

**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 PURPOSES  
OF CONSIDERING:**

**CASE NO. 14107**

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION FOR A  
COMPLIANCE ORDER AGAINST XERIC OIL & GAS CORPORATION ("XERIC").**

2009 AUG 28 PM 3:55 RECEIVED

**RESPONDENT'S ENTRY OF APPEARANCE AND PRE-HEARING STATEMENT**

This Pre-Hearing Statement is submitted by Holland & Hart LLP, as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

Oil Conservation Division

Ronald St. John  
Xeric Oil & Gas Corp.  
14781 Memorial Drive Ste 1754  
Houston, Texas 77079

**ATTORNEY**

Mikal Altomare, Esq.  
New Mexico Oil Conservation Division  
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Ocean Munds-Dry  
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**STATEMENT OF CASE**

**APPLICANT**

The Applicant seeks an Order finding that Operator Xeric Oil & Gas Corporation ("Xeric") is in violation of rule 19.15.2.50 NMAC and the terms of APD Permit No. 1237 with regard to the West Pearl Unit #301 well and requiring Operator Xeric to comply with both the terms of the referenced Rule and Permit, or alternatively authorizing the division to plug the well and forfeit

any applicable/available security in the event that Xeric fails to comply and assessing an appropriate civil penalty. The subject well is located approximately 16 miles Southwest of Hobbs in Lea County and is identified as follows:

West Pearl Queen Unit #301 30 -025-36791

**RESPONDENT**

Xeric has completed remediation of the reserve drill pit associated with the above-referenced well. The environmental report has been submitted to the Division.

**PROPOSED EVIDENCE**

**APPLICANT**

WITNESSES	ESTIMATED TIME	EXHIBITS
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**RESPONDENT**

WITNESSES	ESTIMATED TIME	EXHIBITS
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Ronald St. John	30 minutes	Approx. 5
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Adam Hirschfeld	30 minutes	Approx. 10
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**PROCEDURAL MATTERS**

Xeric has none at this time.

  
Ocean Munds-Dry  
Attorney for Xeric Oil & Gas Corporation

## CERTIFICATE OF SERVICE

I certify that on August 28, 2008 I served a copy of the foregoing document to the following by

- U.S. Mail, postage prepaid
- Hand Delivery
- Fax
- Electronic Service by LexisNexis File & Serve

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