

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

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

CASE NO. 12966  
ORDER NO. R-11879

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION,  
THROUGH THE SUPERVISOR OF DISTRICT III, FOR AN ORDER ASSESSING  
CIVIL PENALTIES AGAINST BC & D OPERATING INCORPORATED FOR  
FAILURE TO GIVE TIMELY NOTICE OF A RELEASE AND FAILURE TO TAKE  
CORRECTIVE ACTION AS REQUIRED BY OCD RULE 116, MCKINLEY  
COUNTY, NEW MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on December 5, 2002, at Santa Fe, New Mexico, before Examiner William V. Jones.

NOW, on this 9th day of January, 2003, the Division Director, having considered the record and the recommendations of the Examiner,

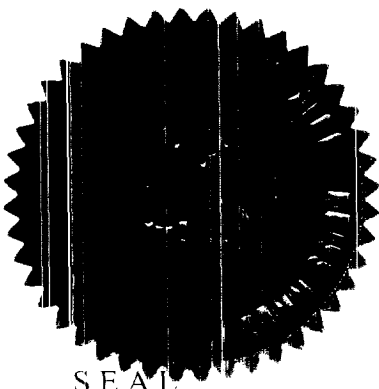
FINDS THAT:

The applicant's request for dismissal should be granted.

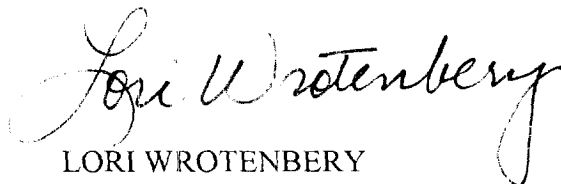
IT IS THEREFORE ORDERED THAT:

Case No. 12966 be dismissed.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.



STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION

  
LORI WROTENBERG  
Director