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March 13, 2003

VIA FACIMILE

Mr. Michael E. Stogner
Chief Hearing Examiner
Oil Conservation Division
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Re: NMOCD Case No. 13066
Application by the Division to determine the
responsible party for alleged soil contamination
at the Gary Johnson site
Lea County, New Mexico

Dear Mr. Stogner:

On behalf of Occidental Petroleum Ltd. ("OPL"), and based upon your decision yesterday afternoon, please find enclosed OPL's amended pre-hearing statement.

In response to Samedan Oil Corporation's motion for reconsideration of its motion for a continuance filed at 4:45PM yesterday, OPL's states: (1) On March 10, 2003, counsel for Samedan did not request that counsel for OPL agree to a continuance and none was given; (2) On March 10 and March 11, counsel for OPL told counsel for Samedan that OPL was opposed to any continuance; (3) contrary to the allegations contained on Samedan's motion for reconsideration, OPL's witnesses are not the same in this case as for Case 13017 pending on the same docket.

OPL still maintains that the Division should dismiss OPL as a "responsible party" in this case, which is currently set for hearing by you on March 13, 2003.

Very truly yours,


W. Thomas Kellahin

Copies delivered by facsimile:
David Brooks, Esq. (OCD-attorney)
J. Scott Hall, Esq. (Shell)
Paul Owen, Esq. (Samedan)

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

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

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 (GARY JOHNSON COMPLAINT)
LEA COUNTY, NEW MEXICO

CASE NO. 13004

AMENDED PRE-HEARING STATEMENT

This amended pre-hearing statement is submitted by Occidental Permian Ltd. ("OPL") as required by the New Mexico Oil Conservation Division.

On March 5, 2003, OPL filed a motion to be dismissed as a party in this case and on March 7, 2003 filed its pre-hearing statement referencing this motion and reversed the right to file an amended prehearing statement after the Division ruled on OPL's motion.

Yesterday afternoon at 2:45 pm, the Division Examiner notified OPL that "At this time, OPL's motion is hereby denied." Based upon the Examiner's decision, OPL anticipates that it will call Ward Bentley as a witness and estimates about 45-60 minutes of direct testimony and approximately 26 exhibits.

APPEARANCES OF THE PARTIES

APPLICANT

Oil Conservation Division

ATTORNEY

David R. Brooks, Esq.

OPPONENT

Occidental Permian Ltd.

Samedan Oil Corporation
Shell Oil Corporation

ATTORNEY

W. Thomas Kellahin, Esq.
Carolyn Tillman, Esq.
John Soule, Esq.

Paul Owen, Esq.
J. Scott Hall, Esq.

STATEMENT OF THE CASE

As its statement of the case, Occidental Permian Ltd. hereby incorporates by reference its Motion to Dismiss OPL as a responsible party, and supporting brief, as filed on March 5, 2003.

PROPOSED EVIDENCE

OPL WITNESSES

EST. TIME

EST. EXHIBITS

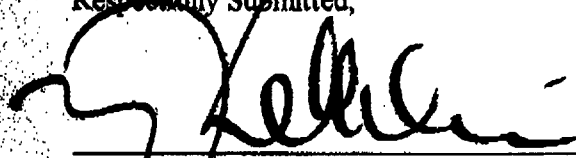
Ward Bentley

45-60 min.

@ 26

PROCEDURAL MATTERS

Respectfully Submitted,



W. Thomas Kellahin
KELLAHIN & KELLAHIN