

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

  
**RECEIVED**  
MAR 7 2003  
Oil Conservation Division

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

**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 (GARY JOHNSON COMPLAINT)  
LEA COUNTY, NEW MEXICO**

**CASE NO. 13004**

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by Occidental Permian Ltd. ("OPL") as required by the New Mexico Oil Conservation Division.

**APPEARANCES OF THE PARTIES**

**APPLICANT**

Oil Conservation Division

**ATTORNEY**

David R. Brooks, Esq.

**OPPONENT**

Occidental Permian Ltd.

**ATTORNEY**

W. Thomas Kellahin, Esq.  
Carolyn Tillman, Esq.  
John Soule, Esq.

Samedan Oil Corporation  
Shell Oil Corporation

Paul Owen, Esq.  
J. Scott Hall, Esq.

## STATEMENT OF THE CASE

As its statement of the case, Occidental Permian Ltd. hereby incorporates by reference its Motion to Dismiss OPL as a responsible party, and supporting brief, as filed on March 5, 2003.

## PROPOSED EVIDENCE

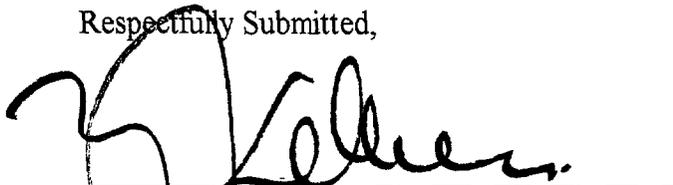
WITNESSES	EST. TIME	EST. EXHIBITS
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Occidental Permian Ltd. is unable to determine witnesses, exhibits and length of direct examination until the Division rules on Occidental Permian Ltd.'s motion, and therefore reserves the right to file an amended prehearing statement after the Division rules on Occidental Permian Ltd.'s motion.

## PROCEDURAL MATTERS

Division Examiner decision on Occidental Permian Ltd.'s Motion to Dismiss OPL as a responsible party.

Respectfully Submitted,



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W. Thomas Kellahin  
KELLAHIN & KELLAHIN