

LAW OFFICES

HEIDEL, SAMBERSON, NEWELL, COX & McMAHON

C. GENE SAMBERSON  
MICHAEL T. NEWELL  
LEWIS C. COX, III  
PATRICK B. McMAHON  
MATTHEW T. TUCKER

311 NORTH FIRST STREET  
POST OFFICE DRAWER 1599  
LOVINGTON, NM 88260  
TELEPHONE (505) 396-5303  
FAX (505) 396-5305

F.L. HEIDEL  
(1913-1985)

January 18, 2007

NMOCD  
Department of Energy, Minerals and Natural Resources  
**ATTN: DIVISION CLERK**  
1220 South St. Francis Drive  
Santa Fe, NM 87505

**Re: NMOCD - DEMNR**  
**Application of Quest Cherokee, LLC for Approval**  
**of an Application for Permit to Drill, Lea County, New Mexico**  
**Case No. 13870**

To Whom It May Concern:

Enclosed please find for filing with the New Mexico Oil Conservation Division of the Department of Energy, Minerals and Natural Resources the requested original and two sets of the following documents:

1. Notice of Intervention in Opposition of Application for Permit to Drill;
2. Notice of Objection to Application; and
3. Motion for an Adjudicatory Hearing.

Also enclosed is an additional copy to be filed and returned to this office in the self-addressed stamped envelope.

Your attention to this matter is greatly appreciated. If you have any questions, please do not hesitate to call.

Sincerely,

HEIDEL, SAMBERSON, NEWELL, COX & McMAHON

By:

Michael Newell

MTN:cd

Enclosures: Intervenor  
Applicant

6/22/07  
LW

BEFORE THE OIL CONSERVATION DIVISION OF THE  
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

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APPLICATION OF QUEST CHEROKEE, LLC )  
FOR APPROVAL OF AN APPLICATION FOR )  
PERMIT TO DRILL, LEA COUNTY, )  
NEW MEXICO. ) CASE NO. 13870  
\_\_\_\_\_ )

**NOTICE OF INTERVENTION IN OPPOSITION OF APPLICATION  
FOR PERMIT TO DRILL**

**COMES NOW** Intervenor, Lee Roberson, Tammy Roberson, Barbara Cox and Tom  
Duncan, by and through their attorneys Heidel, Samberson, Newell, Cox & McMahon, and hereby  
gives Notice of Intervention in the above-styled and number matter, pursuant to NMACA  
19.15.14.1208. The name and addresses for Intervenor and their attorneys are:

**INTERVENORS:**

Lee Roberson  
c/o **HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
Post Office Drawer 1599  
Lovington, New Mexico 88260

Tammy Roberson  
c/o **HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
Post Office Drawer 1599  
Lovington, New Mexico 88260

Barbara Cox  
c/o **HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
Post Office Drawer 1599  
Lovington, New Mexico 88260

Tom Duncan  
c/o **HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
Post Office Drawer 1599  
Lovington, New Mexico 88260

ATTORNEYS:

Michael Newell  
**HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
P.O. Drawer 1599  
Lovington, NM 88260  
E-mail: [hsncmtn@leaco.net](mailto:hsncmtn@leaco.net)

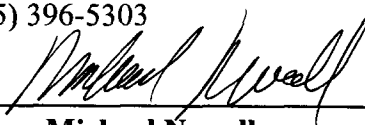
Intervenors are surface owners whose interest are impacted by the above-styled and numbered application. Intervenors oppose the application in total. The Intervenors participation will contribute substantially to the prevention of waste, protection of correlative rights, protection of the public health and protection of the environment. Additionally, Intervenors assert interests relevant to property owners in areas adjacent to a proposed location to drill; including their opposition to same. Intervenors state that in the event the application is granted, specific measures be implemented to protect the health, environmental and economic interests of the homes, school and the assisted living facility which are in close proximity to the proposed well location.

Intervenors also object to the lack of notice given in this matter and for the failure of Applicant and the Application to comply with the rules of this division. Intervenors further assert the process set forth in the rules of the division deprive them of their due process rights.

Respectfully Submitted,

**HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
Post Office Drawer 1599  
Lovington, New Mexico 88260  
(505) 396-5303

By: \_\_\_\_\_

  
**Michael Newell**  
Attorneys for Intervenors

BEFORE THE OIL CONSERVATION DIVISION OF THE  
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

APPLICATION OF QUEST CHEROKEE, LLC )  
FOR APPROVAL OF AN APPLICATION FOR )  
PERMIT TO DRILL, LEA COUNTY, )  
NEW MEXICO. )

CASE NO. 13870

**NOTICE OF OBJECTION TO APPLICATION**

**NOTICE IS HEREBY GIVEN** that Quest Cherokee, LLC has filed with the Oil Conservation Division of the New Mexico Department of Energy, Minerals and Natural Resources an Application to drill in Section 9, Township 18, South, Range 38 East N.M.P.M., Lea County, New Mexico. An objection to the Application has been filed. A hearing has been set to consider the Application on the 1<sup>st</sup> of February, 2007, at 8:30 o'clock A.M., at 1220 South St. Francis Drive Santa Fe, New Mexico 87505.

Respectfully Submitted,

**HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
Post Office Drawer 1599  
Lovington, New Mexico  
(505) 396-5303

By: \_\_\_\_\_

**Michael Newell**

Attorneys for Intervenors

BEFORE THE OIL CONSERVATION DIVISION OF THE  
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

2007 JAN 22 AM 10 39

APPLICATION OF QUEST CHEROKEE, LLC )  
FOR APPROVAL OF AN APPLICATION FOR )  
PERMIT TO DRILL, LEA COUNTY, )  
NEW MEXICO. )

CASE NO. 13870

**MOTION FOR AN ADJUDICATORY HEARING**

**COMES NOW** Intervenor, Lee Roberson, Tammy Roberson, Barbara Cox and Tom Duncan, by and through their attorneys Heidel, Samberson, Newell, Cox & McMahon, and hereby move for an adjudicatory hearing and in support hereof state:

1. Intervenor are parties who have standing to oppose the Application for Permit Drill, Deepen or Plug Oil and Gas Well (hereinafter referred to as "Application"), in that they are owners of property whose interests and rights in that property will be impacted by the Application. Additionally, Intervenor are proper parties to assert claims that the Application would result in a waste, would negatively impact correlative rights and would impair the environment or health.
2. This Motion is made pursuant to NMOCD Rule 19.15.14.1206.
3. The area affected is the Northwest Quarter (NW/4) of Section 9, Township 18 South, Range 38 East, NMPM, Lea County, New Mexico.
4. The Application at issue herein seeks permission to drill an oil and gas well.
5. A proposed legal notice is attached hereto as Exhibit A.
6. This Motion for Adjudicatory Hearing is filed less than thirty (30) days prior to the Applicant's scheduled hearing date of February 1, 2007, because Applicant has not

filed Notice to date. Further, Applicant has failed to file its C101 and C102 forms in a timely manner.

7. An Adjudicatory Hearing is required to facilitate effective presentation of the evidence, presentation of the parties' and publics' point of view, a reasonable opportunity for all participants to submit data, views and arguments and so as to assure this hearing is conducted in a fair and equitable manner.

Respectfully Submitted,

**HEIDEL, SAMBERSON, NEWELL, COX & MCMAHON**  
Post Office Drawer 1599  
Lovington, New Mexico  
(505) 396-5303

By: \_\_\_\_\_

**Michael Newell**

Attorneys for Intervenors