

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 MCELVAIN OIL & GAS  
PROPERTIES, INC. FOR COMPULSORY POOLING,  
SAN JUAN COUNTY, NEW MEXICO.

Case No. 13,251

ENTRY OF APPEARANCE  
AND  
PRE-HEARING STATEMENT

This pre-hearing statement is submitted by XTO Energy Inc., as  
required by the Oil Conservation Division.

APPEARANCES

APPLICANT

McElvain Oil & Gas  
Properties, Inc.

APPLICANT'S ATTORNEY

William F. Carr

OPPONENT

XTO Energy Inc.  
Suite 2000  
810 Houston Street  
Fort Worth, Texas 76102

OPPONENT'S ATTORNEY

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

Attention: Tim Welch  
(817) 885-2661

STATEMENT OF THE CASE

APPLICANT

This case involves a well to be drilled in the NW¼ S32-30N-13W.  
The well will be drilled at an orthodox location to test the  
Pictured Cliffs formation.

OPPONENT

XTO Energy Inc. agrees that the well should be drilled, but  
requests that it be named operator because it owns 75% of the  
working interest in the well.

WVJ  
4/26/04

**PROPOSED EVIDENCE****APPLICANT****WITNESSES****EST. TIME****EXHIBITS****OPPONENT****WITNESSES****EST. TIME****EXHIBITS**(landman)

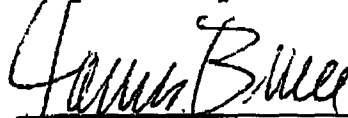
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**PROCEDURAL MATTERS**

-None-

Respectfully submitted,



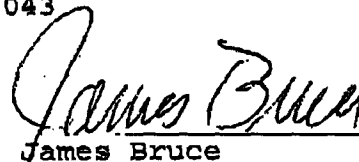
James Bruce  
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Santa Fe, New Mexico 87504  
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Attorney for XTO Energy Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing pleading was served upon the following counsel of record via facsimile transmission this 25th day of April, 2004:

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