

**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 CONOCOPHILLIPS COMPANY
FOR COMPULSORY POOLING
SAN JUAN COUNTY, NEW MEXICO**

CASE NO. 14248

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by ConocoPhillips Company as required by the New Mexico Oil Conservation Division.

APPEARANCES OF THE PARTIES

APPLICANT

ConocoPhillips Company
3535 West 32nd Street
Farmington, NM 87501
Attn: Alan Alexander
Phone 505-326-9757

ATTORNEY

W. Thomas Kellahin
706 Gonzales Road
Santa Fe, New Mexico 87501
phone 505-982-4285
Fax 505-982-2047

OTHER PARTIES

None of record

ATTORNEY

WTS 12/1/08

STATEMENT OF THE CASE

APPLICANT:

ConocoPhillips is a working interest owner and the proposed operator for the State Com AM 37M well (API # 30-045-32884) to be drilled in Unit L and dedicated to the S/2 Mesaverde and W/2 Dakota formations in Section 2, T30N, R8W, San Juan County, New Mexico.

ConocoPhillips has proposed to drill, complete and operate the State Com AM #37M well to be located in Unit letter L of this section and if productive to downhole commingling Dakota and Mesaverde production.

ConocoPhillips seeks an order pooling all mineral interests in the Dakota and Mesaverde formations underlying the S/2 and W/2 respectively of Section 2, T30N, R8W, NMPM, San Juan County, New Mexico, forming standard 320-acre and 324.10 acre gas spacing and proration units for the Mesaverde and Dakota formation.

All of the interest owners in the Mesaverde formation have agreed to participate in this well, but one owner in the Dakota formation has declined.

The subject 320-acre spacing units are located within the Blanco-Mesaverde Gas Pool and the Basin-Dakota Gas Pool.

ConocoPhillips, despite reasonable effort, has been unable to obtain the voluntary agreement of this interest owner in this spacing unit. Pursuant to Section 70-2-17.C NMSA (1978) and in order to obtain its just and equitable share of potential production underlying this spacing unit, ConocoPhillips needs an order of the Division pooling the identified and described mineral interests involved in order to protect correlative rights and prevent waste.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

Bryan Dart (landman)

EST. TIME

@ 20 -min.


EST. EXHIBITS

@ 8

PROCEDURAL MATTERS

None

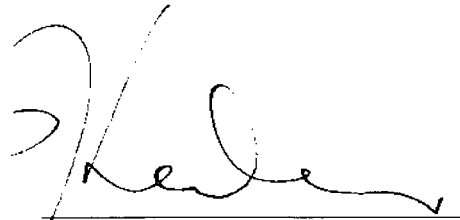
KELLAHIN & KELLAHIN


W. Thomas Kellahin

CERTIFICATION OF SERVICE

I hereby certify that a copy of this pleading was served upon the following parties and attorneys this 26th day of November 2008, by email

David K. Brooks, Esq.
Oil Conservation Division
1220 South St. Francis Drive
david.brooks@state.nm.us


W. Thomas Kellahin