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

**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
(reopened)**

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 of its work with regard to submitting work plans designed to comply with Order 14393 that have been submitted to Mike Brachter of the Artesia District Office of the OCD and are currently being reviewed by him.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

Unknown

OPPOSITION

Cindy Crain

1/2 Hour

(1) Work Plans

Quentin Wellborn

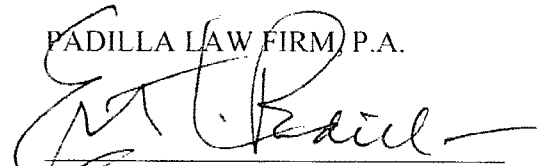
1/2 Hour

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

through e-mail transmission on this 22nd day of April, 2010.



ERNEST L. PADILLA