, #100
Tucson, Arizona 85719
(602) 882-4795

TO: Oil and Gas Conservation Commissioners

FROM: Steven L. Rauzi
Oil & Gas Program Administrator

DATE: March 17, 1993

SUBJECT: Minutes of Meeting

Enclosed are the minutes of your March 12, 1993, meeting and a copy of Chairman Wilt's letter thanking Mr. Jim Mitchell for attending the meeting to express his concerns.

I am sending the minutes now rather than August 6, 1993, when the agenda for your next meeting on August 20, 1993, will be mailed out because you may find it easier to review the minutes while the meeting is still fresh in your mind.

The minutes will not be included in the agenda mailing on August 6.
March 17, 1993

Mr. Jim Mitchell
Environmental Specialist
City of Avondale
525 North Central
Avondale, Arizona 85323

Dear Mr. Mitchell:

The Oil and Gas Conservation Commission thanks you for attending, on behalf of the City of Avondale, its March 12, 1993, meeting to express your concerns on its bonding and notification procedures.

These procedures are being reviewed by this Commission and its legal counsel from the Attorney General’s Office.

Please be assured that this Commission takes its statutory responsibility seriously to protect groundwaters and safeguard the health, property and public welfare of the citizens of this State.

Sincerely,

OIL AND GAS CONSERVATION COMMISSION

Jan C. Wilt
Chairman

c Representative John Keegan
Representative Ned King
Representative Jerry Overton
Senator Warren Austin Turner
Raymond W. Bedoya, Mayor of Avondale
Perry Hubbard, Mayor of Litchfield Park
Guests of Hearing & Meeting 8-20-93

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<td>Chair Emeritus</td>
<td>505-326-5525</td>
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<td>Dale Nations</td>
<td>Az O.C.C.</td>
<td>602</td>
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<td>Kent R. Carter</td>
<td>SFCR Reporting</td>
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<td>Beryl E. Dusky</td>
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<td>Melody Jones</td>
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Kent L. Carter, CSR, RPR, CMA
Certified Shorthand Reporter
Registered Professional Reporter
Certificate of Merit
Candescribe 72871.1732

McFate
Reporting Service, Inc.
Full-Service Court Reporting
P.O. Box 30156
1145 W. McDowell Rd.
Phoenix, Arizona 85067
602-257-0053 / Fax 253-5010