

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

RECEIVED OCD
2011 AUG 24 P 3:43

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

APPLICATIONS OF BURNETT OIL CO., INC.
FOR COMPULSORY POOLING AND
UNORTHODOX WELL LOCATIONS,
EDDY COUNTY, NEW MEXICO.

CASE NOS 14673, 14674 & 14691

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by COG Operating LLC as required by the Oil Conservation Division.

APPEARANCES

APPLICANT

Burnett Oil Co., Inc.

ATTORNEY

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

OPPONENT

David Evans
COG Operating, LLC
550 West Texas Ave.
Midland, Texas 79701

ATTORNEY

Ocean Munds-Dry
Holland & Hart LLP
110 N. Guadalupe St. Suite 1
Santa Fe, NM 87501
(505) 988-4421

STATEMENT OF THE CASE

OPPONENT

The Applications should be denied because they will cause waste. A vertical well program in this environmentally sensitive area does not reduce impact to the surface. A horizontal well program, as proposed by Concho reduces surface impact and maximizes production in the Yeso formation.

PROPOSED EVIDENCE

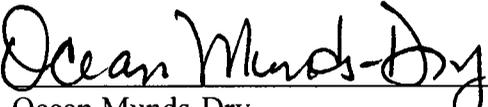
OPPONENT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
David Evans, Landman	Approx. 30 min.	Approx. 10
Noel Olivas, Field Coordinator	Approx. 20 min.	Approx. 10
Harvin Broughton, Geologist	Approx. 30 min.	Approx. 10
Ken Craig, Petroleum Engineer	Approx. 30 min.	Approx. 10
Carl Bird, Drilling Engineer	Approx. 20 min.	Approx. 10
Ryan Dehnad Completions Engineer	Approx. 20 min.	Approx. 10

PROCEDURAL MATTERS

Concho requests these cases be consolidated with Case Nos. 14706-14718. Concho requests Burnett's motion to compel be denied and that Concho's motion for protective order be granted.

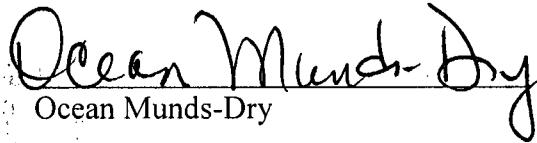
Sincerely,


Ocean Munds-Dry
Attorney for COG OPERATING
LLC.

CERTIFICATE OF SERVICE

I certify that on 8/24/2011 I served a copy of the foregoing document to the following by,
fax and U.S. mail:

James Bruce
Post Office Box 1056
Santa Fe, New Mexico 87504-1056
(505) 982-2151


Ocean Munds-Dry

5162292_1.DOC