

**BEFORE THE
OIL CONSERVATION DIVISION**

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

**IN THE MATTER OF THE APPLICATION OF
DOYLE HARTMAN FOR AMENDMENT OF
DIVISION ORDER NO. R-8170, AS
AMENDED, TO ESTABLISH MINIMUM GAS
ALLOWABLES IN THE JALMAT GAS POOL,
LEA COUNTY, NEW MEXICO.**

RECEIVED

AUG 28 1990

OIL CONSERVATION DIVISION

CASE NO. 10036

MOTION FOR CONSOLIDATION AND POSTPONEMENT

Doyle Hartman ("Hartman") hereby moves the New Mexico Oil Conservation Division ("OCD") to consolidate the above-captioned application with the Application of Texaco, Inc. for Amendment of Division Order No. R-8170, as Amended, to Establish Minimum Gas Allowables in the Eumont Gas Pool, Lea County, New Mexico, OCD Case No. 10036, and to postpone hearing on the consolidated applications until its examiner's hearing scheduled for October 17, 1990 and as grounds therefore states:

1. As more fully set forth in the Affidavit of Michael Stewart attached hereto, the Eumont and Jalmat Gas Pools are essentially one pool geologically and have been separated under the New Mexico natural gas proration system by historical happenstance and a common arbitrary boundary line. The pools are serviced by more than one pipeline, but the pipelines' gathering and transportation facilities are common to, and access, both the Jalmat and Eumont Gas Pools. Therefore, should Eumont allowables be set at a minimum without the concomitant setting of similar minimum allowables in the Jalmat gas pool, Jalmat gas production may be unfairly and improperly excluded from access to market. This would be unreasonably discriminatory to Jalmat

producers and suppress the ultimate recovery of hydrocarbons from the pool, thereby creating waste. If minimum allowables are set for both pools simultaneously, both Eumont and Jalmat producers will have an equal opportunity to produce a just and equitable share of the oil and gas and to compete for gathering and transportation capacity (on an equal basis) to market. The two applications for minimum allowables should, therefore, be heard and decided by the OCD at the same time.

2. The application of Texaco for minimum allowables in the Eumont Pool is presently scheduled to be heard by an OCD hearing examiner on September 19, 1990. In order to assimilate the requisite information for consideration by the OCD regarding the Jalmat and Eumont applications and to insure that all interested parties are given proper notice, Hartman believes that additional pre-hearing time is necessary and justified. Postponement until the Hearing Examiner's docket of October 17, 1990 would provide all parties involved with a more reasonable time schedule and promote a more efficient and effective hearing process.

Respectfully Submitted,

GALLEGOS LAW FIRM

By 

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