


**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:



CASE NO. 12284

OIL CONSERVATION DIV.  
93 NOV 12 PM 3:49

APPLICATION OF MCELVAIN OIL AND GAS PROPERTIES, INC.  
FOR COMPULSORY POOLING AND AN UNORTHODOX WELL LOCATION  
RIO ARRIBA COUNTY, NEW MEXICO.

**PRE-HEARING STATEMENT**

This Prehearing Statement is submitted by Campbell, Carr, Berge & Sheridan, P.A.,  
as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

McElvain Oil & Gas Properties, Inc.  
Attn: Steve Jordan  
409 St. Michaels Drive  
Santa Fe, New Mexico 87504-2148  
(405) 982-1935 ext. 115  
name, address, phone and  
contact person

**ATTORNEY**

William F. Carr, Esq.  
Campbell, Carr, Berge & Sheridan, P.A.  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505) 988-4421

**OPPOSITION OR OTHER PARTY**

NM&O Operating Company  
6 East 5th Street, Suite 200  
Tulsa, OK 74103

**ATTORNEY**

James Bruce, Esq.  
Post Office Box 1056  
Santa Fe, NM 87504

## **STATEMENT OF CASE**

### **APPLICANT**

Applicant seeks an order pooling all mineral interests from the base of the Pictured Cliffs formation to the base of the Dakota formation, underlying the following described acreage in Section 33. Township 26 North, Range 2 West, in the following manner: (a) the S/2 to form a standard 320 acre spacing and proration unit for any and all formations and/or pools developed on a 320 acre spacing within this vertical extent which presently includes, but is not necessarily limited to the Blanco-Mesaverde Pool, Basin-Dakota Pool, and Undesignated Gavilan Greenhorn-Graneros-Dakota Pool; (b) the SE/4 to form a standard 160-acre spacing and proration unit for any and all formations and/or pools developed on 160-acre spacing within this vertical extent which presently includes but is not necessarily limited to the Undesignated Northeast Ojito Gallup-Dakota Pool; and (c) the NW/4 SE/4 to form a standard 40-acre oil spacing and proration unit for any and all formations and/or pools developed on a 40-acre spacing within this vertical extent. All three units are to be dedicated to a single well, the proposed Cougar Com. "33" Well No. 1, to be drilled 1970 feet from the South line and 2125 feet from the East line (Unit J) of Section 33. This location: i) is considered standard for the Blanco-Mesaverde Pool and for all formation spaced on 40 acres; (ii) is unorthodox for the Undesignated Gavilan Greenhorn-Graneros-Dakota Oil Pool and for all formation spaced on 160 acres; and (iii) has been approved as an unorthodox gas well location for the Basin-Dakota Pool by Division Administrative Order NSL-4370 dated October 25, 1999. Also to be considered will be the cost of drilling and completing the well and the allocation of the costs thereof, as well as actual operating costs and charges for supervision, designation of applicant as the operator of the well, and a charge for risk involved in drilling the well. The proposed well location is approximately 9 miles north of Lindrith, New Mexico.

OPPOSITION OR OTHER PARTY

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

**PROPOSED EVIDENCE**

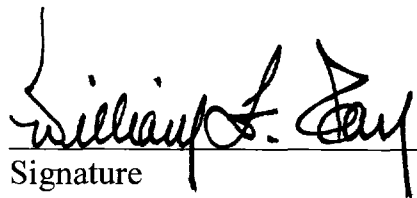
APPLICANT

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
George Broome (Landman)	15 minutes	Approx. 4
John Steuble	10 minutes	Approx. 6

OPPOSITION

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
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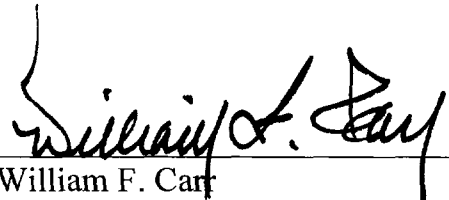
**PROCEDURAL MATTERS**

  
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Signature

**CERTIFICATE OF MAILING**

I hereby certify that on this 12<sup>th</sup> day of November, 1999, I have caused to be hand-delivered a copy of our Pre-Hearing Statement in the above-captioned cases to the following counsel of record:

James Bruce, Esq.  
P.O. Box 1056  
Santa Fe, New Mexico 87504

  
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William F. Carr