

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

2007 NOV 24 PM 4 49

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

CASE NO. 13372

APPLICATION OF DEVON ENERGY PRODUCTION COMPANY, L.P. FOR
APPROVAL OF AN UNORTHODOX WELL LOCATION AND AUTHORIZATION TO
DRILL A WELL IN THE POTASH AREA, EDDY COUNTY, NEW MEXICO.

PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted by Holland & Hart LLP, as required by the Oil
Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

Devon Energy Production Company, L.P.
Attn: Ken Gray
20 North Broadway, Suite 1500
Oklahoma City, OK 73102-8260
(405) 552-4633

ATTORNEY

William F. Carr, Esq.
Holland & Hart LLP
Post Office Box 2208
Santa Fe, New Mexico 87504
(505) 988.4421

OPPOSITION

Mosiac Potash
Attn: Dan Morehouse
Mosiac Potash
Post Office Box 71
Carlsbad, New Mexico 88221-0071

ATTORNEY

Charles C. High, Jr., Esq.
Kemp, Smith, Duncan & Hammond, P.C.
200 State National Plaza
El Paso, Texas 79901-1441

STATEMENT OF CASE

APPLICANT

Applicant seeks an order approving the drilling of its proposed Apache 24 Fee Well No. 7A within the Potash Area at an unorthodox well location 1460 feet from the North line and 1150 feet from the West line (Unit E) of Section 24, Township 22 South, Range 30 East, NMPM, Eddy County, New Mexico. This well will be drilled to an approximate depth of 15,500 to as a wildcat well to test the Devonian formation.

PROPOSED EVIDENCE

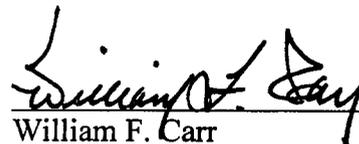
APPLICANT

WITNESSES	ESTIMATED TIME	EXHIBITS
Ken Gray (Landman)	Approx. 20 Minutes	Approx. 8
Jim Blount (Operations Engineer)	Approx. 15 Minutes	Approx 6
Mineral Owner	Approx. 10 Minutes	Approx. 2

PROCEDURAL MATTERS

Devon has filed a motion for an order re-instating /granting applications for permits to drill and dismissing the objection of IMC Minerals/Mosaic Potash to the Apache Fee Wells No. 6, 7 and 7A.

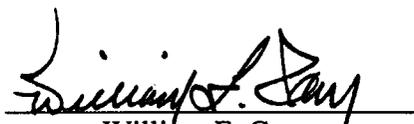
Devon Energy Production Company, L.P., will request that Case Nos. 13368, 13369 and 13372 be consolidated for purposes of hearing.



William F. Carr
Attorney for Devon Energy Production
Company, L.P.

CERTIFICATE OF SERVICE

I certify that I have caused a copy of the foregoing pleading to be delivered to Gail McQuesten, Esq. Attorney for the Oil Conservation Division by Hand Delivery, Dan Morehouse, Mosaic Potash by facsimile [Fax No. (505) 887-0589] and to Charles C. High Jr., Esq., Kemp, Smith, Duncan & Hammond, P.C., attorney for Mosaic Potash, by facsimile [Fax No. (915) 546-5360] on this 24th day of November 2004.



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 DIVISION FOR
THE PURPOSE OF CONSIDERING:

CASE NOS. 13367, 13368, 13369, and 13372

APPLICATIONS OF BASS ENTERPRISES PRODUCTION
CO. and DEVON ENERGY PRODUCTION COMPANY, L.P.
FOR ORDERS AUTHORIZING THE DRILLING OF SPECIFIC
WELLS IN THE POTASH AREA, EDDY COUNTY, NEW MEXICO.

PRE-HEARING STATEMENT

This Pre-Hearing Statement is submitted by Mosaic Potash Carlsbad Inc. as
required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANTS

Bass Enterprises Production Co.

Attn: J. Wayne Bailey
201 Main Street, Suite 2900
Ft. Worth, TX 76102
(817) 390-8671

Devon Energy Production Company, L.P.

Attn: Ken Gray
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(405) 552-4633

ATTORNEY

William F. Carr, Esq.
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OPPOSITION

Mosaic Potash Carlsbad Inc.

Attn: Dan Morchouse
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Carlsbad, NM 88220
(505) 887-2871

ATTORNEY

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& Walker Crowson
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El Paso, TX 79901
(915) 533-4424

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STATEMENT OF CASE

OPPOSITION POSITION

Drilling wells at the proposed locations will result in an undue waste of potash.
Each location can be developed from alternate locations.

PROPOSED EVIDENCE

OPPOSITION

WITNESSES	ESTIMATED TIME	EXHIBITS
Dan Morehouse, Mine Engineering Superintendent	Approx. 20 Minutes	Approx. 8



Dan Morehouse
Mine Engineering Superintendent

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CERTIFICATE OF SERVICE

I certify that I have sent a copy of the foregoing pleading by facsimile to Gail McQuisten, Esq., Assistant General Counsel for the Oil Conservation Division [Fax. No. (505) 476-3462], William F. Carr, Holland & Hart, LLP, attorney for the Applicants [Fax. No. (505) 983-6043], and to Charles C. High, Jr., Esq., Kemp Smith, L.L.P., attorney for the Opposition [Fax. No. (915) 546-5360] on this 29th day of November 2004.


Dan Morehouse