

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

2004 JUL 2 PM 2 41

**IN THE MATTER OF THE HEARING CALLED BY THE  
OIL CONSERVATION COMMISSION FOR THE  
PURPOSE OF CONSIDERING:**

**CASE NO. 13270**

**APPLICATION OF YATES PETROLEUM  
CORPORATION FOR AN ORDER RESCINDING  
APPROVAL OF A CHANGE OF OPERATOR, EDDY  
COUNTY, NEW MEXICO.**

**PRE-HEARING STATEMENT**

This Pre-Hearing Statement is submitted by Holland & Hart LLP as required by the Oil Conservation Division.

WVH  
7/6/04

**APPEARANCES OF PARTIES**

**APPLICANT**

Yates Petroleum Corporation  
Attention: Randy Patterson  
105 South Fourth Street  
Artesia, New Mexico 88210-2118  
(505) 748-1471

**ATTORNEY**

William F. Carr, Esq.  
Holland & Hart LLP  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505) 988-4421

**STATEMENT OF CASE**

**APPLICANT**

Applicant seeks rescission of the approval of a change of operator for C. W. Trainer for the Vandiver Com State Well No. 1 (API No. 30-015-20783) located 990 feet from the South line and 660 feet from the West line (Unit M) of Section 18, Township 18 South, Range 26

East, NMPM Eddy County, New Mexico. This well is located approximately 6 miles South of Artesia, New Mexico.

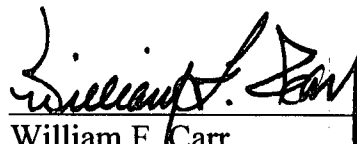
**PROPOSED EVIDENCE**

**APPLICANT**

<b>WITNESSES (Name and Expertise)</b>	<b>ESTIMATED TIME</b>	<b>EXHIBITS</b>
Charles Moran (Land)	Approx. 15 Minutes	Approx. 5

**PROCEDURAL MATTERS**

Yates Petroleum Corporation has none at this time.

  
\_\_\_\_\_  
William F. Carr  
Attorney for Yates Petroleum Corporation

**CERTIFICATE OF SERVICE**

I certify that on July 2, 2004 I served a copy of the foregoing document to the following by

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivery
- ☒ Fax
- ☐ Electronic Service by LexisNexis File & Serve

James Bruce, Esq.  
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**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION**

**CASE NO. 13270: APPLICATION OF YATES PETROLEUM CORPORATION FOR AN ORDER  
RESCINDING APPROVAL OF A CHANGE OF OPERATOR, EDDY COUNTY, NEW MEXICO.**

**ENTRY OF APPEARANCE  
AND  
PRE-HEARING STATEMENT**

This entry of appearance and pre-hearing statement is submitted by the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Yates Petroleum Corporation

**APPLICANT'S ATTORNEY**

William F. Carr  
Holland & Hart, LLP  
P.O. Box 2208  
Santa Fe, NM 87504  
(505) 988-4421

**RESPONDENT**

C.W. Trainer

**RESPONDENT'S ATTORNEY**

James G. Bruce  
P.O. Box 1056  
Santa Fe, NM 87504-1056  
(505) 982-2043

Oil Conservation Division

Gail MacQuesten  
Oil Conservation Division  
Energy, Minerals and Natural  
Resources Dept.  
1220 S. St. Francis Drive  
Santa Fe, NM 87505  
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2004 JUL 2 AM 9 37

WYD  
7/2/04

**STATEMENT OF THE CASE**

**OIL CONSERVATION DIVISION:**

Yates Petroleum Corporation ("Yates") seeks order rescinding the approval of a change of operator form filed by C.W. Trainer ("Trainer") seeking a change of operator for the Vandiver Com Well No. 1.

The Oil Conservation Division believes it acted correctly in approving the change of operator from Yates to Trainer, based on the information it had before it at the time of that decision. However, the Division takes no position on the current operator dispute between Yates and Trainer. The Division has entered an appearance in this case because Yates has requested that Tim Gum, Supervisor of the Division's District 2 office, be available to testify.

**PROPOSED EVIDENCE**

**OIL CONSERVATION DIVISION:**

WITNESS:

ESTIMATED TIME:

EXHIBITS:

Tim Gum, Supervisor, Dist. II

30 min.

Well files; Documents provided by Trainer

**PROCEDURAL MATTERS**

None.

Respectfully submitted,



Gail MacQuesten

Oil Conservation Division

Energy, Minerals and Natural

Resources Department

1220 S. St. Francis Drive

Santa Fe, NM 87505

(505) 476-3451

Attorney for the Oil Conservation Division

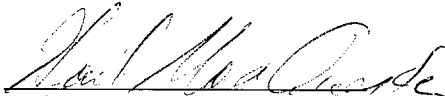
This 2nd day of July, 2004.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was served upon the following by fax this 2nd day of July, 2004:

William Carr  
983-6043

James Bruce  
Fax: 982-2151



Gail MacQuesten