

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

RECEIVED  
2010 NOV - 8 PM 2:08

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

**CASE NO. 14413**

**APPLICATION OF THE OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST BTA OIL PRODUCERS, LLC, FINDING THE OPERATOR IN VIOLATION OF ORDER NO. R-9147-C, 19.15.26.10.B, NMAC, 19.15.34NMAC, 19.15.17 NMAC, AND 19.15.29 NMAC AS TO A SALT WATER DISPOSAL FACILITY; REQUIRING THE OPERATOR TO SUBMIT A DELINEATION REPORT AND REMEDIATE THE FACILITY SITE; IN THE EVENT OF NON-COMPLIANCE REQUIRING THE OPERATOR TO PLUG AND ABANDON THE DISPOSAL WELL AUTHORIZE THE DIVISION TO TAKE THOSE ACTIONS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE; AND HOLD OPERATOR IN VIOLATION OF 19.15.5.9 NMAC UNTIL OPERATOR COMPLETES ALL ORDERED CORRECTIVE ACTION, EDDY COUNTY, NEW MEXICO.**

**PRE-HEARING STATEMENT**

This Pre-Hearing Statement is submitted by Holland & Hart, LLP on behalf of BTA Oil Producers, LLC as required by Oil Conservation Rule 19.15.14.1204 B NMAC.

**APPEARANCES OF PARTIES**

**APPLICANT**  
Oil Conservation Division

**ATTORNEY**  
Gail MacQuesten Esq.  
Deputy General Counsel  
Department of Energy, Minerals  
and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505  
(505) 476-3451  
FAX: 476-3462  
E-mail: [gail.macquesten@state.nm.us](mailto:gail.macquesten@state.nm.us)

BTA Oil Producers

William F. Carr, Esq.  
Holland & Hart, LLP  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988-4421  
FAX: 983-6043  
E-mail: [wcarr@hollandhart.com](mailto:wcarr@hollandhart.com)

**BTA OIL PRODUCERS LLC'S STATEMENT OF CASE**

BTA Oil Producers LLC will provide its water remediation plan for the subject site to the Oil Conservation Division prior to the hearing and will appear and will be ready to respond to questions concerning this plan. BTA should have completed the soil remediation at this site and will be ready to move to the next phase to address the contamination at this well site by November 18, 2010.

**PROPOSED EVIDENCE**

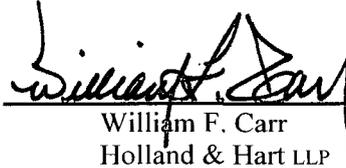
<b>WITNESSES</b> (Name and expertise)	<b>EST. TIME</b>	<b>EXHIBITS</b>
Ben Grimes Company Representative	Approx. 10 min.	Approx. 2
Mark Larson Consultant (May Call)	Approx. 10 Min.	Approx. 2

---

**PROCEDURAL MATTERS**

None at this time

Respectfully Submitted:  
Holland & Hart LLP



---

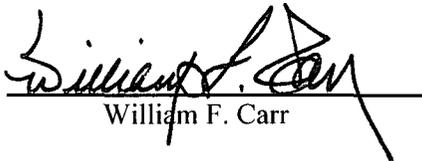
William F. Carr  
Holland & Hart LLP  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505) 988-4421  
(505) 983-6043 Facsimile

**ATTORNEYS FOR BTA OIL PRODUCERS**

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of November 2010, I have caused to be delivered by Facsimile a copy of the **Pre-Hearing Statement** in the above mentioned case to the following counsel of record:

Gail MacQuesten Esq.  
Deputy General Counsel  
Department of Energy, Minerals  
and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505  
(505) 476-3451

  
William F. Carr