

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


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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

PRE-HEARING STATEMENT

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

APPEARANCES OF THE PARTIES

APPLICANT

Oil Conservation Division

ATTORNEY

David R. Brooks, Esq.

OPPONENT

Occidental Permian Ltd.

ATTORNEY

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

Samedan Oil Corporation
Shell Oil Corporation

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

WITNESSES

EST. TIME

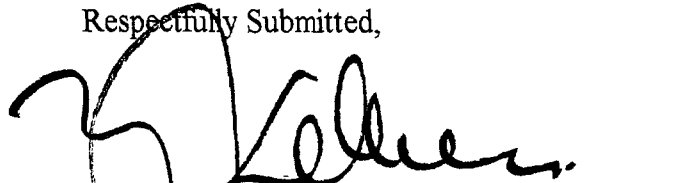
EST. EXHIBITS

Occidental Permian Ltd. is unable to determine witnesses, exhibits and length of direct examination until the Division rules on Occidental Permian Ltd.'s motion, and therefore reserves the right to file an amended prehearing statement after the Division rules on Occidental Permian Ltd.'s motion.

PROCEDURAL MATTERS

Division Examiner decision on Occidental Permian Ltd.'s Motion to Dismiss OPL as a responsible party.

Respectfully Submitted,



W. Thomas Kellahin
KELLAHIN & KELLAHIN