

**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:**

**APPLICATION OF NADEL AND GUSSMAN  
PERMIAN, L.L.C. FOR COMPULSORY  
POOLING, EDDY COUNTY, NEW MEXICO.**

Case No. 13195

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by applicant as required by the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Nadel and Gussman Permian, L.L.C.  
Suite 508  
601 North Marienfeld  
Midland, Texas 79701

**APPLICANT'S ATTORNEY**

James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attention: Sam H. Jolliffe IV  
(915) 682-4429

**OPPONENT**

Stanico Energy Corporation

**OPPONENT'S ATTORNEY**

Gregory J. Nibert  
Hinkle Law Firm  
P.O. Box 10  
Roswell, New Mexico 88201  
(505) 623-9332

**STATEMENT OF THE CASE**

**APPLICANT**

Applicant seeks an order pooling all mineral interests from the surface to the base of the Morrow formation underlying the following described acreage in Section 4, Township 23 South, Range 28 East, NMPM, and in the following manner: The S $\frac{1}{2}$  to form a standard 320-acre gas spacing and proration unit for any and all formations and/or pools developed on 320-acre spacing within that vertical extent, including but not limited to the North Loving-Atoka Gas Pool and Undesignated North Loving-Morrow Gas Pool; the SW $\frac{1}{4}$  to form a standard 160-acre gas spacing and proration unit for any and all formations and/or pools developed on 160 acre spacing within that vertical extent; the S $\frac{1}{2}$ SW $\frac{1}{4}$  to form a standard 80-acre oil spacing and proration unit for any formations and/or pools

*WVJ  
12/15/03*

developed on 80-acre spacing within that vertical extent, including but not limited to the Undesignated South Culebra Bluff-Bone Spring Pool; and the SW $\frac{1}{4}$ SW $\frac{1}{4}$  to form a standard 40-acre oil spacing and proration unit for any formations and/or pools developed on 40-acre spacing within that vertical extent, including but not limited to the Undesignated Herradura Bend-Delaware Pool. The units are to be dedicated to applicant's Apollo Fee Well No. 1, to be drilled at an orthodox location in the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 4. Also to be considered will be the cost of drilling and completing the 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 cost-plus 200% charge for the risk involved in drilling and completing the well.

OPPONENT

PROPOSED EVIDENCE

APPLICANT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
Sam Jolliffe (landman)	15 min.	Approx. 4
Keith Logan (geologist)	10 min.	Approx. 3

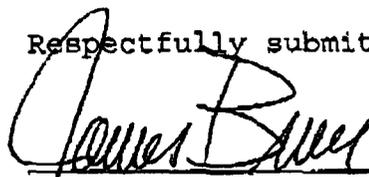
OPPONENT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
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PROCEDURAL MATTERS

-None-

Respectfully submitted,

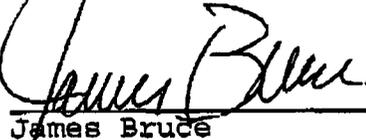
  
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 James Bruce  
 Post Office Box 1056  
 Santa Fe, New Mexico 87504  
 (505) 982-2043

Attorney for Nadel and Gussman  
 Permian, L.L.C.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record via facsimile transmission this 12<sup>th</sup> day of December, 2003:

Gregory J. Nibert  
Hinkle Law Firm  
Post Office Box 10  
Roswell, New Mexico 88201  
Fax No. (505) 623-9332



James Bruce