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OIL CONSERVATION DIV.
02 MAY -9 AM 11:42

May 9, 2002


Hand Delivered

Florene Davidson
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Dear Florene:

Enclosed for filing is an application for hearing *de novo* in Case No. 12757.

Very truly yours,


James Bruce

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

OIL CONSERVATION DIV.
02 MAY -9 AM 11:42

IN THE MATTER OF THE HEARING CALLED
BY THE OIL CONSERVATION DIVISION FOR
THE PURPOSE OF CONSIDERING:

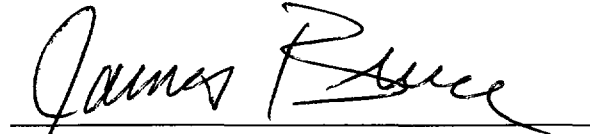
APPLICATION OF THE NEW MEXICO OIL
CONSERVATION DIVISION FOR AN ORDER
REQUIRING MARKS AND GARNER PRODUCTION
LTD. CO. TO PROPERLY PLUG SEVENTEEN (17)
WELLS, ETC., EDDY COUNTY, NEW MEXICO.

Case No. 12757
Order No. R-11753

APPLICATION FOR HEARING DE NOVO

Marks and Garner Production Ltd. Co., a party of record
adversely affected by the order entered herein, requests that this
matter be heard *de novo* before the Oil Conservation Commission
pursuant to NMSA 1978 §70-2-13 and Division Rule 1220.

Respectfully submitted,



James Bruce
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Santa Fe, New Mexico 87504
(505) 982-2043

Attorney for Marks and Garner
Production Ltd. Co.

CASE 12757: De Novo (Continued from June 21, 2002 Commission Hearing)

Application of the New Mexico Oil Conservation Division for an Order Requiring Marks and Garner Production Ltd. Co. to Properly Plug Seventeen (17) Wells, Authorizing the Division to Plug Said Wells in Default of Compliance by Marks and Garner Ltd. Co., Ordering a Forfeiture of Applicable Plugging Bond and Assessing Civil Penalties for False Production Reporting, Eddy County, New Mexico. The Applicant seeks an order requiring Marks and Garner Ltd. Co., the operator of seventeen (17) inactive wells in Eddy County, New Mexico to properly plug and abandon the same, authorizing the Division to plug said wells if the operator or its surety fails to do so, forfeiting Operator's plugging bond, and assessing civil penalties for false production reporting. The affected wells are the following:

<u>API NO.</u>	<u>WELL NAME AND NO.</u>	<u>UNIT/SEC/ TWSP/RNG</u>	<u>FNS</u>	<u>FEW</u>
30-015-02784	Cave Pool Unit #1	O-33-16S-29E	660S	1780E
30-015-02892	Cave Pool Unit #3	A-04-17S-29E	985N	987E
30-015-02880	Cave Pool Unit #12	E-04-17S-29E	1980N	660E
30-015-02881	Cave Pool Unit #14	G-04-17S-29E	1980N	1980E
30-015-02875	Cave Pool Unit #16	E-03-17S-29E	1973N	330W
30-015-02886	Cave Pool Unit #19	K-04-17S-29E	1980S	1880W
30-015-02891	Cave Pool Unit #30	O-04-17S-29E	990S	2310E
30-015-02927	Cave Pool Unit #32	A-09-17S-29E	660N	660E
30-015-02926	Cave Pool Unit #41	E-08-17S-29E	1650N	330W
30-015-02903	Cave Pool Unit #51	L-05-17S-29E	1650S	990W
30-015-02912	Cave Pool Unit #53	H-07-17S-29E	1650N	330E
30-015-25090	Red Twelve Levers Federal #8Q	I-33-16S-29E	1980S	990E
30-015-25152	Red Twelve Levers Federal #12	D-33-16S-29E	660N	660W
30-015-24991	Red Twelve State #4	O-05-17S-29E	990S	2310E
30-015-25055	Red Twelve State #6	K-05-17S-29E	2310S	1650E
30-015-02889	State #2	C-04-17S-19E	990N	1980W
30-015-24732	Theos State #1	G-05-17S-29E	1650N	1650E

Upon application of Marks and Garner Production Ltd. Co., this case will be heard De Novo pursuant to the provisions of Rule 1220.