

**DOCKET: EXAMINER HEARING - THURSDAY – OCTOBER 15, 2009**

8:15 A.M. - 1220 South St. Francis

Santa Fe, New Mexico

Docket Nos. 38-09 and 39-09 are tentatively set for October 29, 2009 and November 12, 2009. Applications for hearing must be filed at least 30 days in advance of hearing date. OCD Rule 1211.B requires parties who intend to present evidence at an adjudicatory hearing to file a pre-hearing statement no later than the Thursday before the hearing, and serve a copy on opposing counsel of record. If the OCD does not receive a pre-hearing statement from the applicant by the close of business on the Thursday before the hearing, the hearing may be continued or dismissed by order of the examiner. If a protesting party fails to submit a timely pre-hearing statement, the hearing may be continued at the applicant's request. The following cases will be heard by an Examiner.

***Locator Key for Cases******Case 14054 – No. 1******Case 14290 – No. 17******Case 14329 – No. 16******Case 14335 – No. 18******Case 14353 – No. 5******Case 14354 – No. 6******Case 14367 – No. 14******Case 14368 – No. 10******Case 14369 – No. 11******Case 14370 – No. 12******Case 14372 – No. 13******Case 14380 – No. 2******Case 14381 – No. 15******Case 14382 – No. 19******Case 14388 – No. 3******Case 14389 – No. 4******Case 14390 – No. 7******Case 14391 – No. 8******Case 14392 – No. 9***

1. ~~CASE 14054~~: ***Application of the New Mexico Oil Conservation Division for a Compliance Order against Kimlar Oil Company, Eddy County, New Mexico.*** Division examiners will hear the Oil Conservation Division's motion to re-open Case 14054, which seeks an Order finding that Operator Kimlar Oil Company is in violation of an Order requiring corrective action.
2. ***CASE 14380:*** *(Continued from the September 17, 2009 Examiner Hearing.)*  
***Amended Application of the New Mexico Oil Conservation Division for a Compliance Order against Platinum Exploration, Inc. and/or Devonian Partners, LLC.*** The Applicant seeks an order under NMSA 1978, Section 70-2-14(B) finding that the operator is in violation of 19.15.25 NMAC or 19.15.7.24 NMAC, 19.15.8.9 NMAC, 19.15.29.11 NMAC, 19.15.16.8 NMAC, and 19.15.9.8-9 NMAC, requiring operator to return its wells to compliance or properly plug and abandon all the wells it operates in New Mexico by a date certain, and in the event of non-compliance authorizing the division to plug and abandon the wells and forfeit the applicable financial assurance. The affected wells are: Barnhill #001, L-1-14S-37E, 30-025-28198; Cooper #001, 3-2-17S-38E, 30-025-28166; Gulf State #003, 3-4-16S-38E, 30-025-07270; O A Woody #001, E-35-16S-38E, 30-025-26361; Post #001, N-1-14S-37E, 30-025-27984; Post #002, M-1-14S-37E, 30-025-28295; Post #003, D-12-14S-37E, 30-025-28576; Rose Eaves #002, P-35-16S-38E, 30-025-07291; Smith #001, F-13-14S-37E, 30-025-28478; Warren State #001, P-35-15S-37E, 30-025-34034. The Barnhill #001 and the Post #001, #002 and #003 are located approximately 12 miles northeast of Lovington. The Cooper #001 is located approximately 10 miles North of Hobbs. The remaining wells are located approximately 10 miles East of Lovington. All of the wells are located in Lea County, New Mexico.