

**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:**

**APPLICATION OF ROCA EXPLORATION, LTD.
FOR COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO.**

13597
Case No. ~~13,578~~

**ENTRY OF APPEARANCE
AND
PRE-HEARING STATEMENT**

This entry of appearance and pre-hearing statement is submitted by Rex Energy Operating Corp. as required by the Oil Conservation Division.

APPEARANCES

APPLICANT
Roca Exploration, Ltd.

APPLICANT'S ATTORNEY
William F. Carr
Holland & Hart LLP
P.O. Box 2208
Santa Fe, New Mexico 87504
(505) 988-4421

OPPONENT
Rex Energy Operating Corp.

OPPONENT'S ATTORNEY
James Bruce
Post Office Box 1056
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STATEMENT OF THE CASE

APPLICANT
Applicant seeks an order pooling all mineral interests from the surface to the base of the Bone Spring formation underlying the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 18 South, Range 33 East, NMPM. The unit is to be dedicated to the existing New Mexico "36" State Well No. 3.

rt
11/25/05

OPPONENT

Rex Energy Operating Corp. does not oppose the drilling of the well. However, it believes the acreage is already subject to an operating agreement, and pooling is unnecessary. Also, the well is in the E-K Bone Spring Pool, which is spaced on 80 acres under Division Order No. R-4981, as amended. The application only seeks to pool a 40 acre well unit.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EXHIBITS

OPPONENT

WITNESSES

EST. TIME

EXHIBITS

Elizabeth Moses
(landman)

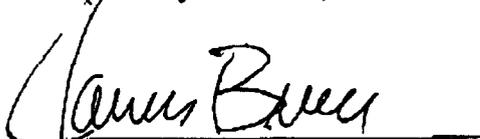
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PROCEDURAL MATTERS

Rex Energy Operating Corp. has informally requested applicant to continue this case, so that the issues listed above may be resolved.

Respectfully submitted,



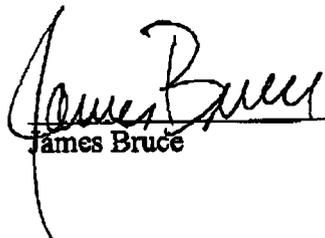
James Bruce
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Attorney for XTO Energy Inc.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record this 22nd day of November, 2005 by facsimile transmission:

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