

11/24/07

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:

CASE NO. 13367

APPLICATION OF BASS ENTERPRISES  
PRODUCTION CO. FOR AN ORDER  
AUTHORIZING THE DRILLING OF A WELL  
IN THE POTASH AREA, EDDY COUNTY, NEW  
MEXICO.

PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted by Holland & Hart LLP as required by the  
Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

Bass Enterprises Production Co.  
Attn: J. Wayne Bailey  
201 Main Street, Suite 2900  
Ft. Worth, Teas 76102  
(817) 390-8671

ATTORNEY

William F. Carr, Esq.  
Holland & Hart LLP  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505) 988.4421

*Mosaic* OPPOSITION

~~Mosaic~~ Potash  
Attn: Dan Morehouse  
Mosaic Potash  
Post Office Box 71  
Carlsbad, New Mexico 88221-0071

ATTORNEY

Charles C. High, Jr., Esq.  
Kemp, Smith, Duncan & Hammond, P.C.  
200 State National Plaza  
El Paso, Texas 79901-1441

**STATEMENT OF CASE**

APPLICANT

Applicant seeks an order approving the drilling of its proposed James Ranch Unit Well No. 93 within the Potash Area at a location 660 feet from the North and East lines (Unit A) of Section 7, Township 23 South, Range 31 East, NMPM, Eddy County, New Mexico. This well will be drilled to an approximate depth of 14,800 to test all formations from the surface to the base of the Morrow formation, Los Medanos-Morrow Gas Pool and will be at a standard location in all formations.

**PROPOSED EVIDENCE**

APPLICANT

WITNESSES (Name and Expertise)	ESTIMATED TIME	EXHIBITS
J. Wayne Bailey (Landman)	Approx. 20 Minutes	Approx. 8
William R. Daniels (Or other Drilling Engineer)	Approx. 15 Minutes	Approx. 2
Stacy Mills (and/or other Mineral Owners in Section 7)	Approx. 10 Minutes	Approx. 2

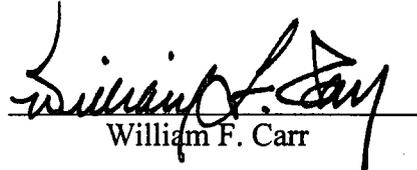
**PROCEDURAL MATTERS**

Bass Enterprises Production Co. has filed a Motion for Order re-instating Application for Permit to Drill and Dismissing the objection of IMC Minerals/Mosaic Potash to the James Ranch Unit Well No. 93.

  
\_\_\_\_\_  
William F. Carr  
Attorney for Bass Enterprises Production Co.

**CERTIFICATE OF SERVICE**

I certify that I have caused a copy of the foregoing pleading to be delivered to Gail McQuesten, Esq. Attorney for the Oil Conservation Division by Hand Delivery, Dan Morehouse, Mosaic Potash by facsimile [Fax No. (505) 887-0589] and to Charles C. High Jr., Esq., Kemp, Smith, Duncan & Hammond, P.C., attorney for Mosaic Potash, by facsimile [Fax No. (915) 546-5360] on this 24th day of November 2004.

  
William F. Carr

**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:**

**CASE NOS. 13367, 13368, 13369, and 13372**

**APPLICATIONS OF BASS ENTERPRISES PRODUCTION  
CO. and DEVON ENERGY PRODUCTION COMPANY, L.P.  
FOR ORDERS AUTHORIZING THE DRILLING OF SPECIFIC  
WELLS IN THE POTASH AREA, EDDY COUNTY, NEW MEXICO.**

**PRE-HEARING STATEMENT**

This Pre-Hearing Statement is submitted by Mosaic Potash Carlsbad Inc. as  
required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANTS**

Bass Enterprises Production Co.

Attn: J. Wayne Bailey  
201 Main Street, Suite 2900  
Ft. Worth, TX 76102  
(817) 390-8671

Devon Energy Production Company, L.P.

Attn: Ken Gray  
20 North Broadway, Suite 1500  
Oklahoma City, OK 73102-8260  
(405) 552-4633

**OPPOSITION**

Mosaic Potash Carlsbad Inc.

Attn: Dan Morchouse  
Post Office Box 71  
Carlsbad, NM 88220  
(505) 887-2871

**ATTORNEY**

William F. Carr, Esq.  
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Santa Fe, NM 87504  
(505) 988-4421

**ATTORNEY**

Charles C. High, Jr., Esq.  
& Walker Crowson  
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El Paso, TX 79901  
(915) 533-4424

Pre-Hearing Statement  
NMOCD Case Nos. 13367, 13368, 13369, and 13372  
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**STATEMENT OF CASE**

**OPPOSITION POSITION**

Drilling wells at the proposed locations will result in an undue waste of potash.  
Each location can be developed from alternate locations.

**PROPOSED EVIDENCE**

**OPPOSITION**

WITNESSES	ESTIMATED TIME	EXHIBITS
Dan Morehouse, Mine Engineering Superintendent	Approx. 20 Minutes	Approx. 8

  
 Dan Morehouse  
 Mine Engineering Superintendent

Pre-Hearing Statement

NMOCD Case Nos. 13367, 13368, 13369, and 13372

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**CERTIFICATE OF SERVICE**

I certify that I have sent a copy of the foregoing pleading by facsimile to Gail McQuesten, Esq., Assistant General Counsel for the Oil Conservation Division [Fax. No. (505) 476-3462], William F. Carr, Holland & Hart, LLP, attorney for the Applicants [Fax. No. (505) 983-6043], and to Charles C. High, Jr., Esq., Kemp Smith, LLP, attorney for the Opposition [Fax. No. (915) 546-5360] on this 29<sup>th</sup> day of November 2004.



Dan Morehouse