



**MONTGOMERY
& ANDREWS**
LAW FIRM

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Edmund H. Kendrick

Of Counsel

Santa Fe, NM
505-986-2527

Practice Areas

- Administrative Regulatory
- Air Quality
- Environmental Law
- Indian Law
- Mining
- Natural Resources
- Oil and Gas
- Water Law
- Waste Management
- Water Quality

Overview

Mr. Kendrick has practiced environmental, natural resources and Indian law with Montgomery & Andrews for 35 years. Before joining the firm, he worked as a paralegal for South Dakota Legal Services on the Rosebud Sioux Reservation, as an attorney for the U.S. Environmental Protection Agency in Washington, D.C. and in general practice in Santa Fe.

Mr. Kendrick has represented clients before the New Mexico Environmental Improvement Board, Water Quality Control Commission and Oil Conservation Commission in environmental rule-making proceedings. He has obtained air, water, hazardous, and solid waste permits from the New Mexico Environment Department; negotiated refinery, power plant, mine site, underground storage tank and oil and gas production and processing plant cleanups; and advised clients on CERCLA and RCRA liabilities, environmental assessments for property acquisitions, and insurance coverage for environmental claims. In addition to counseling clients on regulatory compliance, he has defended clients in litigation asserting environmental claims.

Mr. Kendrick has represented local governments in the State of New Mexico concerning environmental matters. These matters include the defense of EPA Administrative Orders, the appeal of state certification of EPA permit conditions, the appeal of an EPA permit before the EPA Environmental Appeals Board and the redevelopment of contaminated sites under the New Mexico Voluntary Remediation Program.

Mr. Kendrick has represented energy companies before the Oil Conservation Division in obtaining approvals of oil and gas development projects. He has appealed Bureau of Land Management and Minerals Management Service actions to the Interior Board of Land Appeals. He has negotiated oil and gas leases and plugging bond disputes and defended clients in gas contract litigation. He has represented clients in stream basin adjudications and advised on the acquisition of water rights.

Mr. Kendrick has represented clients in acquiring rights-of-way and in opposing lease

forfeitures and tax assessments in Indian Country. He has filed amicus briefs on behalf of energy clients in the Tenth Circuit and the U.S. Supreme Court in tax jurisdiction cases arising in Indian Country. He has also advised clients on the structuring of commercial transactions in Indian Country as well as on the formation of joint ventures with tribal entities.

Background

Boston University

Juris Doctor, 1977

Yale University

Bachelor of Arts, 1970

Representative Cases

Mr. Kendrick has been counsel of record in the following reported cases:

In re Mark IV Industries, Inc. 459 B.R. 173 (S.D.N.Y. 2011)
Michigan v. EPA, 268 F.3d 1075 (D.C. Cir. 2001)
Pittsburg & Midway Coal Min. Co. v. Watchman, 52 F.3d 1531 (10th Cir. 1995)
Texaco, Inc. v. Zah, 5 F.3d 1374 (10th Cir. 1993)
Cotton Petroleum Corp. v. New Mexico, 490 U.S. 163 (1989)

Representative Clients

Chant Family II Limited Partnership
City of Farmington, New Mexico
City of Ruidoso Downs, New Mexico
County of Santa Fe, New Mexico
Dugan Production Corporation
Energy Transfer Company
First National Bank of Alamogordo
Hall Energy Company, LLC
Miller Bonded, Inc.
New Mexico Oil & Gas Association
Saga Petroleum
Western Refining, Inc.
University of New Mexico
Village of Ruidoso, New Mexico
Wood Group Generator Services, Inc.

Professional Memberships and Activities

- State Bar of New Mexico
- District of Columbia Bar
- State Bar of Massachusetts
- United States District Court for the District of New Mexico
- Tenth Circuit of Appeals
- District of Columbia Courts of Appeals
- United States Supreme Court

Service

- Chaired the Environmental Affairs Committee of the New Mexico Oil & Gas Association
- Chaired a Task Force appointed by the New Mexico Oil Conservation Commission to develop regulations for the disposal of naturally occurring radioactive materials
- Serves on the Environmental Law Specialty Committee of the Supreme Court of New Mexico

Honors

Best Lawyers in America (since 2003)

Chambers USA – America's Leading Lawyers for Business (since 2005)

Southwest Super Lawyers (since 2007)

"AV" rating by Martindale-Hubbell