

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

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IN THE MATTER OF THE APPLICATION  
OF THE NEW MEXICO OIL CONSERVATION DIVISION  
THROUGH THE ENFORCEMENT AND COMPLIANCE  
MANAGER, FOR A COMPLIANCE ORDER AGAINST  
MARKS AND GARNER PRODUCTION LTD. CO.

CASE NO. 14393

PRE-HEARING STATEMENT

This Pre-hearing Statement is submitted by MARKS AND GARNER PRODUCTION LTD. CO., by and through its undersigned counsel, Ernest L. Padilla, Padilla Law Firm, P.A. as required by the Oil Conservation Commission.

APPEARANCES OF PARTIES

ATTORNEY

APPLICANT:

OIL CONSERVATION DIVISION

Mikal M. Altomare, Esq.  
Oil Conservation Division  
1220 S. St. Francis Dr.  
Santa Fe, NM 87505  
(505) 476-3451  
FAX: 476-3480

OPPOSITON OR OTHER PARTY:

MARKS AND GARNER PRODUCTION LTD. CO.

Ernest L. Padilla  
Padilla Law Firm, P.A.  
Post Office Box 2523  
Santa Fe, New Mexico 87504  
(505) 988-7577  
FAX: 988-7592

**STATEMENT OF CASE**

APPLICANT:

OPPOSITION OR OTHER PARTY:

Marks and Garner Production Ltd. Co. will present testimony that the affected oil and gas wells are in compliance, will be brought into compliance, or that it is no longer the owner and operator of some of the wells for which the hearing has been called.

**PROPOSED EVIDENCE**

APPLICANT

WITNESSES	EST. TIME	EXHIBITS
Unknown		

OPPOSITION

Quinton Welborn	1 Hour	(1) Wells Records (2) Assignment and Bill of Sale (3) Purchase and Sale Agreement (4) R.T. Hicks Consultants, Ltd. Report
R.T. Hicks	1/2 Hour	

**PROCEDURAL MATTERS**

(Please identify any procedural matters which need to be resolved prior to hearing.)

None

PADILLA LAW FIRM, P.A.



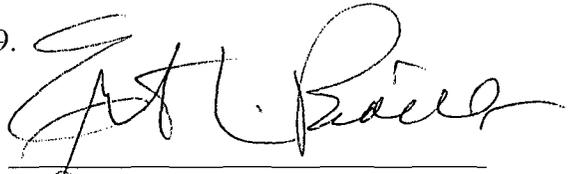
ERNEST L. PADILLA  
P.O. Box 2523  
Santa Fe, New Mexico 87504-2523  
(505) 988-7577

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a copy of this Pre-Hearing Statement to be served upon

Mikal M. Atomare, Esq.  
Oil Conservation Division  
1220 S. St. Francis Dr.  
Santa Fe, New Mexico 87505

by hand-delivery on this 6th day of November, 2009.



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ERNEST L. PADILLA