

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

JUN 8 AM 9 17

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

CASE NO. 9955

**APPLICATION OF**

Sunco Trucking Water Disposal - Commercial  
Waste Water Disposal Application

**PRE-HEARING STATEMENT**

This prehearing statement is submitted by Sunco Trucking Water Disposal  
as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

Sunco Trucking Water Disposal  
708 S. Tucker Ave.  
Farmington, N.M. 87401  
(505) 327-0416  
Robert C. Frank, P.O. Box 308,  
Farmington, NM 87499 (505) 325-8729  
**name, address, phone and**  
**contact person**

**ATTORNEY**

John A. Dean, Jr.  
Attorney at Law  
P.O. Drawer 1259  
(505) 327-6031

**OPPOSITION OR OTHER PARTY**

Harold W. and Doris J. Horner  
4111 Skyline Drive  
Farmington, NM 87401  
**name, address, phone and**  
**contact person**

**ATTORNEY**

Gary Horner  
Attorney at Law  
P.O. Box 2497  
Farmington, NM 87499  
(505) 326-2378

**STATEMENT OF CASE**

**APPLICANT**

(Please make a concise statement of what is being sought with this application and the reasons therefore.)

Applicant has met all O.C.D. regulations and believes that it is in the public interest and necessity to approve this application.

**OPPOSITION OR OTHER PARTY**

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

Opponents' position is stated in their letter of protest dated August 21, 1989 and filed in this cause. Opponents do not believe it is in the public interest to allow the pond where located. They also do not believe that the design is adequate to assure the public safety.

**PROPOSED EVIDENCE**

APPLICANT

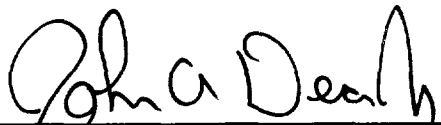
| WITNESSES<br>(Name and expertise)         | EST. TIME  | EXHIBITS   |
|---|------------|--|
| Chuck Badsgard<br>Representative of Sunco | 10 minutes |  |
| Robert Frank<br>Geologist                 | 45 minutes | Documents submitted with application and letters to O.C.D. dated 4/17/90 |
| Richard P. Cheney, PE, PLS<br>Engineer    | 45 minutes | Documents prepared in conjunction with his testimony.                    |

OPPOSITION

| WITNESSES<br>(Name and expertise)                             | EST. TIME | EXHIBITS   |
|---|-----------|--|
| None at this time.<br>Anticipate possibly calling one expert. | Unknown.  | Findings Of Fact And Conclusions Of Law and Judgment, ( <u>Payne vs. Basin Disposal</u> , San Juan County District Court Cause No. 87-569-1107) and miscellaneous articles concerning H <sub>2</sub> S |

**PROCEDURAL MATTERS**

(Please identify any procedural matters which need to be resolved prior to the hearing)

  
\_\_\_\_\_  
Signature  
JOHN A. DEAN, JR.  
Attorney for Applicant Sunco Trucking