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5-26-00

**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. 12412

OIL CONSERVATION DIV.
CO MAY 26 PM 12:14

**APPLICATION OF MCELVAIN OIL AND GAS PROPERTIES, INC.
FOR COMPULSORY POOLING,
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
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Santa Fe, New Mexico 87504-2148
(405) 982-1935 ext. 115

ATTORNEY

William F. Carr, Esq.
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STATEMENT OF CASE

APPLICANT

Application of McElvain Oil & Gas Properties, Inc. for compulsory pooling, Rio Arriba County, New Mexico. Applicant in the above-styled cause seeks an order pooling all mineral interests in all formations from the base of the Pictured Cliffs formation to the base of the Mesaverde formation in the S/2 of Section 10, Township 25 North, Range 2 West, N.M.P.M. for all formations and or pools developed on 320-acre spacing to be dedicated to its Badger Com 10 Well No. 1 to be drilled to a depth sufficient to test all formations in the pooled interval including, but not necessarily limited to the Blanco-Mesaverde Gas Pool, at a standard location in the NE/4 SW/4 of said Section 10. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of applicant as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 7 miles north-northeast of Lindreth, New Mexico.

PROPOSED EVIDENCE

APPLICANT

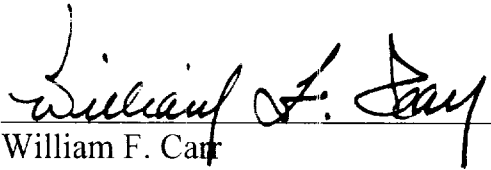
WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
Mona Binion (Landman)	15 minutes	Approx. 4
John Steuble	10 minutes	Approx. 6

OPPOSITION

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

McElvain Oil & Gas Properties has none at this time.



William F. Carr
Attorney for McElvain Oil & Gas Properties