

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION FOR
AN ORDER REQUIRING TEMPO ENERGY, INC TO PLUG ONE WELL AND
ORDERING A FORFEITURE OF APPLICABLE FINANCIAL ASSURANCE IN
EVENT OF OPERATOR'S NON-COMPLIANCE; LEA COUNTY, NEW
MEXICO.**

CASE NO. 13711

APPLICANT'S AMENDED PRE-HEARING STATEMENT

A. Parties and Attorneys:

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| Applicant | The New Mexico Oil Conservation Division |
| Attorney | David K. Brooks |

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| Respondents: | Tempo Energy, Inc. (No appearance) |
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The Travelers Indemnity Company
Anne M. Conway
Miller Stratvert, P.A.
P.O. Box 25687
Albuquerque, NM 87125
(505)-842-1950

Peterson Petroleum Company
(No appearance)

Joe D. Peterson
(No appearance)

2006 SEP 20 AM 10 23

B. Statement of the Case:

The Division seeks an order requiring Tempo Energy, Inc. to plug one well in Lea County, and, in event of non-compliance, forfeiting a \$50,000 surety bond issued by The Travelers Indemnity Company. Travelers contends that Tempo is not the operator of the

well, and that Peterson Petroleum or Joe D. Peterson is the operator. If the examiner finds for Travelers on these issues, then the Division seeks an order requiring Peterson Petroleum and/or Peterson to plug the well.

C. Witnesses for Applicant:

Chris Williams, district supervisor, District I or Gary Wink, oil and gas inspector,
District I

D. Time to Present Case: 30 minutes

E. Procedural Matters: None

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, reading "David K. Brooks", is written over a horizontal line.

David K. Brooks
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