

**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 BURLINGTON RESOURCES
OIL & GAS COMPANY LP FOR
COMPULSORY POOLING
SAN JUAN COUNTY, NEW MEXICO**

CASE NO. 14315

**RECEIVED
2009 MAY 4 PM 12 11**

PRE-HEARING STATEMENT

This amended pre-hearing statement is submitted by Burlington Resources Oil & Gas Company LP as required by the New Mexico Oil Conservation Division.

APPEARANCES OF THE PARTIES

APPLICANT

Burlington Resources Oil & Gas Company
3535 West 32nd Street
Farmington, NM 87501
Attn: Alan Alexander
Phone 505-326-9757

ATTORNEY

W. Thomas Kellahin
706 Gonzales Road
Santa Fe, New Mexico 87501
phone 505-982-4285
Fax 505-982-2047

OTHER PARTIES

None

ATTORNEY

STATEMENT OF THE CASE

APPLICANT:

(1) Burlington, an affiliate of ConocoPhillips Company, is a working interest owner and the proposed operator for the Delhi Com Well No. 1B well to be dedicated to the W/2 of Section 16, T30N, R8W, San Juan County, New Mexico.

(2) Burlington has proposed to drill, complete and operate the Delhi Com Well No. 1B well to be located in Unit letter F of this section and if productive to downhole commingle Dakota and Mesaverde production. See Division form C-102 attached as Exhibit "A"

(3) By letter dated February 11, 2009, Burlington proposed the drilling of this well to the working interest owners.

(4) All of the interest owners in the Mesaverde formation have agreed to participate in this well, but two owners in the Dakota formation have declined: (a) Four Star Oil & Gas Company (1.5625% WI) and (b) Koch Exploration Company (10.9375 % WI)

(5) The subject 320-acre spacing unit is located within the Blanco-Mesaverde Gas Pool and the Basin-Dakota Gas Pool.

(6) Burlington despite reasonable effort has been unable to obtain the voluntary agreement from certain interest owners in this spacing unit. Pursuant to Section 70-2-17.C NMSA (1978) and in order to obtain its just and equitable share of potential production underlying this spacing unit, Burlington needs an order of the Division pooling the identified and described mineral interests involved in order to protect correlative rights and prevent waste.

PROPOSED EVIDENCE

APPLICANT

WITNESSES

EST. TIME

EST. EXHIBITS

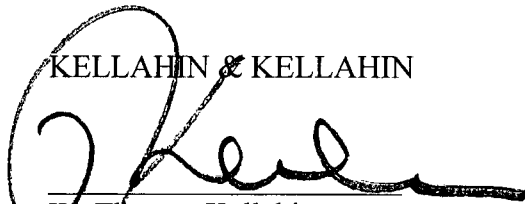
Terry B. Simcoe, CPL (landman) @ 10-min. @ 8

BY AFFIDAVIT

PROCEDURAL MATTERS

None

KELLAHIN & KELLAHIN


W. Thomas Kellahin