

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. 10005

APPLICATION OF ESTATE OF THELMA  
FORD SIMMONS dba D. J. SIMMONS  
COMPANY FOR COMPULSORY POOLING,  
SAN JUAN COUNTY, NEW MEXICO

PRE-HEARING STATEMENT

This prehearing statement is submitted by Estate of Thelma Ford Simmons dba D. J. Simmons Company as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

APPLICANT

ATTORNEY

Estate of Thelma Ford Simmons  
dba D. J. Simmons  
P.O. Box 1469

Tommy Roberts, Esq.  
P.O. Box 1020

Farmington, New Mexico 87499

Farmington, New Mexico 87499

(505) 325-5789

(505) 325-1801

Rod Pinkett  
name, address, phone  
and contact person

OPPOSITION OR OTHER PARTY

ATTORNEY

BBL - Ltd. dba  
Breck Operating Corp.  
Box 911

Not Known

Breckenridge, Texas 76024-0911

Ron Holloway

name, address, phone  
and contact person

**STATEMENT OF CASE**

APPLICANT

(Please make a concise statement of what is being sought with the application and the reasons therefore.)

Applicant seeks an order pooling all mineral interests in the Basin-Fruitland Coal (Gas) Pool underlying the E/2 of Section 34, Township 28 North, Range 10 West. Applicant also seeks to be designated as operator of the well to be drilled on these lands and asks that a reasonable charge to be assessed for risk involved in drilling the well. The application is made because all interest owners have not agreed to join in the drilling of the proposed well.

OPPOSITION OR OTHER PARTY

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

NOT APPLICABLE

**PROPOSED EVIDENCE**

APPLICANT

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
Rod Pinkett Professional Engineer	30 Minutes	- Land Plat - Correspondence - Operating Agreement - Authority for Expenditure - Area Map - Geologic Maps - Log Sections - Proof of Notice

OPPOSITION

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
	NOT KNOWN	

**PROCEDURAL MATTERS**

(Please identify any procedural matters which  
need to be resolved prior to the hearing)

May want to consolidate this case with Case Nos. 10006  
and 10007 for purposes of providing testimony. If the cases  
are consolidated, then the estimated time for testimony will  
be one (1) hour.

*Tommy Roberts*

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TOMMY ROBERTS, Attorney for  
Estate of Thelma Ford Simmons  
dba D. J. Simmons Company

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

**RECEIVED**

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

JUL 06 1990

OIL CONSERVATION DIV.  
SANTA FE

CASE NOS. 10005  
10006  
10007

APPLICATIONS OF THE ESTATE OF THELMA  
FORD SIMMONS d/b/a/ D.J. SIMMONS COMPANY  
FOR COMPULSORY POOLING, SAN JUAN COUNTY,  
NEW MEXICO.

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by William F. Carr as required by the Oil Conservation Division.

**APPEARANCE OF PARTIES**

**APPLICANT**

Estate of Thelma Ford Simmons  
d/b/a/ D.J. Simmons Company  
Post Office Box 1469  
Farmington, New Mexico 87499

**ATTORNEY**

Tommy Roberts, Esq.  
Tansey Rosebrough Gerding  
& Strother, P.C.  
621 West Arrington  
Farmington, New Mexico 87401  
(505) 325-1801

**OPPOSITION OR OTHER PARTY**

Breck Operating Corp.  
Post Office Box 911  
Breckenridge, Texas 76024-0911  
Attn: Ronald A. Holloway  
(817) 559-3355

**ATTORNEY**

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

**STATEMENT OF CASE**

**APPLICANT**

(Please make a concise statement of what is being sought with this application and the reasons therefore.)

**OPPOSITION OR OTHER PARTY**

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

Breck Operating Corp. objects to being force pooled since as of July 5, 1990, the applicant has not proposed a Joint Operating Agreement for the subject properties.

**PROPOSED EVIDENCE**

APPLICANT

WITNESSES (Name and Expertise)	EST. TIME	EXHIBITS
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OPPOSITION

WITNESSES (Name and Expertise)	EST. TIME	EXHIBITS
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None at this time

**PROCEDURAL MATTERS**

(Please identify any procedural matters which  
need to be resolved prior to the hearing)

  
\_\_\_\_\_  
Signature