

**BEFORE THE
NEW MEXICO ENERGY, MINERALS AND
NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION**

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

**APPLICATION OF SMITH & MARRS, INC. FOR
APPROVAL OF A SALT WATER DISPOSAL
WELL, LEA COUNTY, NEW MEXICO.**

CASE NO. **3511**

2005 JUN 10 AM 7 21

ENTRY OF APPEARANCE

COMES NOW HOLLAND & HART LLP and hereby enters its appearance in the
above referenced case on behalf of Rice Operating Company.

Respectfully submitted,

HOLLAND & HART LLP

By: *William F. Carr*

WILLIAM F. CARR

OCEAN MUNDS-DRY

Post Office Box 2208

Santa Fe, New Mexico 87504

Telephone: (505) 988-4421

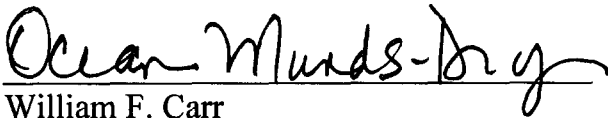
ATTORNEYS FOR RICE OPERATING CO.

CERTIFICATE OF SERVICE

I certify that on June 9, 2005 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

Eddie Seay, Agent
Smith & Mars, Inc.
601 W. Illinois Street
Hobbs, NM 88242-9650
(505) 392-2237
(505) 392-6949 (facsimile)


William F. Carr
Ocean Munds-Dry

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

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

CASE NO. 13511

**APPLICATION OF SMITH & MARRS, INC. FOR
APPROVAL OF A SALT WATER DISPOSAL WELL, LEA
COUNTY, NEW MEXICO.**

PRE-HEARING STATEMENT

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

APPEARANCES OF PARTIES

OPPOSITION

Ms. Carolyn Doran Haynes
Rice Operating Company
122 West Taylor
Hobbs, NM 88240
(505) 393-9174

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 approval to utilize its Anderson Well No. 1 (API No.. 30-025-29962) located 330 feet from the South line and 1980 feet from the East line (Unit O), Section 8, Township 20 South, Range 37 East, to dispose of produced water into the Lower San Andres formation and into the Glorieta formation from depths of 4,350 feet to 5,180 feet.

PROPOSED EVIDENCE

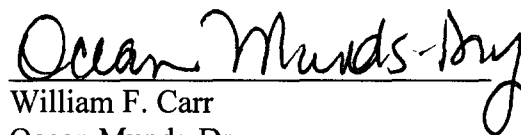
OPPOSITION

2005 JUN 10 AM 7 21

<u>Witnesses</u> (Name and Expertise)	<u>Estimated Time</u>	<u>Exhibits</u>
Carolyn Doran Haynes (Operations Engineer)	Approx. 15 minutes	Approx. 3

PROCEDURAL MATTERS

Rice Operating Company has none at this time.

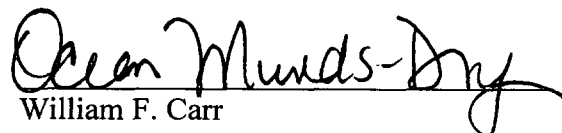

William F. Carr
Ocean Munds-Dry
Attorneys for Rice Operating Company

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Ocean Munds-Dry

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

IN THE MATTER OF THE HEARING
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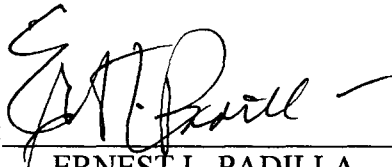
2005 JUN 14 AM 11 25

ENTRY OF APPEARANCE

COMES NOW, Ernest L. Padilla, PADILLA LAW FIRM, P.A. and hereby enters
his appearance on behalf of SMITH & MARRS, INC.

Respectfully submitted,

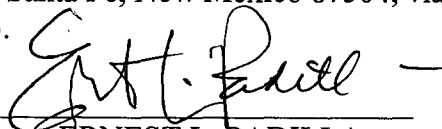
PADILLA LAW FIRM, P.A.

By: 
ERNEST L. PADILLA
P.O. Box 2523
Santa Fe, New Mexico 87504
(505) 988-7577
(505) 988-7592

ATTORNEY FOR SMITH & MARRS, INC.

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of this Entry of Appearance to be served upon William F. Carr, Holland & Hart, P.O. Box 2208, Santa Fe, New Mexico 87504, via facsimile (505) 983-6043 on this 14th day of June, 2005.


ERNEST L. PADILLA

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

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

CASE NO. 13511

2005 JUN 14 AM 11 16

**IN THE MATTER OF THE APPLICATION OF
SMITH & MARRS, INC. FOR APPROVAL OF
A SALT WATER DISPOSAL WELL, LEA COUNTY,
NEW MEXICO**

PRE-HEARING STATEMENT

This Prehearing Statement is submitted by Ernest L. Padilla, Padilla Law Firm, P.A. as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

SMITH & MARRS, INC.

ATTORNEY

Ernest L. Padilla
PADILLA LAW FIRM, P.A.
P.O. Box 2523
Santa Fe, New Mexico 87504
(505) 988-7577
(505) 988-7592 fax

OPPOSITION OR OTHER PARTY

ATTORNEY

RICE OPERATING COMPANY

William F. Carr
Holland & Hart
P.O. Box 2208
Santa Fe, New Mexico 87504
(505) 988-4421
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STATEMENT OF CASE

Applicant seeks approval to utilize its Anderson Well No. 1 (API No. 30-025-29962) located 330 feet from the South line and 1980 feet from the East line (Unit O), Section 8, Township 20 South, Range 37 East, to dispose of produced water into the Lower San Andres formation and into the Glorieta formation from depths of 4,350 feet to 5,180 feet. This well is located 6 miles south of Hobbs, New Mexico.

OPPOSITION OR OTHER PARTY

The opposing party, Rice Operating Company, an operator of three commercial salt water disposal well in the immediate area of Applicant's proposed salt water disposal well, has filed its objection to Applicant's Application for Administrative Approval for Salt Water Disposal.

PROPOSED EVIDENCE

APPLICANT: SMITH & MARRS

Applicant will ask that the exhibits introduced before the Division be included as part of the record before the Commission. Nevertheless, Applicant will introduce the following exhibits through the following witnesses:

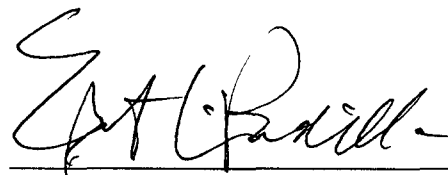
<u>WITNESS</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
Eddie Seay (Mr. Seay through assignment from Applicant is the principal who is also an oil and gas regulatory consultant)	30-45 minutes	(1) C-108

OPPOSITION: RICE OPERATING COMPANY

<u>WITNESS</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
Unknown		

PROCEDURAL MATTERS


None



ERNEST L. PADILLA

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of this Prehearing Statement to be served upon William F. Carr, Holland & Hart, P.O. Box 2208, Santa Fe, New Mexico 87504, via facsimile (505) 983-6043 on this 14th day of June, 2005.



ERNEST L. PADILLA