

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

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

SEP · 2 2003

Oil Conservation Division

CASE NO. 12919

**APPLICATION OF THE NEW MEXICO OIL
CONSERVATION DIVISION FOR A PUBLIC HEARING
PURSUANT TO RULE 19.G(3) TO CONSIDER THE
ADEQUACY OF A REVISED STAGE 2 ABATEMENT PLAN;
LEA COUNTY, NEW MEXICO.**

PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted by Holland & Hart LLP, as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

Ms. Carolyn Doran Haynes
Rice Operating Company
122 West Taylor
Hobbs, NM 88240
(505) 393-9174

ATTORNEY

William F. Carr, Esq.
Holland & Hart LLP
Post Office Box 2208
Santa Fe, New Mexico 87504
(505) 988.4421

STATEMENT OF CASE

APPLICANT

Applicant asks the Director to set a public hearing to review the adequacy of the Revised Stage 2 Abatement Plan submitted by Rice Operating Company for abatement of

ground water contamination at the Junction I9 Release Site in the NE/4 SE/4 (Unit I) of Section 9, Township 19 South, Range 38 East, in Lea County, New Mexico. The Applicant will recommend approval of the Revised Stage 2 Abatement Plan subject to conditions set forth in the Application.

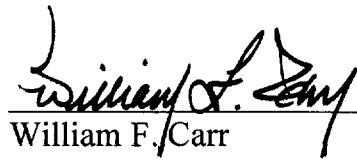
PROPOSED EVIDENCE

APPLICANT

The Rice Operating Company's Stage2 Abatement Plan was approved by the Division in 2001. It was set for hearing on the requests of the McNeill Ranch and the City of Hobbs. Occidental Permian Limited Partnership has acquired the property that is the subject of this case from McNeill. OXY does not request a hearing on this plan. The City of Hobbs likewise does not now request a hearing. When the case is called on September 4, 2003, attorneys for Rice will present letters from OXY and the City of Hobbs and a copy of the warranty deed to OXY from McNeill and requests that the Stage 2 Abatement Plan, subject to the conditions imposed thereon by the Division, be approved.

PROCEDURAL MATTERS

Rice Operating Company has none at this time.



William F. Carr
Attorney for Rice Operating Company