

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

2006 DEC 18 PM 4 17

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST THORNTON HOPPER FINDING THAT THE OPERATOR IS IN VIOLATION OF 19.15.4.201 NMAC AS TO FIVE WELLS, REQUIRING OPERATOR TO BRING SAID WELLS INTO COMPLIANCE WITH 19.15.4.201 NMAC BY A DATE CERTAIN, AND IN THE EVENT OF NON-COMPLIANCE DECLARING THE WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG THE WELLS, EDDY COUNTY, NEW MEXICO.

CASE NO. 13844

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

The Oil Conservation Division submits this entry of appearance and pre-hearing statement pursuant to OCD Rule 1211 [19.15.14.1211 NMAC].

APPEARANCES

APPLICANT

Oil Conservation Division

APPLICANT'S ATTORNEY

Gail MacQuesten
Oil Conservation Division
Energy, Minerals and Natural
Resources Department
1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3451
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RESPONDENT

Thornton Hopper

No entry of appearance filed.

STATEMENT OF THE CASE

The Oil Conservation Division (OCD) seeks an order requiring Thornton Hopper to plug and abandon five inactive wells, and authorizing the OCD to plug and abandon the wells if Mr. Hopper does not do so.

The most recent reports of production are from 1992. The wells are neither plugged and abandoned nor on approved temporary abandonment status. The wells the subject of a hearing order issued in 2002 imposing a civil penalty of \$5,000. See Order No. R-11710.

No payment was made. In October 2006, the OCD cancelled Mr. Hopper's authority to transport from or inject into his wells. The OCD received no response.

The OCD does not hold a financial assurance for these five wells.

APPLICANT'S PROPOSED EVIDENCE

WITNESS:

ESTIMATED TIME:

Daniel Sanchez, Enforcement and Compliance
Manager

10 min.

Dorothy Phillips, Financial Assurance Administrator

by affidavit

PROCEDURAL MATTERS

None.

Respectfully submitted
this 15th day of December 2006 by



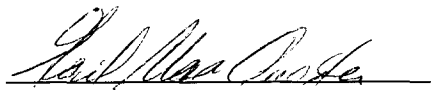
Gail MacQuesten
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Attorney for the Oil Conservation Division

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following by first class mail this 15th day of December 2006:

Mr. Thornton Hopper
P.O. Box 953
Midland, TX 79701



Gail MacQuesten