

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, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST C W TRAINER 1) FINDING THAT OPERATOR KNOWINGLY AND WILLFULLY VIOLATED 19.15.4.201 NMAC AS TO FOUR WELLS AND ASSESSING PENALTIES FOR THOSE VIOLATIONS; 2) REQUIRING OPERATOR TO RETURN SAID WELLS TO COMPLIANCE WITH 19.15.4.201 NMAC BY A DATE CERTAIN; AND 3) AUTHORIZING THE DIVISION TO PLUG SAID WELLS AND FORFEIT THE APPLICABLE FINANCIAL ASSURANCE IN THE EVENT OF NON-COMPLIANCE, LEA COUNTY, NEW MEXICO.

CASE NO. 13846

ENTRY OF APPEARANCE AND
PRE-HEARING STATEMENT

The Oil Conservation Division submits this entry of appearance and pre-hearing statement pursuant to OCD Rule 1211 [19.15.14.1211 NMAC].

APPEARANCES

APPLICANT

Oil Conservation Division

APPLICANT'S ATTORNEY

Gail MacQuesten
Oil Conservation Division
Energy, Minerals and Natural
Resources Department
1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3451
FAX: 476-3462

RESPONDENT

CW Trainer

CW Trainer
P.O. Box 754
Midland, TX 79702
(432) 687-2505
FAX: 432 687-2625

U.S. Specialty Insurance Co.

U.S. Specialty Ins. Co.
13403 Northwest Freeway
Houston, TX 77040

STATEMENT OF THE CASE

The Oil Conservation Division (OCD) seeks an order finding that CW Trainer knowingly and willfully violated 19.15.4.201 NMAC as to four inactive wells and assessing penalties for those violations. In addition, the OCD seeks an order requiring CW Trainer to return those wells to compliance by a date certain, and authorizing the OCD to plug the wells and forfeit the applicable financial assurance if CW Trainer does not comply. CW Trainer has posted \$50,000 blanket plugging bond No. B001539 through U.S. Specialty Insurance Co.

The four wells at issue in this case were the subject of inactive well agreed compliance orders 7 and 7-A. Those orders expired on June 30, 2006.

APPLICANT'S PROPOSED EVIDENCE

WITNESS:

ESTIMATED TIME:

Daniel Sanchez, Enforcement and Compliance
Manager

10 min.

Dorothy Phillips, Financial Assurance Administrator

by affidavit

PROCEDURAL MATTERS

None.

Respectfully submitted
this 20th day of December 2006 by


Gail MacQuesten

Oil Conservation Division
Energy, Minerals and Natural
Resources Department
1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3451

Attorney for the Oil Conservation Division

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following this ___ day of December 2006:

CW Trainer
P.O. Box 754

Midland, TX 79702
FAX: 432 687-2625
(By first class mail and FAX)

U.S. Specialty Ins. Co.
13403 Northwest Freeway
Houston, TX 77040
(By first class mail)


Gail MacQuesten