

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

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**APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION
COMPLIANCE AND ENFORCEMENT BUREAU FOR A COMPLIANCE ORDER
AGAINST GARNER'S WELL SERVICE, LLC, FOR A WELL OPERATED IN
LEA COUNTY, NEW MEXICO.**

CASE NO. 15825

PRE-HEARING STATEMENT

Applicant Oil Conservation Division Compliance and Enforcement Bureau ("OCD" or "Bureau") is seeking an order declaring:

1. That Garners Well Service, LLC, ("Garners" or "Operator") is out of compliance with 19.15.5.9, 19.15.8, and 19.15.25.8 NMAC.
2. That Operator must comply with 19.15.8 NMAC within 30 days of the issuance of a Division order.
3. That Operator must comply with 19.15.5.9 and 19.15.25.8 NMAC within 60 days of the issuance of a Division order.
4. If Operator does not comply with Division order, finding that Operator is out of compliance with a Division order, declaring the violating wells abandoned and authorizing the Division to plug the subject wells in accordance with a Division-approved plugging program and restore and remediate the location and recover costs from the Operator's financial assurance as required by 19.15.8.13 NMAC and seek indemnification as permitted by NMSA 1978, § 70-2-14(E).

The Bureau 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. The Bureau will present evidence that Operator currently has one (1) well out of compliance with 19.15.5.9, 19.15.8, and 19.15.25.8 NMAC.

PETITIONERS'S PROPOSED EVIDENCE

WITNESS:

ESTIMATED TIME: 5 minutes

Daniel Sanchez, OCD Compliance and Enforcement Manager

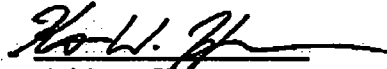
Testimony on compliance with OCD Rules.

The Bureau reserves the right to call additional witnesses not listed herein on rebuttal.

PROCEDURAL MATTERS

None.

Respectfully submitted
this 21st day of September 2016 by



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was electronically mailed to the following party on September 21, 2017:

No party has entered an appearance


Keith W. Herrmann