

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

2009 DEC 14 A 8:24

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

**APPLICATION OF AGUA SUCIA, LLC TO
REINSTATE ADMINISTRATIVE ORDER SWD-559
FOR A SALT WATER DISPOSAL WELL, LEA
COUNTY, NEW MEXICO.**

Case No. 14,411

PRE-HEARING STATEMENT

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

APPEARANCES

APPLICANT

Agua Sucia, LLC
14605 South Memorial Drive
Bixby, Oklahoma 74008

Attention: Denis Schoenhofer

APPLICANT'S ATTORNEY

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

OPPONENT

Armstrong Energy Corp.

OPPONENT'S ATTORNEY

William F. Carr

STATEMENT OF THE CASE

APPLICANT

Applicant seeks an order reinstating Division Administrative Order SWD-559 for a salt water disposal well, approving disposal into the Bone Spring formation in the Government E Well No. 1, located 610 feet from the south line and 1880 feet from the west line of Section 25, Township 19 South, Range 34 East, NMPM, at depths of 9716-10240 feet subsurface.

OPPONENT

SWD 12/14/09

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

Ben Stone

20 min.

Approx. 3

Robert Lee

20 min.

Approx. 4

OPPONENT

WITNESSES

EST. TIME

EXHIBITS

PROCEDURAL MATTERS

Applicant requests that Ben Stone be allowed to testify by telephone.

Respectfully submitted,




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

Attorney for Agua Sucia, LLC

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 10th day of December, 2009 by facsimile transmission:

William F. Carr
Holland & Hart LLP
P.O. Box 2208
Santa Fe, New Mexico 87504
(505) 983-6043


James Bruce