

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

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**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION  
COMPLIANCE AND ENFORCEMENT BUREAU FOR A COMPLIANCE ORDER  
AGAINST KERSEY AND COMPANY, FOR A WELL OPERATED IN EDDY  
COUNTY, NEW MEXICO.**

**CASE NO. 15649**

**PRE-HEARING STATEMENT**

Applicant Oil Conservation Division Compliance and Enforcement Bureau ("OCD" or "Bureau") is seeking an order declaring:

1. That Kersey and Company, ("Kersey and Company" or "Operator") is out of compliance with 19.15.8 NMAC and NMSA 1978, § 70-2-14.
2. That Operator must comply with OCD Rules within 30 days of the issuance of a Division order.
3. If Operator does not comply with Division order, finding that Operator is out of compliance with a Division order.

The Bureau supports the approval because of the following:

1. Notice of Hearing was properly served as required by 19.15.4.9 NMAC and 19.15.4.10 NMAC.
2. The Bureau will present evidence that Operator currently has 1 well out of compliance with Division Rule 19.15.8 NMAC.

**PETITIONERS'S PROPOSED EVIDENCE**

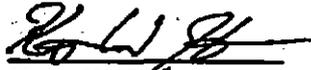
**WITNESS:** ESTIMATED TIME: 5 minutes  
Denise Gallegos, NMOCD Bond Administrator  
Testimony on compliance with OCD Financial Assurance Requirements.

The Bureau reserves the right to call additional witnesses not listed herein on rebuttal.

**PROCEDURAL MATTERS**

None.

Respectfully submitted  
this 23 day of March, 2017 by

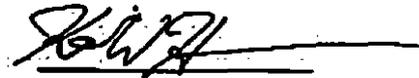


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*Compliance and Enforcement Bureau*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was sent electronically to the following party on March 23, 2017:

No party has entered an appearance

  
Keith W. Herrmann