

**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 HEARING:**

**APPLICATION OF YATES PETROLEUM CORPORATION
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

CASE 13462

PRE-HEARING STATEMENT

**Chesapeake Operating, Inc. submits this pre-hearing statement as required by the
New Mexico Oil Conservation Division.**

APPEARANCES OF THE PARTIES

APPLICANT

Yates Petroleum Corporation

ATTORNEY

**William F. Carr, Esq.
Ocean Munds-Dry, Esq.
Holland & Hart
P. O. Box 2208
Santa Fe, NM 87504
505-988-4421**

WVJ 4/1/05

OPPONENTS

**Chesapeake Exploration Limited Partnership
6100 N. Western Ave
Oklahoma City, OK 73118
Attn: Lynda Townsend
405-879-9414**

ATTORNEY

**Thomas Kellahin, Esq.
P.O. Box 2265
Santa Fe, NM 87504
505-982-4285**

STATEMENT OF THE CASE

OPPONENTS:

Yates Petroleum Corporation seeks to pool the interest formerly held by Well Fargo Bank Texas, N.A. Trustee for Willa Ruth Simmons Trust, P. O. Box 1959, Midland, Texas 79702 that is now held by Chesapeake Exploration Limited Partnership.

Chesapeake Exploration Limited Partnership will submit evidence to demonstrate that Yates Petroleum Corporation is failed to propose this well and these spacing unit to Chesapeake Exploration Limited Partnership.

PROPOSED EVIDENCE

OPPONENT

WITNESSES	EST. TIME	EST. EXHIBITS
Not yet determined	pending	

PROCEDURAL MATTERS

Chesapeake's requests that this case to continued until April 21, 2005 docket in order to provide an opportunity for Yates to submit to its well proposal to Chcsapeake and for these parties to attempt to reach a voluntary agreement.

Counsel for Chesapeake having made two attempt to obtain the concurrence of Yates' attorney does not know if this motion for a continuance is opposed by Yates.

KELLAHIN & KELLAHIN



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CERTIFICATE OF SERVICE

I certify that on April 1, 2005, I served a copy of the foregoing documents by:

- US Mail, postage prepaid
- Hand Delivery
- Facsimile

to the following:

William F. Carr, Esq.
Fax 505-983-6043



W. Thomas Kellabin