

Guye, Gerry, EMNRD

S

From: Inge, Richard, EMNRD
Sent: Friday, November 16, 2007 7:43 AM
To: Guye, Gerry, EMNRD
Subject: FW: Lothian Oil Texas I, Inc. Case 14014
Attachments: 2007 Motion Dismiss.doc

FYI

From: Swazo, Sonny, EMNRD
Sent: Thursday, November 15, 2007 8:49 AM
To: Inge, Richard, EMNRD
Subject: Lothian Oil Texas I, Inc. Case 14014

Richard:

This morning I filed a motion to dismiss in the above case. I moved to dismiss the case after learning that Lothian Oil Texas I, Inc. was currently in Chapter 11 bankruptcy. Attached is a copy of the motion.

Sonny

30-015-02835
2
30-015-04108

11/16/2007

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST LOTHIAN OIL TEXAS I, INC., FINDING THAT AS TO THE BEDINGFIELD FEDERAL NO. 001 WELL THE OPERATOR KNOWINGLY AND WILLFULLY VIOLATED OIL CONSERVATION DIVISION RULE 19.15.4.201 NMAC, OR IN THE ALTERNATIVE, OPERATOR KNOWINGLY AND WILLFULLY VIOLATED NMSA 1978, SECTION 70-2-31(B)(2) AND RULE 19.15.13.1115 NMAC; FINDING THAT OPERATOR KNOWINGLY AND WILLFULLY VIOLATED RULE 19.15.3.103 NMAC AS TO THE SQUARE LAKE 12 UNIT NO. 111 WELL; ASSESSING PENALTIES; REQUIRING OPERATOR TO RETURN THE WELLS TO COMPLIANCE BY A DATE CERTAIN; AUTHORIZING THE DIVISION TO PLUG THE BEDINGTON FEDERAL NO. 001 WELL IN THE EVENT OF OPERATOR'S NON-COMPLIANCE; EDDY COUNTY, NEW MEXICO.

CASE NO. 14014

MOTION TO DISMISS WITHOUT PREJUDICE

COMES NOW Applicant Oil Conservation Division ("OCD") and hereby moves to dismiss Case No. 14014 without prejudice on the following grounds:

1. Lothian Oil Texas I, Inc., is currently in Chapter 11 Bankruptcy.
2. Gary Larson, attorney for Lothian Oil Texas I, Inc., concurs with this motion.

RESPECTFULLY SUBMITTED,
this ____ day of November, 2007
by

Sonny Swazo
Assistant General Counsel
Energy, Minerals and Natural
Resources Department of the State of
New Mexico

1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3463
sonny.swazo@state.nm.us

Attorney for The New Mexico Oil
Conservation Division

Certificate of Service

I certify that I served a copy of this pleading by e-mail and by first class mail to:

Gary W. Larson
Hinkle, Hensley, Shanor & Martin, LLP
218 Montezuma
Santa Fe, NM 87501
glarson@hinklelawfirm.com

this _____ day of November, 2007.

Sonny Swazo