

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

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

**APPLICATION OF BURNETT OIL CO., INC. FOR  
COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO.**

**Case No. 14673**

**APPLICATION OF BURNETT OIL CO., INC. FOR  
COMPULSORY POOLING, EDDY COUNTY,  
NEW MEXICO.**

**Case No. 14674**

**AMENDED PRE-HEARING STATEMENT**

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

**APPEARANCES**

**APPLICANT**

Burnett Oil Co., Inc.  
Suite 1500  
Unit 9  
801 Cherry Street  
Fort Worth, Texas 76102

Attention: William D. Pollard, President  
(817) 332-5108

**APPLICANT'S ATTORNEY**

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

Robert C. Grable  
Kelly Hart & Hallman LLP  
201 Main Street, Suite 2500  
Fort Worth, Texas 76102  
(817) 878-3550 (phone)  
(817) 878-9280 (fax)

**OTHER PARTY**

Hudson Oil Company of Texas  
c/o Burnett Oil Co., Inc.

**OPPONENT**

COG Operating LLC

**OPPONENT'S ATTORNEY**

Ocean Munds-Dry

**STATEMENT OF THE CASE****APPLICANT**

**Case 14673:** Applicant seeks an order pooling all mineral interests from 4230 feet subsurface to the base of the Glorieta-Yeso formation underlying the SE/4SE/4 of Section 24, Township 17 South, Range 31 East, NMPM, to form a standard 40-acre oil spacing and proration unit for all pools or formations developed on 40-acre spacing within that vertical extent. The unit is to be dedicated to the proposed Nosler Fed. Well No. 3, to be drilled at an orthodox location in the SE/4SE/4 of Section 24. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well.

**Case 14674:** Applicant seeks an order pooling all mineral interests from 4230 feet subsurface to the base of the Glorieta-Yeso formation underlying the SE/4SE/4 of Section 13, Township 17 South, Range 31 East, NMPM, to form a standard 40-acre oil spacing and proration unit for all pools or formations developed on 40-acre spacing within that vertical extent. The unit is to be dedicated to the proposed Partition Fed. Well No. 2, to be drilled at an orthodox location in the SE/4SE/4 of Section 13. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well.

**OPPONENT****PROPOSED EVIDENCE****APPLICANT****WITNESSES**

David S. Rhodes  
(land manager)

**EST. TIME**

20 min.

**EXHIBITS**

Approx. 5

Mark Jacoby  
(engineering manager)

20 min.

Approx. 4

Randall Hudson  
(geologist - operator)

10 min.

Approx. 2

OPPONENT

WITNESSES

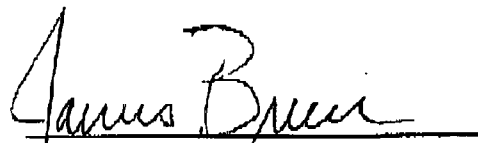
EST. TIME

EXHIBITS

**PROCEDURAL MATTERS**

Applicant requests that these matters be consolidated for hearing.

Respectfully submitted,



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

Attorney for Burnett Oil Co., Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 20<sup>th</sup> day of June, 2011 by facsimile transmission:

Ocean Munds-Dry  
Holland & Hart LLP  
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Santa Fe, New Mexico 87504  
fax: (505) 982-6043

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James Bruce