



Date: ~~August 28, 2009~~ September 8, 2009

Re: Approach Operating, LLC applications to drill the Tierra Amarilla / Rio Chama

Approach Operating, LLC has submitted 24 applications to drill (APDs) in the fragile ecosystem of Tierra Amarilla in the Rio Chama to Rio Arriba County and the New Mexico Oil Conservation Division (OCD). According to OCD, "The Board of County Commissioners of Rio Arriba requests a hearing to show that the drilling of the following (four) wells by Approach Operating, LLC will cause waste, violate correlative rights and/or be injurious to human health and the environment."

See Oil Conservation Commission (OCC) docket:

<https://www.emnrd.state.nm.us/ocd/documents/DocketNo31-09PRELIMINARY.pdf> .

Unlike the Galisteo Basin, the Rio Chama does not have OCD special oil and gas drilling provisions:

[19.15.39.9 SPECIAL PROVISIONS FOR SANTA FE COUNTY AND THE GALISTEO BASIN >>>>](#)

<http://www.emnrd.state.nm.us/ocd/documents/20098-5currentrules-new17and39.pdf>

The OCC hearing is scheduled for 9 am, ~~Sept. 9~~ October 7<sup>th</sup> at Porter Hall, 1220 S. St. Francis Drive in Santa Fe.

#### **What you can do?**

**Write Governor Richardson** using the following link <http://www.governor.state.nm.us/contact.php> and/or *email* Governor Richardson using the following link <http://www.governor.state.nm.us/emailchoice.php?mm=6> .

*Issue:* Energy, Minerals and Natural Resources.

**Comments/Suggestions:** To issue an Executive Order to the Oil Conservation Commission to adopt special oil & gas "wildcat" exploratory drilling provisions to protect fragile ecosystems in "frontier" areas in all of New Mexico, including the water rich Rio Chama and the Las Vegas Basin.

#### About the Rio Chama:

In Rio Arriba County, New Mexico, the Chama River watershed is targeted for oil and gas exploration. According to [Wikipedia](#), "The Rio Chama forms in south-central Colorado, just above the New Mexico border in the [San Juan Mountains](#) and [Carson National Forest](#) in [Archuleta County](#). It then flows about 120 miles (190 km) to its confluence with the Rio Grande at the [Ohkay Owingeh Pueblo](#), just north of [Espanola](#) in [Rio Arriba County](#). There are three reservoirs along the Chama; furthest north is [Heron Lake](#) which is dammed on Willow Creek just before it enters the Chama, followed by [El Vado Lake](#) and [Abiquiu Lake](#), both dammed on the Chama itself." And according to the [Santa Fe National Forest website](#), "The Rio Chama Wilderness encompasses 50,300 acres in northwest New Mexico. The U.S. Department of Agriculture designated the land a wilderness area in 1978 and in 1986 the Rio Chama that flows through the wilderness was deemed a "Wild and Scenic River." Currently, the city and the county of Santa Fe are seeking to divert water from the Rio Grande as a water supply. This project is known as the Buckman Water Diversion Project.

Texas-based Approach Resources, Inc. has leased about 90,000 acres of mineral rights in the Tierra Amarilla area of the vital Rio Chama Watershed. Approach Resources, Inc. had filed a federal suit against Rio Arriba County for imposing a four-month moratorium in 2008. The moratorium was to allow time for the county to develop an ordinance for oil and gas activities. Approach viewed the moratorium as a "takings" of property and claimed that the county was pre-empted by the state in regards to oil and gas regulations. Santa Fe County had filed an amicus brief requesting dismissal of the suit, because the county does have regulatory authority. Approach dropped the suit in July 2008.

[http://www.commongroundunited.org/index.php?option=com\\_content&task=view&id=116&Itemid=40](http://www.commongroundunited.org/index.php?option=com_content&task=view&id=116&Itemid=40)

Related articles:

Santa Fe New Mexican article about drilling in the Rio Chama, "Governor seeks draft on oil rules," 7/21/2008:

<http://www.santafenewmexican.com/SantaFeNorthernNM/Governor-seeks-draft-on-oil-rules>

Santa Fe New Mexican article about Approach Resources Inc. suit, "Drilling company drops suit against Rio Arriba County," 7/29/2008:

<http://www.santafenewmexican.com/SantaFeNorthernNM/Drilling-company-drops-suit-against-Rio-Arriba-County>

Common Ground United Contact Link:

[http://www.commongroundunited.org/index.php?option=com\\_contact&Itemid=3](http://www.commongroundunited.org/index.php?option=com_contact&Itemid=3)

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<http://www.drillingsantafe.org>

<http://www.commongroundunited.org/index.php>