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**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 NO. 12415**

**APPLICATION OF NEARBURG EXPLORATION COMPANY, L.L.C.  
FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.**

OIL CONSERVATION DIVISION  
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OIL CONSERVATION DIVISION

**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**

Nearburg Exploration Company, L.L.C.  
c/o Mark Wheeler  
3300 North "A" St., Bldg. 2, Ste. 120  
Midland, TX 79705  
(915) 686-8235  
(915) 686-7826 Fax

**ATTORNEY**

William F. Carr, Esq.  
Campbell, Carr, Berge & Sheridan, P.A.  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
(505) 988-4421  
(505) 983-6043

**OPPOSITION OR OTHER PARTY**

Marbob Energy Corporation  
Mr. Raye Miller  
P.O. Box 227  
Artesia, NM 88211-0227  
(505) 748-3303

**ATTORNEY**

Paul R. Owen, Esq.  
Montgomery & Andrews  
325 Paseo de Peralta  
Santa Fe, NM 87501  
(505) 986-2538

**STATEMENT OF CASE**

**APPLICANT**

Application of Nearburg Exploration Company, L.L.C. for compulsory pooling, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order pooling all mineral interests in all formations developed on 320-acre spacing in the E/2, in all formations developed on 160-acre spacing in the NE/4, in all formations developed on 80-acre spacing in the E/2 NE/4, and in all formations developed on 40-acre spacing in the SE/4 NE/4 of Section 29 Township 18 South, Range 28 East. Said unit is to be dedicated to its Pathfinder "29" State Com Well No. 1 to be drilled at a standard location 1980 feet from the North line and 660 feet from the East line of said Section 29 to a depth sufficient to test all formations from the surface to the base of the Morrow formation. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of Nearburg Producing Company as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 9 miles Southeast of Artesia, New Mexico.

**PROPOSED EVIDENCE**

APPLICANT

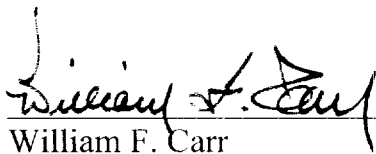
WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
Mark Wheeler (Landman)	15 Min.	Approx. 15
Jerry Elger (Geology)	10 Min.	Approx. 2

OPPOSITION

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

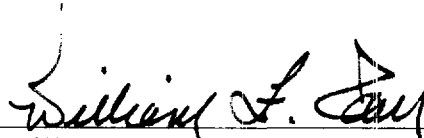
Nearburg Exploration has none at this time.

  
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William F. Carr  
Attorney for Nearburg Producing, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of May, 2000, I have caused to be fax - delivered a copy of our Prehearing Statement in the above-captioned case to the following named parties:

Paul R. Owen, Esq.  
Montgomery & Andrews  
325 Paseo de Peralta  
Santa Fe, NM 87501

  
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William F. Carr