

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION

**RECEIVED**

FEB 20 1995

Oil Conservation Division

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

CASE NO. 10994(DeNovo)

APPLICATION OF ENSERCH EXPLORATION, INC.  
FOR A SPECIAL DEPTH BRACKET OIL ALLOWABLE  
FOR THE SOUTH PETERSON-FUSSELMAN POOL,  
ROOSEVELT COUNTY, NEW MEXICO.

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by Phillips Petroleum Company as required by the Oil Conservation Division.

**APPEARANCE OF PARTIES**

APPLICANT

ATTORNEY

Enserch Exploration, Inc.

William F. Carr, Esq.  
P. O. Box 2208  
Santa Fe, New Mexico 87501

**OPPONENT**

Phillips Petroleum Co.  
4001 Penbrook  
Odessa, Texas 79762  
Attn: Elizabeth Harris, Esq.  
(915) 368-1278

**ATTORNEY**

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

**STATEMENT OF CASE**

**OPPONENT**

Phillips Petroleum Company and Enserch Exploration Inc. are the only two operators in the South Peterson-Fusselman Pool.

On July 6, 1978, the Division granted Enserch Exploration, Inc.'s request to create this pool and to establish 80-acre oil proration and spacing units with a depth bracket oil allowable of 267 BOPD.

This Pool is a strong water drive reservoir which produces oil along with significant volumes of salt water. For some sixteen years the 287 BOPD allowable has been adequate for this pool.

Phillips opposes Enserch's request to increase that allowable to 500 BOPD for the following reasons:

- (1) the reservoir is sensitive to the rate of total fluid withdrawals and increasing the rate of oil production would serve to adversely affect the ultimate recovery from the pool thereby causing waste; and
- (2) Increasing the oil allowable will serve to benefit only Enserch's higher capacity oil well which has already produced 38 % of the total oil in the entire pool while only having 20 % of the original oil in

place and would allow Enserch the opportunity to further drain the oil from adjoining spacing units operated by Phillips which cannot be protected by existing wells thereby impairing correlative rights.

**PROPOSED EVIDENCE**

APPLICANT

WITNESSES	EST. TIME	EXHIBITS
Jack Pickett (P.E.)	45 Min.	est. 10 exhibits
Scott Balke (geologist)	40 Min.	est. 6 exhibits

**PROCEDURAL MATTERS**

None applicable at this time.

KELLAHIN AND KELLAHIN



By: \_\_\_\_\_  
W. Thomas Kellahin  
P.O. Box 2265  
Santa Fe, New Mexico 87504  
(505) 982-4285

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
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CONSIDERING:

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FEB 17 1995

Oil Conservation Division

APPLICATION OF ENSERCH EXPLORATION,  
INC., FOR THE ASSIGNMENT OF A  
SPECIAL DEPTH BRACKET OIL ALLOWABLE,  
ROOSEVELT COUNTY, NEW MEXICO.

No. 10994  
(De Novo)

**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**

Enserch Exploration, Inc.  
c/o Frank Pope  
Post Office Box 2649  
Dallas, TX 75221  
(214) 748-1110

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

**OTHER PARTY**

Phillips Petroleum Company  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

name, address, phone and  
contact person

**ATTORNEY**

W. Thomas Kellahin, Esq.  
Kellahin & Kellahin  
Post Office Box 2265  
Santa Fe, New Mexico 87504-2265  
(505) 982-4285

**STATEMENT OF CASE**

APPLICANT

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

Enserch Exploration, Inc., applicant in the above-styled cause, seeks a special depth bracket allowable, pursuant to General Rule 505(d), of 500 barrels of oil per day for the South Peterson-Fusselman Pool, which is located in portions of Townships 5 and 6 South, Ranges 32 and 33 East, being approximately 14 miles east of Kenna, New Mexico.

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 Faigle, Geologist	20 Min.	Approximately 4
Ralph Telford, Petroleum Engineer	30 Min.	Approximately 10

OTHER PARTY

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

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

  
Signature

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION

**RECEIVED**

FEB 20 1995

Oil Conservation Division

IN THE MATTER OF THE HEARING  
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CONSIDERING:

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APPLICATION OF ENSERCH EXPLORATION, INC.  
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FOR THE SOUTH PETERSON-FUSSELMAN POOL,  
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**APPEARANCE OF PARTIES**

APPLICANT

Enserch Exploration, Inc.

ATTORNEY

William F. Carr, Esq.  
P. O. Box 2208  
Santa Fe, New Mexico 87501

**OPPONENT**

Phillips Petroleum Co.  
4001 Penbrook  
Odessa, Texas 79762  
Attn: Elizabeth Harris, Esq.  
(915) 368-1278

**ATTORNEY**

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

**STATEMENT OF CASE**

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This Pool is a strong water drive reservoir which produces oil along with significant volumes of salt water. For some sixteen years the 287 BOPD allowable has been adequate for this pool.

Phillips opposes Enserch's request to increase that allowable to 500 BOPD for the following reasons:

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place and would allow Enserch the opportunity to further drain the oil from adjoining spacing units operated by Phillips which cannot be protected by existing wells thereby impairing correlative rights.

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**PROCEDURAL MATTERS**

None applicable at this time.

KELLAHIN AND KELLAHIN

By: 

W. Thomas Kellahin

P.O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285

**STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION**

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CASE NO. 1099 (DeNovo)

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FOR THE SOUTH PETERSON-FUSSELMAN POOL,  
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APPLICANT

ATTORNEY

Enserch Exploration, Inc.

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P. O. Box 2208  
Santa Fe, New Mexico 87501

**OPPONENT**

Phillips Petroleum Co.  
4001 Penbrook  
Odessa, Texas 79762  
Attn: Elizabeth Harris, Esq.  
(915) 368-1278

**ATTORNEY**

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KELLAHIN AND KELLAHIN  
P.O. Box 2265  
Santa Fe, NM 87504  
(505) 982-4285

**STATEMENT OF CASE**

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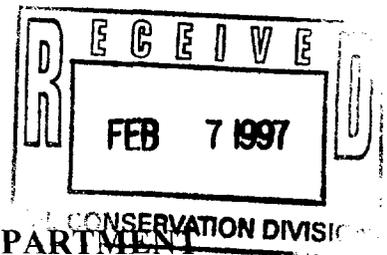
**PROCEDURAL MATTERS**

None applicable at this time.

KELLAHIN AND KELLAHIN

By: 

W. Thomas Kellahin  
P.O. Box 2265  
Santa Fe, New Mexico 87504  
(505) 982-4285



STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION COMMISSION

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

CASE NO. 10994  
(Reopened)

APPLICATION OF PHILLIPS PETROLEUM  
COMPANY TO REOPEN DE NOVO CASE NO. 10994  
ROOSEVELT 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

Phillips Petroleum Company \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

name, address, phone and  
contact person

ATTORNEY

W. Thomas Kellahin, Esq.  
Kellahin & Kellahin  
Post Office Box 2265  
Santa Fe, New Mexico 87504-2265  
(505) 982-4285

OPPOSITION OR OTHER PARTY

Enserch Exploration Inc. \_\_\_\_\_  
c/o Ralph Telford \_\_\_\_\_  
6 Desta Drive, Suite 5250 \_\_\_\_\_  
Midland, TX 79705 \_\_\_\_\_  
(915) 682-9756 \_\_\_\_\_

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 \_\_\_\_\_

**STATEMENT OF CASE**

APPLICANT

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

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.)

Enserch Exploration Inc. opposes this application because:

1. The evidence relied on by Phillips in this application was available to it in prior hearings and their application in this case is an improper collateral attack on Commission Order No. R-5771-C; and
2. Even if the Division hears this case, the evidence will not change the April 1995 decision of the Commission that a 500 BOPD allowable for the South Peterson-Pennsylvanian Fusselman Pool will prevent waste and protect the correlative rights of the interest owners in this pool.

**PROPOSED EVIDENCE**

APPLICANT

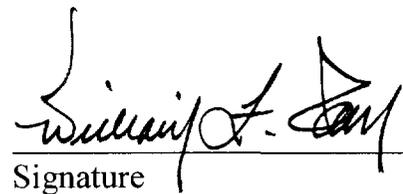
WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
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OPPOSITION

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
George Faigle, Geologist	15 Min.	4 Exhibits
Ralph Telford, Petroleum Engineer	25 Min.	12 Exhibits

**PROCEDURAL MATTERS**

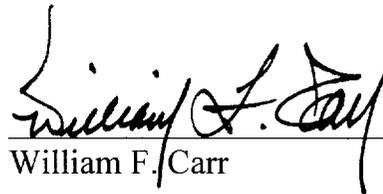
(Please identify any procedural matters which need to be resolved prior to hearing)

  
\_\_\_\_\_  
Signature

**CERTIFICATE OF MAILING**

I hereby certify that on this 7<sup>th</sup> day of February, 1997, 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:

W. Thomas Kellahin, Esq.  
Kellahin & Kellahin  
117 North Guadalupe Street  
Santa Fe, New Mexico 87501

  
\_\_\_\_\_  
William F. Carr

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

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
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CONSIDERING:

CASE NO. 10994

APPLICATION OF ENSERCH EXPLORATION, INC.  
FOR THE ASSIGNMENT AT A SPECIAL DEPTH  
BRACKET OIL ALLOWABLE,  
ROOSEVELT, COUNTY, NEW MEXICO.

JUN 17 1994

**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**

Enserch Exploration, Inc.  
c/o Frank H. Pope, Jr., Esq.  
4849 Greenville Ave., Suite 1200  
Dallas, TX 75206-4186  
(214) 987-7844  
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**

Phillips Petroleum Company  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
name, address, phone and  
contact person

**ATTORNEY**

W. Thomas Kellahin, Esq.  
Kellahin & Kellahin  
Post Office Box 2265  
Santa Fe, New Mexico 87504-2265  
(505) 982-4285

**STATEMENT OF CASE**

**APPLICANT**

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

Enserch Exploration, Inc., applicant in the above-captioned cause, seeks a special depth bracket oil allowable, pursuant to General Rule 505(d), of 500 barrels of oil per day for the South Peterson-Fusselman Pool, which is located in portions of Townships 5 and 6 South, Ranges 32 and 33 East.

**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

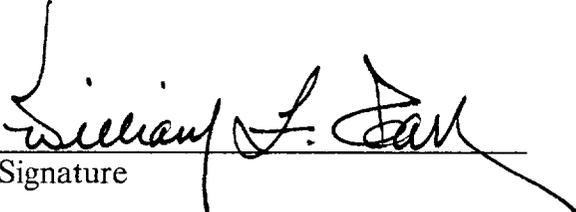
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George Faigle, Geologist	30 Min.	Approximately 9
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OPPOSITION

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

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

  
Signature

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

IN THE MATTER OF THE HEARING  
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CONSIDERING:

11-20-11

CASE NO. 10994

APPLICATION OF ENSERCH EXPLORATION, INC.  
FOR A SPECIAL DEPTH BRACKET OIL ALLOWABLE  
FOR THE SOUTH PETERSON-FUSSELMAN POOL,  
ROOSEVELT COUNTY, NEW MEXICO.

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by Phillips Petroleum Company as required by the Oil Conservation Division.

**APPEARANCE OF PARTIES**

**APPLICANT**

Enserch Exploration, Inc.

**ATTORNEY**

William F. Carr, Esq.  
P. O. Box 2208  
Santa Fe, New Mexico 87501

OPPONENT

Phillips Petroleum Co.  
4001 Penbrook  
Odessa, Texas 79762  
Attn: Elizabeth Harris, Esq.  
(915) 368-1278

ATTORNEY

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

**STATEMENT OF CASE**

OPPONENT

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This Pool is a strong water drive reservoir which produces oil along with significant volumes of salt water. For some sixteen years the 287 BOPD allowable has been adequate for this pool.

Phillips opposes Enserch's request to increase that allowable to 500 BOPD for the following reasons:

(1) This reservoir is sensitive to the rate of withdrawals and increasing the rate of oil production will have an adverse effect on ultimate recovery from the pool thereby causing waste and

(2) Increasing the oil allowable will cause the higher capacity oil well to drain the oil from adjoining spacing units which cannot be protected by existing wells thereby impairing correlative rights.

**PROPOSED EVIDENCE**

APPLICANT

WITNESSES	EST. TIME	EXHIBITS
Jack Pickett (P.E.)	45 Min.	est. 10 exhibits
Scott Balke (geologist)	40 Min.	est. 6 exhibits

**PROCEDURAL MATTERS**

None applicable at this time.

KELLAHIN AND KELLAHIN

By: 

W. Thomas Kellahin  
P.O. Box 2265  
Santa Fe, New Mexico 87504  
(505) 982-4285

**KELLAHIN AND KELLAHIN**

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

**SANTA FE, NEW MEXICO 87504-2265**

W. THOMAS KELLAHIN\*

\*NEW MEXICO BOARD OF LEGAL SPECIALIZATION  
RECOGNIZED SPECIALIST IN THE AREA OF  
NATURAL RESOURCES-OIL AND GAS LAW

TELEPHONE (505) 982-4285  
TELEFAX (505) 982-2047

JASON KELLAHIN (RETIRED 1991)

June 3, 1993

**HAND DELIVERED**

Mr. Michael E. Stogner  
Chief Hearing Examiner  
Oil Conservation Division  
310 Old Santa Fe Trail  
Santa Fe, New Mexico 87504

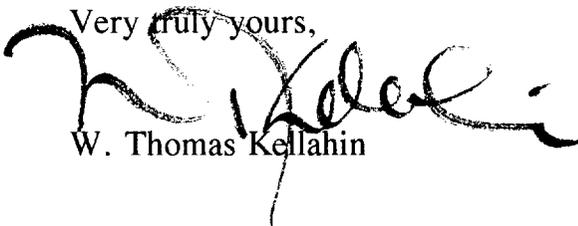
3 PM

Re: NMOCD Case 10994  
Application of Enserch Exploration, Inc.  
for the Assignment of a Special Depth Bracket  
Allowable, South Peterson-Fusselman Pool,  
Roosevelt County, New Mexico

Dear Mr. Stogner:

On behalf of Phillips Petroleum Company, please find enclosed our  
Entry of Appearance in the referenced case.

Very truly yours,



W. Thomas Kellahin

cc: Elizabeth A. Harris, Esq.  
Phillips Petroleum Company

cc: William F. Carr, Esq.  
Attorney for Enserch Exploration, Inc.

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION  
OF ENSERCH EXPLORATION INC. FOR THE  
ASSIGNMENT OF A SPECIAL DEPTH BRACKET  
OIL ALLOWABLE, SOUTH PETERSON-FUSSELMAN POOL,  
ROOSEVELT COUNTY, NEW MEXICO.

CASE NO. 10994

ENTRY OF APPEARANCE

Comes now Phillips Petroleum Company, by its attorneys, Kellahin and Kellahin, and enters its appearance in this case which has been continued from the June 9, 1994 Examiner's hearing docket to the Examiner's docket schedule for June 23, 1994.



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

CERTIFICATE OF SERVICE

The undersign certifies that on June 3, 1994, a copy of the foregoing pleading was mailed to William F. Carr, Esq, attorney for Enserch Exploration, Inc.



**KELLAHIN AND KELLAHIN**

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

SANTA FE, NEW MEXICO 87504-2265

W. THOMAS KELLAHIN\*

\*NEW MEXICO BOARD OF LEGAL SPECIALIZATION  
RECOGNIZED SPECIALIST IN THE AREA OF  
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TELEPHONE (505) 982-4285  
TELEFAX (505) 982-2047

JASON KELLAHIN (RETIRED 1991)

June 3, 1993

**HAND DELIVERED**

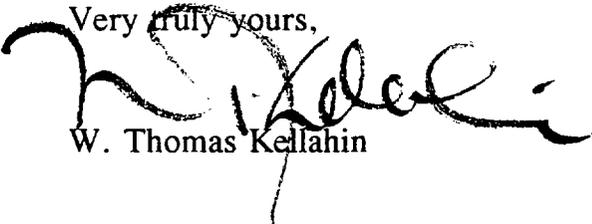
Mr. Michael E. Stogner  
Chief Hearing Examiner  
Oil Conservation Division  
310 Old Santa Fe Trail  
Santa Fe, New Mexico 87504

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cc: William F. Carr, Esq.  
Attorney for Enserch Exploration, Inc.

STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT  
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IN THE MATTER OF THE APPLICATION  
OF ENSERCH EXPLORATION INC. FOR THE  
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CASE NO. 10994

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**KELLAHIN AND KELLAHIN**

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

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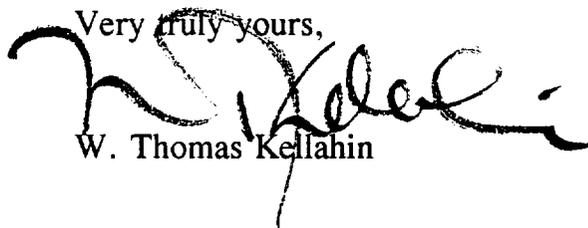
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Attorney for Enserch Exploration, Inc.

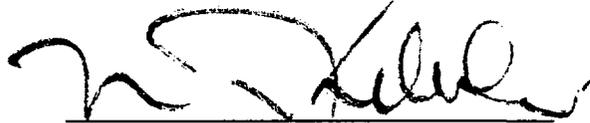
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3 1994 CASE NO. 10994

ENTRY OF APPEARANCE

Comes now Phillips Petroleum Company, by its attorneys, Kellahin and Kellahin, and enters its appearance in this case which has been continued from the June 9, 1994 Examiner's hearing docket to the Examiner's docket schedule for June 23, 1994.



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

CERTIFICATE OF SERVICE

The undersign certifies that on June 3, 1994, a copy of the foregoing pleading was mailed to William F. Carr, Esq, attorney for Enserch Exploration, Inc.

