



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON

Governor

Joanna Prukop

Cabinet Secretary

April 9, 2003

Lori Wrotenbery

Director

Oil Conservation Division

Miller, Stratvert & Torgerson, P.A.

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Telefax No. (505) 989-9857

Montgomery & Andrews, P.A.

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Attn: W. Thomas Kellahin

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New Mexico Oil Conservation Division

Attn: David K. Brooks

1220 South Saint Francis Drive

Santa Fe, New Mexico 87505

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Re: Case No. 13,004: Application of the New Mexico Oil Conservation Division, through the Environmental Bureau Chief, for an order determining the responsible party or parties and ordering the responsible party or parties to conduct Division-approved corrective action with respect to a hydrocarbon release; Lea County, New Mexico.

Dear Messrs. Hall, Owen, Kellahin, and Brooks:

Reference is made to the motion to dismiss Division Case No. 13004 submitted by Samedan Oil Corporation, Occidental Permian Ltd., and Shell Exploration and Production Company titled "*Stipulated Conditional Dismissal*" attached to the letter dated April 8, 2003 from Mr. Paul Owen. At this time the Division has received signatures from the four of you agreeing to this motion; therefore, Division Case No. 13004 is hereby **dismissed without prejudice**.

Sincerely,

Michael E. Stogner
Hearing Officer/Engineer

cc: New Mexico Oil Conservation Division - Hobbs
Case File 13,004
Florene Davidson - NMOCD, Santa Fe
Kathy Valdes - NMOCD, Santa Fe
David R. Catanach - NMOCD, Santa Fe
Ted Apodaca, OFS - EMNRD, Santa Fe