

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

2005 AUG 9 AM 11 04

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

APPLICATION OF JW.NEAL, PATRICIA NEAL,
AND THE CLAUDIA YOUNG TRUST TO RESCIND
DIVISION ADMINISTRATIVE ORDER SWD-984
LEA COUNTY, NEW MEXICO.

Case No. 13,532

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by J. W. Neal, Patricia Neal, and Claudia Young Trust,
as required by the Oil Conservation Division.

APPEARANCE

APPLICANT

J. W. Neal, et al.

APPLICANT'S ATTORNEY

Michael R. Comeau
Unable to appear due to
Previous conflict of taking
depositions.

OPPONENT

Platinum Exploration, Inc.
Suite 500
550 West Texas
Midland, Texas

OPPONENT'S ATTORNEY

James Bruce
P. O. Box 1056
Santa Fe, NM 87504
505-982-2043

STATEMENT OF THE CASE

APPLICANT

Applicants seeks an order rescinding Administrative Order SWD-984, which granted permission to inject water into the Summers-Neal Well No. 1, located in the NW1/4NE1/4 of Section 18, Township 17 South, Range 39 East, NMPM. asserting the following:

- (1). Opponent has no legal right to the use of subsurface owned by Applicants involving any type of minerals.
- (2). That the existence of the wellbore of Summer-Neal #1 has material financial value to

applicant by reason of production of Summer-Neal #2 inadvertently plugged due to the use of submergible pump burned out from lack of fluid. The company at that time went into bankruptcy and no activity has been taken to restore production.

(3). That there is no legal basis opponent has in which he can dispose of produce waters from other sources other than the minerals owned by the applicants. That the granting of the order authorizing the disposal has no basis in law and violates the ownership rights of the mineral owners.

(4). Notice of this hearing has been given but the notice of actions previously taken by this commission was incomplete.

(5). The correlative rights of the mineral owners will be adversely effected.

PROPOSED EVIDENCE

APPLICANT

WITNESS

J. W. NEAL

EST. TIME

30 MINS.

EXHIBIT

APPROX. 2

OPPONENT

WITNESS

Julie Figel

EST. TIME

20 min.

EXHIBIT

Approx. 4

James Michael Reeves
ENGINEER

PROCEDURAL MATTERS

Respectfully submitted by,


J. W. Neal

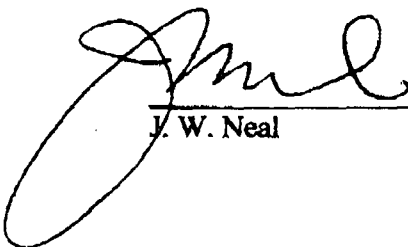
Due to the absence of Michael Comeau
P. O. Box 278
Hobbs, NM 88242
Fax # 505-392-0511

Michael R. Comeau
Comeau, Maldegan, Templenan & Indall,
P. O. Box 669
Santa Fe, NM 87504
Fax # 505-988-2987

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record via facsimile transmission on this the 8th day of August, 2005;

JAMES BRUCE
POST OFFICE BOX 1056
SANTA FE, NM 87504
Fax # 505-982-2151



J. W. Neal

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

**IN THE MATTER OF THE HEARING CALLED
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THE PURPOSE OF CONSIDERING:**

**APPLICATION OF J.W.NEAL, PATRICIA NEAL,
AND THE CLUDIA YOUNG TRUST TO RESCIND
DIVISION ADMINISTRATIVE ORDER SWD-984,
IEA COUNTY, NEW MEXICO.**

Case No. 13,532

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by Platinum Exploration, Inc. as required by the Oil Conservation Division.

APPEARANCES

APPLICANT

J.W. Neal, *et al.*

APPLICANT'S ATTORNEY

Michael R. Comeau

OPPONENT

Platinum Exploration, Inc.
Suite 500
550 West Texas
Midland, Texas 79701

OPPONENT'S ATTORNEY

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

Attention: Julie Figel
(432) 687-1664

STATEMENT OF THE CASE

APPLICANT

Applicants seek an order rescinding Administrative Order SWD-984, which granted permission to inject water into the Summers Well No. 1, located in the NW¼NE¼ of Section 18, Township 17 South, Range 39 East, NMPM.

OPPONENT

Platinum Exploration, Inc. asserts that (1) it has the legal right to use the wellbore of the Summers Well No. 1 for salt water disposal purposes, (2) proper notice of the administrative

WMS 8/8/05

application was given to all necessary parties, and/or (3) using the wellbore for salt water disposal purposes will not harm or affect the correlative rights of any offsetting mineral interest owners.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

OPPONENT

WITNESSES

EST. TIME

EXHIBITS

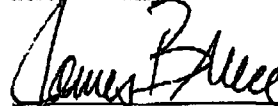
Julie Figel

20 min.

Approx. 4

PROCEDURAL MATTERS

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 hereby certify that a copy of the foregoing pleading was served upon the following counsel of record via facsimile transmission this 7th day of August, 2005:

Michael R. Comeau
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Fax No. (505) 988-2987


James Bruce