

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

2007 MAY 15 PM 4 03

IN THE MATTER OF THE APPLICATION
OF EOG RESOURCES, INC.
FOR COMPULSORY POOLING
LEA COUNTY, NEW MEXICO

CASE NO. 13912

AMENDED PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted by Miller Stratvert P.A. (J. Scott Hall) on behalf of Occidental Permian, Ltd. as required by the Oil Conservation Division.

APPEARANCES

APPLICANT'S ATTORNEY

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

APPLICANT

EOG Resources, Inc.

OPPONENT'S ATTORNEY

J. Scott Hall, Esq.
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OPPONENT

Occidental Permian, Ltd.

OTHER PARTY'S ATTORNEY

OTHER PARTY

STATEMENT OF THE CASE

APPLICANT

OPPOSITION OR OTHER PARTY

OCCIDENTAL PERMIAN LTD., ("OPL"), is the owner of one hundred percent of the working interest in the SW/4 NW/4 of Section 17, T18S, R35E, NMPM and has the exclusive

right to drill thereon. OPL plans to drill its OPL Desert Bighorn 17 State Well No. 1 to the Bone Spring formation at the same location in Section 17 where EOG Resources, Inc., ("EOG"), proposes to drill its Cimarron "17" State Well No. 1, also to the Bone Spring formation, from a location 1650' FNL and 330' FWL (Unit E) of Section 17. At the time EOG filed its APD, EOG owned no interest in the SW/4 NW/4 of Section 17 and did not have the right to drill thereon. Consequently, EOG's APD should not have been approved. EOG is correspondingly without standing to invoke the Division's authority to force pool interests for its proposed well. As of this date, drilling of the Cimarron "17" State Well No. 1 has not commenced.

OPL has filed a separate Application for an order canceling the drilling permit for the EOG Resources, Inc. Cimarron "17" State Well No. 1. In that same case, OPL also seeks a determination of its right to drill on the S/2 N/2, N/2 SW/4 and NE/4 NW/4 of Section 17, Township 18 South, Range 34 East, NMPM ("the Subject Lands"), and approval of its drilling permit for the OPL Desert Bighorn 17 State Well No. 1. OPL's Application is scheduled for Examiner hearing on June 21, 2007.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

NO. OF EXHIBITS

OPPOSITION

WITNESSES

EST. TIME

NO. OF EXHIBITS

David Evans, Landman

45 minutes


7 exhibits

PROCEDURAL MATTERS

OPL will file its motion to continue the May 24, 2007 hearing on EOG's Application and will request that it be consolidated with OPL's separate Application for hearing on the June 21, 2007 Examiner hearing docket.

MILLER STRATVERT P.A.

By:



J. Scott Hall, Esq.
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Attorneys for Occidental Permian, Ltd.

Certificate of Service

I hereby certify that a true and correct copy of the foregoing was faxed to counsel of record on the 15 day of May, 2007, as follows:

James Bruce
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Santa Fe, New Mexico 87504



J. Scott Hall