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**FAX TRANSMITTAL FORM****To**

Name: Florene Davidson  
Agency:  
Oil Conservation Division  
Fax: 476-3462

- ☐ Urgent  
☐ For Review  
☐ Please Comment  
☐ Please Reply

**From**

W. Thomas Kellahin  
Telephone 505-982-4285  
Facsimile 505-982-2047  
kellahin@earthlink.net

Date sent: 9-1-04  
Time sent: 3:40 pm  
Number of pages including cover page:

-3-

**Re: Case 13320**

*Application of Platinum Exploration Inc.  
for Salt Water Disposal  
Lea County, New Mexico*

**Dear Florene:**

*Attached is my pre-hearing statement of behalf of Woody*

**Regards,**

**CC** James Bruce, Esq.  
Attorney for Applicant

Woody Investments, LLC  
Attn: Dwain Woody  
Fax: 806-747-6272

**NOTICE OF CONFIDENTIALITY**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND INTENDED FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, COPYING, OR UNAUTHORIZED USE OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE AND RETURN THE FACSIMILE TO THE SENDER AT THE ABOVE ADDRESS. THANK YOU.

WVJ  
9/1/04

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

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

**APPLICATION OF PLATINUM EXPLORATION INC.  
FOR APPROVAL OF A SALT WATER DISPOSAL WELL,  
LEA COUNTY, NEW MEXICO**

**CASE 13320**

**PRE-HEARING STATEMENT**

**Dwain Woody and Woody Investments, LLC submits this pre-hearing statement as  
required by the New Mexico Oil Conservation Division.**

**APPEARENCES OF THE PARTIES**

**APPLICANT**

**Platinum Exploration, Inc.**

**ATTILICANT'S ATTORNEY**

**James Bruce**

**OPPONENT**

**Dwain Woody  
Woody Investments LLC  
HC 70, Box 97L  
Lovington, NM 88260  
Phone 806-749-3911  
Fax 806-747-6272**

**OPPONENT'S ATTORNEY**

**Thomas Kellahin, Esq.  
P. O. Box 2265  
Santa Fe, New Mexico 87504  
505-982-4285**

**STATEMENT OF THE CASE****OPPONENT:**

Dwain Woody and Woody Investments LLC (Woody") are the surface owners for the NW/4 of Section 35, T36S, R38E within which is located the Whitten Well No. 1 that Platinum Exploration seeks Division approval to re-enter and convert to salt water disposal.

Platinum has not obtained the permission of Woody to use this well for disposal. Platinum's production wells are not located within the NW/4 of Section 35. There are no production wells within the NW/4 of Section 35. Platinum has no right nor does the Division have any authority to allow the disposal of water produce from wells not located within the NW/4 of Section 35.

**PROPOSED EVIDENCE****OPPONENT****WITNESSES****EST. TIME****EST. EXHIBITS****NONE****PROCEDURAL MATTERS**

Woody seeks a provision in this order precluding the use of the Whitten Well No. 1 for the disposal of water produced "off-lease."

**KELLAHIN & KELLAHIN****W. Thomas Kellahin****P. O. Box 2265****Santa Fe, New Mexico 87504****Phone 505-982-4285****Fax 505-982-2047****E-mail: kellahin@earthlink.net**

### **CERTIFICATE OF SERVICE**

I certify that on September 1, 2004, I served a copy of the foregoing documents by:

- ☐ US Mail, postage prepaid
- ☐ Hand Delivery
- ☒ Facsimile

to the following:

James Bruce, Esq.  
Fax 505-982-2151

  
\_\_\_\_\_  
W. Thomas Kellahin

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

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

APPLICATION OF PLATINUM EXPLORATION,  
INC. FOR APPROVAL OF A SALT WATER  
DISPOSAL WELL, LEA COUNTY, NEW MEXICO.

Case No. 13320

ENTRY OF APPEARANCE

James Bruce enters his appearance in the above case on behalf of  
the applicant, Platinum Exploration, Inc.

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by applicant as required by  
the Oil Conservation Division.

APPEARANCES

APPLICANT

Platinum Exploration, Inc.

Midland, Texas 79702

Attention: Greg Rasmussen  
(432) 687-1664

APPLICANT'S ATTORNEY

James Bruce  
P.O. Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

OPPONENT

Woody Investments, LLC

OPPONENT'S ATTORNEY

W. Thomas Kellahin

STATEMENT OF THE CASE

APPLICANT

Applicant seeks approval to use its Whitten Well No. 1, located 990  
feet from the north line and 1680 feet from the west line (Unit C)  
of Section 35, Township 16 South, Range 38 East, NMPM, to dispose  
of produced water into the Devonian formation from an openhole  
interval of 12,250-13,000 feet.

OPPONENT

WVJ  
9/1/04

**PROPOSED EVIDENCE****APPLICANT****WITNESSES**

Greg Rasmussen  
(engineer)

**EST. TIME**

20 min.

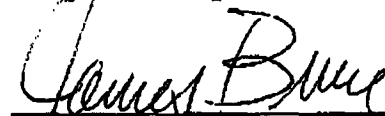
**EXHIBITS**

- (a) Form B-108
- (b) Cross-section
- (c) Notice affidavit

**OPPONENT****WITNESSES****EST. TIME****EXHIBITS****PROCEDURAL MATTERS**

-None-

Respectfully submitted,



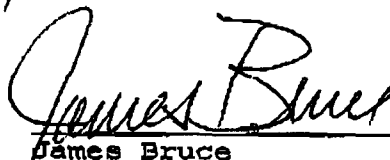
James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attorney for Platinum  
Exploration, Inc.

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing pleading was served upon the following counsel of record this 1st day of September, 2004, by facsimile transmission:

W. Thomas Kellahin  
Kellahin & Kellahin  
Post Office Box 2265  
Santa Fe, New Mexico 87504  
(505) 982-2047



James Bruce