

*m!*

**MONTGOMERY & ANDREWS, P.A.**

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March 11, 2003

**TELECOPY COVER SHEET**

**TO:** Oil Conservation Division  
Mr. Thomas Kellahin  
Mr. J. Scott Hall

**TELEFAX NO:** (505) 476-3462  
**TELEFAX NO:** (505) 982-2047  
**TELEFAX NO:** (505) 989-9857

**FROM:** Paul R. Owen, Esq.

**TELEPHONE NO:** (505) 986-2538

**TOTAL PAGES TO FOLLOW:** 3

*Message: Application of the New Mexico Oil Conservation Division through the Environmental Bureau Chief, for an Order Determining the Responsible Party or Parties and Ordering the Responsible Party or Parties to Conduct Division-Approved Corrective Action with Respect to Hydrocarbon Release, Lea County, New Mexico, OCD Case No. 13004*

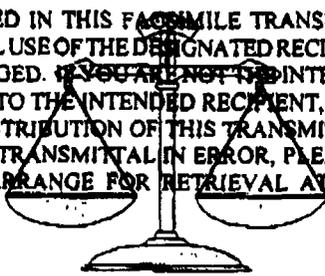
**ATTACHED PLEASE FIND THE ATTACHED AMENDED PREHEARING STATEMENT, WHICH I WOULD LIKE YOU TO FAX FILE TODAY. PLEASE CALL IF YOU HAVE ANY QUESTIONS. THANK YOU.**

This fax is being sent from (505) 982-4289

CLIENT NAME: Samedan

CLIENT NO.: 12674-03-01

THE INFORMATION CONTAINED IN THIS FACSIMILE TRANSMITTAL IS INTENDED FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT. THIS TRANSMITTAL MAY BE CONFIDENTIAL OR PRIVILEGED. IF YOU ARE NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERY TO THE INTENDED RECIPIENT, BE AWARE THAT ANY REVIEW, DISCLOSURE, COPYING OR DISTRIBUTION OF THIS TRANSMITTAL IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMITTAL IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO WE CAN ARRANGE FOR RETRIEVAL AT NO COST TO YOU (COLLECT 505/982-3873). THANK YOU.



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

**APPLICATION OF THE NEW MEXICO  
OIL CONSERVATION DIVISION,  
THROUGH THE ENVIRONMENTAL  
BUREAU CHIEF, FOR AN ORDER  
DETERMINING THE RESPONSIBLE  
PARTY OR PARTIES AND ORDERING  
THE RESPONSIBLE PARTY OR PARTIES  
TO CONDUCT DIVISION-APPROVED  
CORRECTIVE ACTION WITH RESPECT  
TO A HYDROCARBON RELEASE; LEA  
COUNTY, NEW MEXICO.**

**CASE NO. 13004**

**AMENDED PREHEARING STATEMENT**

This Prehearing Statement is submitted by Samedan Oil Corporation, by and through counsel, Montgomery & Andrews, P.A. as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

New Mexico Oil Conservation Division

**ATTORNEY**

David Brooks, Esq.  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**OPPOSITION OR OTHER PARTY**

Samedan Oil Corporation  
c/o Arnold J. Johnson, Esq.  
Noble Energy  
350 Glenborough Drive, Suite 100  
Houston, Texas 77067-3299

**ATTORNEY**

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Occidental Permian Ltd.

W. Thomas Kellahin, Esq.  
Post Office Box 2265  
Santa Fe, New Mexico 87504-2265

Shell Exploration & Production Company

J. Scott Hall, Esq.  
Miller, Stratvert P.A.  
Post Office Box 1986  
Santa Fe, New Mexico 87504-2265

### STATEMENT OF CASE

#### APPLICANT

The Oil Conservation Division seeks an Order determining the responsible party or parties and ordering the responsible party or parties to conduct Division-approved corrective action with respect to a hydrocarbon release, based on a complaint made by a surface owner, Gary Johnson, in Lea County, New Mexico.

### PROPOSED EVIDENCE

#### SAMEDAN OIL CORPORATION

#### WITNESSES

#### EST. TIME

#### EXHIBITS

Deb Lambertson

Approx. 30 min.

Approx. 4

### PROCEDURAL MATTERS

The Environmental Bureau of the Oil Conservation Division and Samedan Oil Corporation had reached a tentative agreement to continue the case if Samedan would develop and pursue a workplan. Based on that tentative agreement, Samedan sought continuance of this matter to the May 8, 2003 docket to allow the parties time to implement that agreement. Although that Motion was denied, Samedan will be submitting a request for reconsideration on the afternoon of March 11, 2003.

Occidental Permian, Ltd. has submitted a Motion to Dismiss. The Division has denied that Motion.

MONTGOMERY & ANDREWS, P.A.

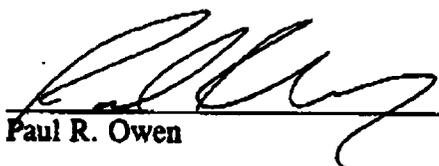
By   
Paul R. Owen  
Post Office Box 2307  
Santa Fe, New Mexico 87504-2307  
(505) 982-3873  
ATTORNEY FOR SAMEDAN OIL  
CORPORATION

**CERTIFICATE OF SERVICE**

I hereby certify that on this 11th day of March, 2003, I have caused a copy of Samedan's Prehearing Statement in the above-captioned case to be served via facsimile upon the following:

W. Thomas Kellahin, Esq.  
Kellahin & Kellahin  
Post Office Box 2265  
Santa Fe, New Mexico 87504-2265

J. Scott Hall, Esq.  
Miller, Stratvert & Torgerson PA  
Post Office Box 1986  
Santa Fe, New Mexico 87504-1986

  
Paul R. Owen

**MONTGOMERY & ANDREWS, P.A.**

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Mr. J. Scott Hall

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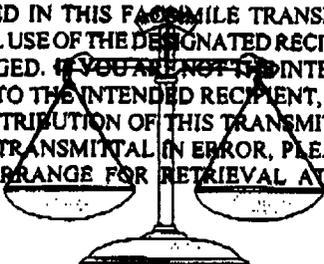
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This fax is being sent from (505) 982-4289

**CLIENT NAME:** Trilogy

**CLIENT NO.:** 12658-02-01

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COUNTY, NEW MEXICO.**

**CASE NO. 13004**

**PREHEARING STATEMENT**

This Prehearing Statement is submitted by Trilogy Operating, Inc., by and through counsel, Montgomery & Andrews, P.A. as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

New Mexico Oil Conservation Division

**ATTORNEY**

David Brooks, Esq.  
New Mexico Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

**OPPOSITION OR OTHER PARTY**

Samedan Oil Corporation  
c/o Arnold J. Johnson, Esq.  
Noble Energy  
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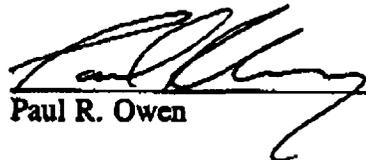
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