

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

**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION
COMPLIANCE AND ENFORCEMENT BUREAU FOR A COMPLIANCE ORDER
AGAINST TOM R. CONE FOR WELLS OPERATED IN EDDY AND LEA
COUNTIES, NEW MEXICO.**

CASE NO. 15462

PRE-HEARING STATEMENT

Applicant Oil Conservation Division ("OCD" or "Division") is seeking an order declaring:

1. That operator, Tom R. Cone, ("Cone" or "Operator") is out of compliance with OCD Rules OCD rules 19.15.5.9, 19.15.7.24, and 19.15.25.8 NMAC.
2. That Operator must comply with the conditions with OCD Rules within 30 days of the issuance of a division order.
3. If Operator does not comply with division order, finding that Operator is out of compliance with a division order, and the division declare all violating wells abandoned, and authorize the OCD to plug and abandon the operators wells and recover costs from Operator in accordance with OCD Rule 19.15.8.13 NMAC.

The OCD supports the approval because of the following:

1. Notice of Hearing was properly served as required by 19.15.4.9 NMAC and 19.15.4.10 NMAC.
2. Twenty-two (22) of Operator's wells have been inactive in excess of a period of 1 year plus 90 days, and are not plugged or abandoned, nor placed in temporary abandonment status in violation of OCD Rule 19.15.25.8 NMAC.
3. Operator currently has twenty-two (22) wells out of a total of twenty-two (22) wells out of compliance with Division Rule 19.15.25.8 NMAC, exceeding the amount allowed under OCD Rule 19.15.5.9(A)(4) NMAC.
4. Operator has not filed monthly production reports since October, 2009. Pursuant to 19.15.7.24 C. NMAC Operator had authorization to transport from or inject into all wells it operates was revoked on October 31, 2014. Operator has made no attempt to have authority reinstated.

RECEIVED OCD
2016 MAR 24 P 3:19

PETITIONERS'S PROPOSED EVIDENCE

WITNESS:

ESTIMATED TIME: 15 minutes

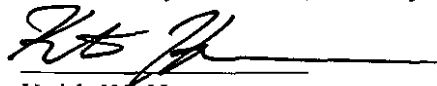
Daniel Sanchez, NMOCD Compliance & Enforcement Manager

Testimony on compliance with OCD Rules.

PROCEDURAL MATTERS

None.

Respectfully submitted
this 24th day of March, 2016 by



Keith W. Herrmann
Energy, Minerals and Natural
Resources Department
1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3463
(505) 476-3462 (fax)
Email: Keith.Herrmann@state.nm.us
*Attorney for the Oil Conservation Division
Compliance and Enforcement Bureau*

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was sent via ordinary first class mail to the following party on March 24th, 2016:

Tom R Cone
1304 W Broadway
Hobbs, NM 88240



Keith W. Herrmann