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FACSIMILE TRANSMITTAL**CONFIDENTIAL****PRIVILEGED ATTORNEY-CLIENT WORK PRODUCT INFORMATION**

IF MISTAKENLY RECEIVED, PLEASE ADVISE BY CALLING
(505) 247-0411 AND THEN DESTROY DOCUMENT.
THANK YOU.

DATE: April 1, 1998 TIME: 9:00 A.M.
TO: Dennis McQuillan NO. OF PAGES TO FOLLOW: 4
FAX NUMBER: (505) 827-2965
FROM: Tessa Davidson
RE: Sparton

SHEEHAN,
SHEEHAN
&
STELZNER,
P.A.
ATTORNEYS
AT LAW

NOTE: See attached for your review.

OPERATOR: Jody (90396071)

Our Fax No.: 1-505-842-8890
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707 Broadway NE
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Exhibit A

3. The well is to be located within the SW 1/4, Section 7, Township 11 North, Range 3 East, projected, in Town of Alameda Grant. Alternatively, the well is to be located within a radius of 500 feet of a point having New Mexico Coordinate System (Central Zone) coordinates $X = 374,700$ feet east and $Y = 1,525,600$ feet north.

5. The maximum quantity of water to be appropriated and beneficially used is 600 gpm, or 968 afy, diversion. No consumptive use will result if this application is granted.

7. Additional Statements or explanations:

- a. Need for pollution control and recovery: Groundwater impacted by chlorinated solvents exists at or near Applicant's Coors Road facility. Applicant proposes to use the applied for containment well to prevent movement of material amounts of solvents from beyond the leading edge of the plume.
- b. Underground water source: Rio Grande underground basin.
- c. Locations of points of withdrawal and discharge: Please see #3 above for the proposed location of the well. For approximately 30-60 days after pumping of the containment well begins, water will be transported through a discharge pipeline to New Mexico Utilities' storm sewer system, treated at the City of Albuquerque's waste water treatment plant, and discharged to the surface waters of the Rio Grande (the "temporary" discharge location). Thereafter, water will be treated through an airstripper at the containment well site, transported through a discharge pipeline, and discharged through an infiltration gallery in the Calabacillas Arroyo located approximately 4,600 feet upstream from the Coors Road crossing (the "permanent" discharge location). See Exhibit B for a diagram of the containment well's location and the temporary and permanent discharge locations.
- d. Amount, method and place of discharge: The maximum amount of discharge will equal the maximum amount of water diverted; up to 600 gpm, or 968 acre feet per annum. As the diverted water will be treated, transported and discharged in closed systems, there will be no evaporation losses and no consumptive use. The temporary discharge location is at the point on the Rio Grande where the City of Albuquerque's waste water treatment plant discharges treated waste water. The permanent discharge location is in the Calabacillas Arroyo within the NW 1/4, Section 7, Township 11 North, Range 3 East, projected, in Town of Alameda Grant. See Exhibit B for discharge locations.

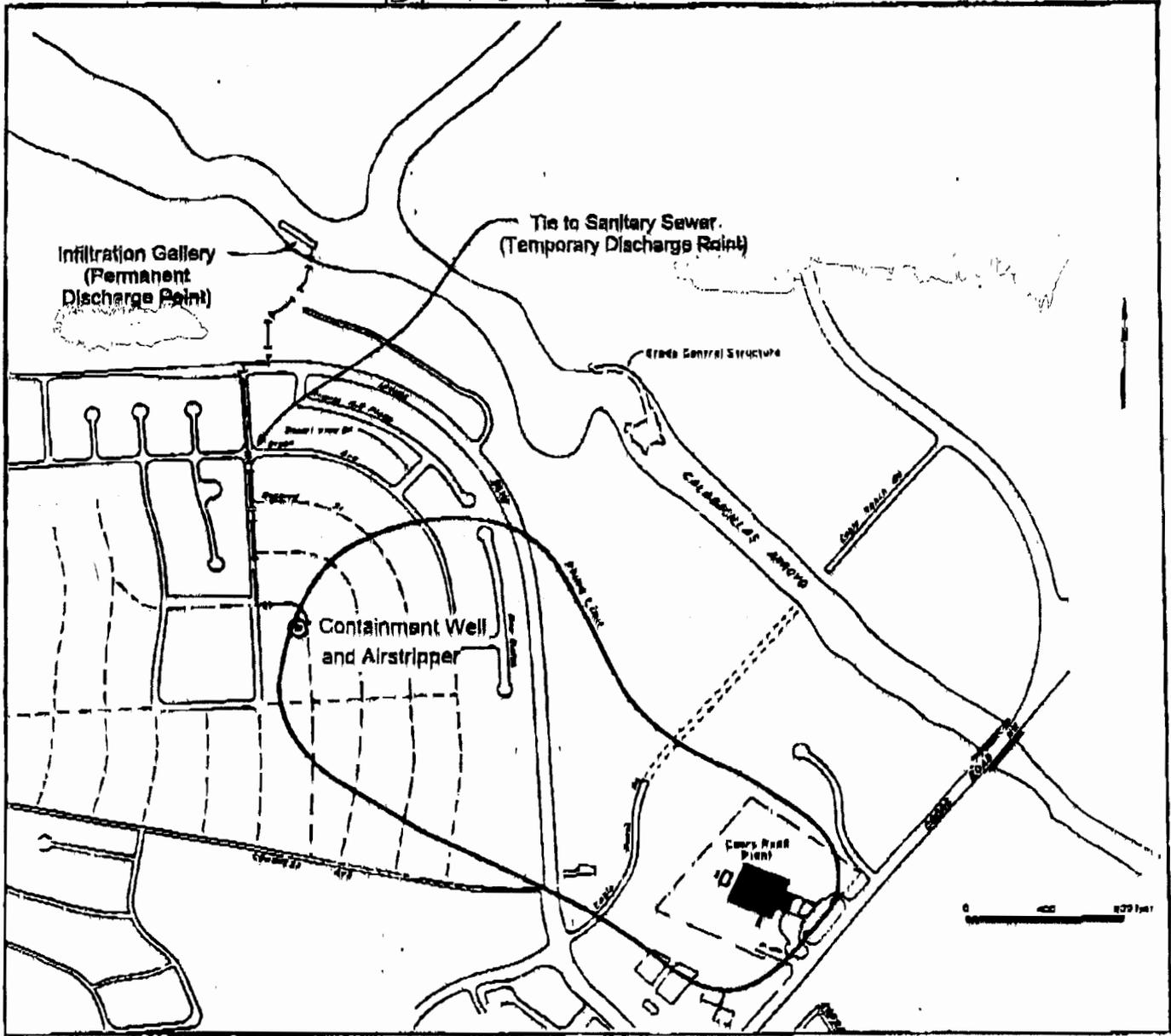
Containment Well File No. _____

- e. Estimated maximum period of time for completion of the pollution control and recovery operations: Applicant proposes to discharge at the temporary discharge location for approximately 30-60 days after pumping begins. Pumping of the containment well and discharges to the permanent discharge location are expected to last at least 30 years. Applicant will periodically assess the continued need for the well.
- f. Method of Measurement: Totalizing meters acceptable to the State Engineer.
- g. Disposition of well after completion of pumping related to remediation program: Applicant intends to either plug this well or to maintain it as a monitor well.
- h. Statement of non-impairment of existing rights: The proposed containment of groundwater will not result in a consumptive use of water and will not impair existing water rights. Applicant requests emergency exemption from or modification of the requirement for publication of notice prior to the drilling and use of the requested well for remediation purposes.
- i. Statement of emergency: Pursuant to settlement negotiations mandated by a federal court judge, Applicant has been instructed, and has agreed, to proceed to drill the containment well and commence remediation activities within the next month. Regulatory authorities have declared they believe an emergency exists because of the need to avoid expansion of impacts from the plume, if any. Based on this declaration, Applicant requests exemption from or modification of the requirement for publication of notice prior to the drilling and use of the requested well for remediation purposes. Delay caused by publication or hearing would not be in the public interest.

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Containment Well File No. _____

✓ Exhibit B



CONTAINMENT WELL AND DISCHARGE LOCATION MAP