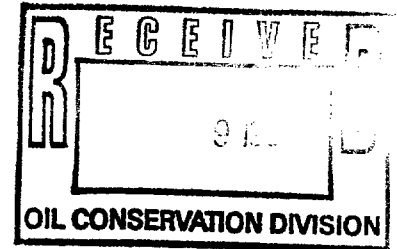


**BEFORE THE
OIL CONSERVATION DIVISION
NEW MEXICO DEPARTMENT OF ENERGY, MINERALS
AND NATURAL RESOURCES**



**IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:**

CASE NO. 11808

**RE: APPLICATION OF BURLINGTON RESOURCES
OIL AND GAS COMPANY FOR COMPULSORY
POOLING AND A NON-STANDARD GAS PRORATION
AND SPACING UNIT (SCOTT WELL NO. 24)
SAN JUAN COUNTY, NEW MEXICO**

PREHEARING STATEMENT

This Pre-Hearing Statement is submitted by Lee Wayne Moore and JoAnn Montgomery Moore, Trustees ("Moore"), and Timothy B. Johnson, Trustee for Ralph A. Bard, Jr. Trust U/A/D February 12, 1983 et al. ("GLA-66 Owners") by and through their attorneys, GALLEGOS LAW FIRM, P.C.

APPEARANCES OF PARTIES

APPLICANT

Burlington Resources Oil and Gas Co.
P.O. Box 4289
Farmington, NM 87499
(505) 326-9757
Attn: Alan Alexander

ATTORNEYS

W. Thomas Kellahin
KELLAHIN & KELLAHIN
P.O. Box 2265
Santa Fe, NM 87504
(505) 982-4285

OPPOSITION OR OTHER PARTY

Lee Wayne Moore and JoAnn Montgomery
Moore, Trustees
403 N. Marienfield
Midland, TX 79701
(915) 682-8697
Attn: Tom Moore

J. E. Gallegos
Jason E. Doughty
GALLEGOS LAW FIRM, P.C.
460 St. Michael's Drive, Bldg. 300
Santa Fe, NM 87505
(505)983-6686

Timothy B. Johnson, Trustee for
Ralph A. Bard, Jr. Trust U/A/D
February 12, 1983 et al.
(See Exhibit "A" for names
and addresses of all GLA-66 Owners)

J. E. Gallegos
Jason E. Doughty
GALLEGOS LAW FIRM, P.C.
460 St. Michael's Drive, Bldg. 300
Santa Fe, NM 87505
(505)983-6686

Total Minatome
2 Houston Center, Suite 2000
909 Fannin
P.O. Box 4326
Houston, TX 77210-4326
Attn: Ms. Deborah Gilchrist

J. Scott Hall
MILLER, STRATVERT &
TORGERSON, P.A.
P.O. Box 1986
Santa Fe, NM 87504
(505) 989-9614

To Moore's and GLA-66 Owners' knowledge, no other party has entered an
appearance or filed opposition in this matter.

PROPOSED EVIDENCE

The applicant, Burlington Resources Oil and Gas Company ("Burlington"), served its
Pre-Hearing Statement on July 8, 1997.

OPPOSITION OR OTHER PARTY

Moore and GLA-66 Owners, interested parties, intend to present the following
exhibits and witnesses in opposition to Burlington's Application:

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
Gail Cotton, Trustee for various trusts which are interested parties	20 Min.	@ 3 exhibits
Tom Moore, Manager for Moore and experienced industry participant	30 Min.	@ 3 exhibits
David Schoderbek, Geophysicist for Burlington	60 Min.	@ 3 exhibits

Other exhibits may be offered depending upon the proof offered by Burlington in
support of its Application.

STATEMENT OF THE CASE

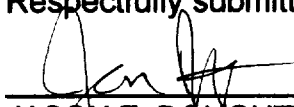
Moore and GLA-66 Owners oppose the application of Burlington for compulsory pooling and a non-standard gas proration and spacing unit for its proposed Scott Well No. 24. Contrary to accepted practice before the Division and in violation of NMSA (1978) Section 70-2-17(C) Burlington has prematurely instituted a compulsory pooling action against Moore and GLA-66 Owners without first undertaking a good faith and reasonable effort to obtain a voluntary agreement for the future development of the acreage at issue. In addition, Burlington must come forward with evidence justifying the basis for its requested 200% maximum risk penalty factor to be applied in the event a working interest owner elects not to participate in the proposed well.

Burlington's effort to force pool Moore and the GLA-66 Owners in this case is not justified under Section 70-2-17(C) or on a geologic/geophysical basis, but rather is for the purpose of either casting unnecessary expense on these working interest owners or forcing a nonconsent confiscation of their property in violation of their correlative rights. Furthermore, Moore and the GLA-66 Owners have been denied procedural due process by the Division's rush to hearing which has deprived these parties of any opportunity for discovery and for preparation essential to presenting technical evidence.

PROCEDURAL MATTERS

Moore and GLA-66 Owners renew their Motion to Dismiss and Motion for Continuance, which were denied telephonically by the assigned hearing Examiner at approximately 3:00 p.m. on July 8, 1997. In addition, Moore and GLA-66 Owners renew their request for enforcement of their Subpoena Duces Tecum which was quashed telephonically by the assigned hearing Examiner at approximately 3:00 p.m. on July 9, 1997.

Respectfully submitted,



JASON E. DOUGHTY

J. E. GALLEGOS

GALLEGOS LAW FIRM, P.C

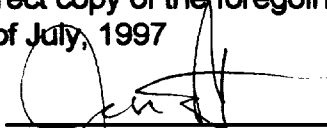
460 St. Michael's Drive, Bldg. 300

Santa Fe, New Mexico 87505

(505) 983-6686

CERTIFICATE OF SERVICE

I certify that I have caused a true and correct copy of the foregoing to be transmitted by facsimile to counsel of record on this 9th day of July, 1997



JASON E. DOUGHTY