

**STATE OF NEW MEXICO  
ENERGY, MINERAL 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 CHESAPEAKE OPERATING, INC.  
FOR COMPULSORY POOLING,  
LEA COUNTY NEW MEXICO**

  
**CASE 13179**

**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**

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

**ATTORNEY**

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

**OPPONENT**

**Pitch Energy, Inc.  
P.O. Box 304  
Artesia, NM 88211  
Attn: Ray Miller**

**ATTORNEY**

**Michael H. Feldewert, Esq.  
Holland & Hart  
P. O. Box 2208  
Santa Fe, New Mexico 87504  
505-988-4421**

**STATEMENT OF THE CASE****APPLICANT:**

Chesapeake Operating, Inc., in accordance with Section 70-1-17.C seeks a compulsory pooling order pooling all mineral interest from the surface to the base of the Mississippian formation underlying a standard 320-acre spacing unit consisting of the W/2 of Section 14, T15S, R35E, Lea County, New Mexico for its Williams "14" Federal Well No. 1 to be drilled as a standard well location in Unit E of this section and the designation of Chesapeake Operating Inc. as the operator plus the standard provisions of the Division's compulsory pooling order including a 200% risk factor penalty in accordance with Commission Order R-11992, effective August 15, 2003.

**PROPOSED EVIDENCE****APPLICANT****WITNESSES**

Lynda Townsend (land)  
Cliff Hanoach (geologist)

**EST. TIME**

@ 20 minutes  
@ 20 minutes

**EST. EXHIBITS**

@6  
@5

**PROCEDURAL MATTERS**

None

**KELLAHIN & KELLAHIN**

W. Thomas Kellahin  
P. O. Box 2265  
Santa Fe, New Mexico 87504  
Phone 505-982-4285  
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**STATE OF NEW MEXICO  
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES  
OIL CONSERVATION DIVISION**

**RECEIVED**

**IN THE MATTER OF THE APPLICATION  
OF CHESAPEAKE OPERATING, INC.  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

NOV 3 2003

CASE NO. 13179 Oil Conservation Division

**PITCH ENERGY, INC.'S PRE-HEARING STATEMENT**

Pitch Energy, Inc., an affected party in the above referenced matter, hereby submits this Pre-Hearing Statement as required by the rules of the New Mexico Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Chesapeake Operating, Inc.

**ATTORNEY**

W. Thomas Kellahin  
Kellahin & Kellahin  
P.O. Box 2265  
Santa Fe, NM 87504

**OPPONENT**

Pitch Energy, Inc.

**OPPONENT'S ATTORNEY**

Michael H. Feldewert, Esq.  
Holland & Hart, LLP  
P. O. Box 2208  
Santa Fe, NM 87504-2208  
505/988-4421

WJF  
11/3/03

**STATEMENT OF CASE**

Chesapeake seeks an order pooling all mineral interests from the surface to the base of the Mississippian formation underlying the W/2 of Section 14, Township 15 South, Range 35 East, Lea County, New Mexico to form a 320-acre gas spacing and proration unit. The unit is to be dedicated to Chesapeake's proposed Williams "14" Federal Well No. 1. to be drilled at a standard location in Unit E of the NW/4 of this section.

The only affected party is Pitch Energy, which owns the S/2 of this section. Chesapeake owns the N/2 of this section and therefore has a spacing unit available for its well. Pitch Energy objects to all aspects of this application.

**PROPOSED EVIDENCE**

WITNESS (Name and Expertise)	ESTIMATED TIME	EXHIBITS
Raye Miller, Landman	Approx. 15 minutes	Approx. 5

**PROCEDURAL MATTERS**

None.

Respectfully submitted,

HOLLAND & HART, LLP

By: 

Michael H. Feldewert  
P.O. Box 2208  
Santa Fe, NM 87504-2208  
505/988-4421  
Attorneys for Pitch Energy, Inc.


**CERTIFICATE OF SERVICE**

I certify that on November 3, 2003 I served a copy of the foregoing document to the following by;

☒  
☐  
☒

U.S. Mail, postage prepaid  
Hand Delivery  
Fax

W. Thomas Kellahin, Esq.  
Kellahin & Kellahin  
P.O. Box 2265  
117 North Guadalupe  
Santa Fe, NM 87504-2265  
Facsimile No. 505-982-2047

  
\_\_\_\_\_  
Michael H. Feldewert

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

RECEIVED

OCT 17 2003

IN THE MATTER OF THE APPLICATION  
OF CHESAPEAKE OPERATING, INC.  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO

Oil Conservation Division

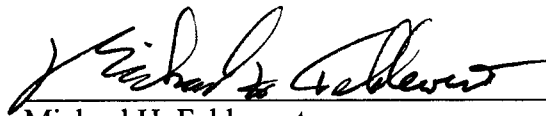
CASE NO. 13179

ENTRY OF APPEARANCE

HOLLAND & HART, LLP enters its appearance in the above-referenced case on behalf  
of Pitch Energy, Inc.

Respectfully submitted,

HOLLAND & HART, LLP



Michael H. Feldewert  
P.O. Box 2208  
Santa Fe, NM 87501  
505-988-4421

Attorneys for Pitch Energy, Inc.

WVJ  
10/24/03

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 16, 2003, a copy of this

Entry of Appearance was mailed to the following:

W. Thomas Kellahin  
Kellahin & Kellahin  
P.O. Box 2265  
Santa Fe, NM 87504



Michael H. Feldewert