

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. 10360

APPLICATION OF BIRD CREEK RESOURCES,  
INC. FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by BIRD CREEK  
RESOURCES, INC. as required by the Oil Conservation  
Division.

APPEARANCE OF PARTIES

APPLICANT

(name, address, phone  
and contact person)

Bird Creek Resources, Inc.  
1412 South Boston, Ste. 550  
Tulsa, Oklahoma 74119  
Attn: Lawrence W. Robinette  
(918) 582-4242

ATTORNEY

Karen Aubrey  
KELLAHIN, KELLAHIN & AUBREY  
P.O. Box 2265  
Santa Fe, New Mexico 87504  
(505) 982-4285

**RECEIVED**

AUG 01 1991

OIL CONSERVATION DIV.  
SANTA FE

**STATEMENT OF CASE**

APPLICANT

(Please make a concise statement of what is being sought with this application and the reasons therefore.)

Bird Creek Resources, Inc. seeks an order pooling all mineral interests from the surface to the base of the Delaware formation or to a depth of 6300 feet, whichever is deeper, underlying the NW/4NW/4 (Unit D) of Section 22, T23S, R28E, forming a standard 40-acre oil spacing and proration unit for any and all formations and/or pools developed on 40-acre oil spacing within said vertical extent, which presently includes but is not necessarily limited to the East Loving-Delaware Pool.

Bird Creek has sought the voluntary agreement of the owners of the non-consenting working interests and has been unable to obtain voluntary agreement.

**PROPOSED EVIDENCE**

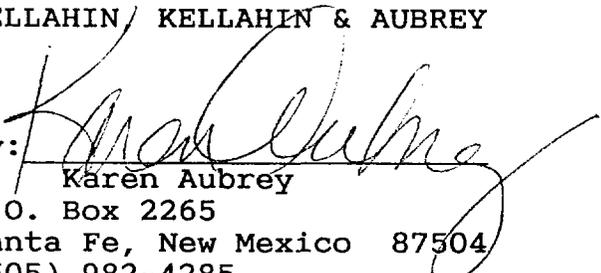
APPLICANT

WITNESSES (name and expertise)	EST. TIME	EXHIBITS
Lawrence W. Robinette (Landman)	30 Min.	Correspondence showing effort to form volun- tary unit
Brad Burks (PE)	20 Min.	AFE Joint Operating Agreement 3 Production plots of nearby wells Structure map 2 log cross-sections Net pay isopach Ownership map Production map

**PROCEDURAL MATTERS**

(Please identify any procedural matters which need to be resolved prior to the hearing)

KELLAHIN/ KELLAHIN & AUBREY

By: 

Karen Aubrey

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