

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION
COMPLIANCE AND ENFORCEMENT BUREAU FOR A COMPLIANCE
ORDER AGAINST PRIMAL ENERGY CORPORATION FOR WELLS
OPERATED IN LEA AND EDDY COUNTIES, NEW MEXICO**

CASE NO 15686

APPLICATION

The New Mexico Oil Conservation Division Compliance and Enforcement Bureau (Bureau) through its undersigned attorney hereby files this application with the Oil Conservation Division (OCD or Division) pursuant to the provisions of NMSA 1978 §70-2-12 for a compliance order (1) determining operator Primal Energy Corporation (Operator) is out of compliance with 19 15 8 NMAC and NMSA 1978 §70 2 14 (2) requiring Operator to return to compliance with 19 15 8 NMAC and (3) in the event of non compliance finding the Operator in violation of a Division order for each day after the deadline established in the sought order to obtain acceptable financial assurance This application deals specifically with Operator s violations of OCD rules regarding financial assurance and does not include all violations that may exist The OCD retains its right to bring a compliance action for any other existing and future violations In support of this application the OCD states

1 Operator is a New Mexico corporation that operates 10 wells in Lea and Eddy Counties New Mexico under OGRID No 154303

2 Operator s address of record with OCD is 21021 Springbrook Plaza Dr Suite 160 Spring TX 77379

3 The New Mexico Secretary of State has Operator registered under corporation number 1790989 and identifies Michael R Drake Director and President as officer of record

4 NMSA 1978 § 70 2-14 requires that each person firm corporation or association who operates any oil gas or service well within the state as a condition precedent to drilling or producing the well furnish financial assurance in the form of an irrevocable letter of credit or a cash or surety bond or a well-specific plugging insurance policy to the OCD running to the benefit of the state and conditioned that the well be plugged and abandoned and the location restored and remediated in compliance with OCD rules

5 19 15 8 9 C NMAC states that an operator shall cover a well that has been in temporary abandonment for more than two years by either a one well financial assurance or a blanket plugging financial assurance for wells in temporarily abandoned status

6 Operator currently is in need of acceptable financial assurance for the following wells

- a Big Eddy Unit #127 API # 30 015 27635 required bond amount \$12 000
- b Cochise King Gas Com #001 API # 30 025-30812 required bond amount \$8 525
- c Cochise-King Gas Com #002 API # 30-025 09337 required bond amount \$8 572
- d Fowler Hair #001 API # 30 025-11103 required bond amount \$8 563

- e Fowler Hair #003 API # 30 025 11105 required bond amount \$8 563
- f Fowler Hair #005 API # 30 025 11107 required bond amount \$8 655
- g Harrison #001 API # 30 025-24609 required bond amount \$8 462
- h Harrison #002 API # 30 025 24749 required bond amount \$8 610
- i Judy #001 API # 30 025 24641 required bond amount \$8 621
- j Judy #003 API # 30 025 26262 required bond amount \$8 500

WHEREFORE the Bureau by and through its compliance and enforcement manager hereby applies to the Director to enter an Order

- A Determining that Operator is in violation of 19 15 8 NMAC
- B Determining that Operator is in violation of NMSA 1978 §70 2-14
- C Requiring Operator to provide the OCD with acceptable financial assurance within 30 days of the issuance of an order
- D In the event of non compliance with the sought Division order by the dates established by the OCD finding the Operator in violation of a Division order
- E For such other and further relief as the Director deems just and proper under the circumstances

RESPECTFULLY SUBMITTED
this 28 day of March 2017 by


Keith W Herrmann
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Attorney for the Compliance and
Enforcement Bureau

Case No 15686 **Application of The New Mexico Oil Conservation Division Compliance and Enforcement Bureau for a Compliance Order against Primal Energy Corporation for Wells Operated in Eddy and Lea Counties, New Mexico**
The New Mexico Oil Conservation Division Compliance and Enforcement Bureau (Bureau) through its undersigned attorney hereby files this application with the Oil Conservation Division (OCD or Division) pursuant to the provisions of NMSA 1978 §70-2-12 for a compliance order (1) determining operator Primal Energy Corporation (Operator) is out of compliance with 19 15 8 NMAC and NMSA 1978 §70-2-14, (2) requiring Operator to return to compliance with 19 15 8 NMAC and (3) in the event of non-compliance finding the Operator in violation of a Division order for each day after the deadline established in the sought order to obtain acceptable financial assurance