

STATE OF NEW MEXICO RECEIVED
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION APR 13 PM 1 17

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST M-T PETROLEUM INC. FINDING THAT THE OPERATOR IS IN VIOLATION OF 19.15.8.9 NMAC, 19.15.25.10 NMAC, 19.15.25.11 NMAC AND 19.15.29.11 NMAC AS TO ONE WELL, ASSESSING PENALTIES, REQUIRING OPERATOR TO PROPERLY PLUG AND ABANDON SAID WELL BY A DATE CERTAIN, AND IN THE EVENT OF NON-COMPLIANCE AUTHORIZING THE DIVISION COMPLETE THE PLUGGING AND ABANDONMENT OF THE WELL AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE, LEA COUNTY, NEW MEXICO.

CASE NO. 14293

MOTION TO DISMISS

The Oil Conservation Division (OCD) moves to dismiss Case No. 14293, currently scheduled for hearing April 30, 2009. The following grounds support this motion:

1. The application in Case No. 14293 sought a compliance order against M-T Petroleum as to one well: the Kimbrough #003, 30-025-31190. The central issue in the case was the remediation of the wellsite.
2. After the OCD filed the application in Case No. 14293, M-T Petroleum remediated the wellsite of the Kimbrough #003, and the OCD has designated the well as "plugged and released."

For the foregoing reasons, the OCD requests that Case No. ~~14293~~ be dismissed.

Respectfully submitted

this 13th day of April 2009 by



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CERTIFICATE OF SERVICE

13th I hereby certify that a copy of the foregoing pleading was mailed by first class mail this day of April 2009 to:

M-T Petroleum Inc.
c/o registered agent Rance Colburn
524 Texas Avenue
Eunice, NM 88231

RLI
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Houston, TX 77046



Gail MacQuesten