

**BEFORE THE NEW MEXICO OIL CONSERVATION  
DIVISION STATE OF NEW MEXICO**

**APPLICATION OF PIONEER NATURAL  
RESOURCES USA INC. FOR COMPULSORY  
POOLING, LEA COUNTY, NEW MEXICO**

**NO. 11932**

**APPLICATION OF ENERQUEST OIL  
AND GAS, LLC FOR COMPULSORY  
POOLING, LEA COUNTY, NEW MEXICO**

**NO. 12411**

**PRE-HEARING STATEMENT**

This Pre-Hearing Statement is submitted in accordance with Division rules.

**APPEARANCES OF PARTIES**

**Applicant:**

EnerQuest Oil & Gas, L.L.C.  
Campbell, Carr, Berge & Sheridan, P.A.  
William F. Carr  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
Telephone 505 988-4171

**Opponent:**

Doyle Hartman Oil Operator  
Gallegos Law Firm, P.C.  
J. E. Gallegos  
Michael J. Condon  
460 St. Michael's Drive, Building 300  
Santa Fe, New Mexico 87505  
Telephone 505 983-6686

**STATEMENT OF THE CASE**

The applicant EnerQuest has filed in Case No. 12411 for force pooling concerning the McCasland Fee 18 Well No. 1 asking a dedication of 160 acres to that well (not specifying whether it is an oil well or a gas well) and asking for pooling of

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interests, assessments of costs and imposition of a risk penalty. In Case No. 11932, by Order R-10986, the Division has already forced pool all minerals in a 40 acre tract dedicated to the subject well and in doing so included the mineral interest of Hartman over his objection. The application is erroneously brought in this case rather than in Case No. 11932 being a request to amend the existing pooling order. There is no basis nor justification in terms of prevention of waste, protection of correlative rights or recovery of interest owners' fair share of reserves to support an increase of the spacing acreage dedicated to the well.

#### **PROPOSED EVIDENCE**


<u>Applicant</u>	<u>Estimated Time</u>	<u>Exhibits</u>
<u>Opponent</u>	<u>Estimated Time</u>	<u>Exhibits</u>
Doyle Hartman	30 minutes	Well file on McCasland Fee 18 No. 1, production data, record from Case No. 11932 and Order R-10986, various agreements, leases and letters

#### **OTHER PENDING PROCEDURAL MATTERS**

Hartman expects to file a Motion to Dismiss the application which will obviate the necessity of an evidentiary hearing.

Respectfully submitted,

GALLEGOS LAW FIRM, P.C.

By   
J.E. GALLEGOS  
MICHAEL J. CONDON  
460 St. Michael's Drive, Bldg. 300  
Santa Fe, New Mexico 87505  
(505) 983-6686

Attorneys for Doyle and Margaret Hartman

**CERTIFICATE OF SERVICE**

I hereby certify that I have caused a true and correct copy of a Pre-Hearing Statement to be mailed on this 1<sup>st</sup> day of June, 2000, to the following counsel of record:

William F. Carr  
Campbell, Carr, Berge & Sheridan, P.A.  
Post Office Box 2208  
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J. E. Gallegos