

**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 BURNETT OIL CO., INC. FOR COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO.**

CASE NO. 14640

**APPLICATION OF BURNETT OIL CO., INC. FOR COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO.**

CASE NO. 14641

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by COG Operating, LLC ("Concho") as required by the Oil Conservation Division.

APPEARANCES

APPLICANT

Burnett Oil Co., Inc.

ATTORNEY

James Bruce, Esq.
PO Box 1056
Santa Fe, NM 87504

OPPOSING PARTY

COG Operating, LLC

ATTORNEY

Ocean Munds-Dry, Esq.
Holland & Hart, LLP
110 N. Guadalupe St. Suite 1
Santa Fe, Ne Mexico 87501

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STATEMENT OF THE CASE

OPPOSING PARTY

COG Operating, LLC opposes Burnett's applications because it does not believe it is in the best interest of conservation, the prevention of waste and the protection of correlative rights. Concho has filed competing applications for compulsory pooling in Cases 14649 and 14650.

PROPOSED EVIDENCE

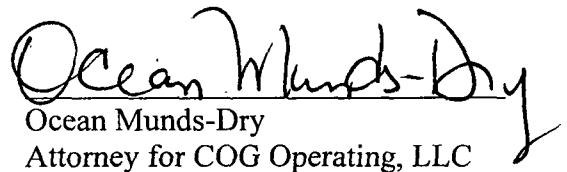
APPLICANT

<u>WITNESSES</u>	<u>EST. TIME</u>	<u>EXHIBITS</u>
Stuart Dirks Petroleum Landman	Approx. 15 min.	Approx. 10
David Evans, Petroleum Landman	Approx. 15 min.	Approx. 5
Harvin Broughton, Petroleum Geologist	Approx. 20 min	Approx. 5
Richard Prentice Reservoir Engineer	Approx. 1 hour	Approx. 10

PROCEDURAL MATTERS

COG Operating, LLC has nothing at this time.

Sincerely,


Ocean Munds-Dry
Attorney for COG Operating, LLC

CERTIFICATE OF SERVICE

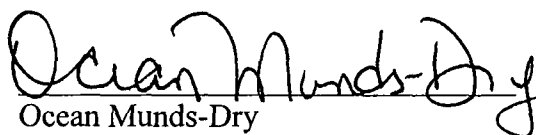
I certify that on 5/19/2011 I served a copy of the foregoing document to the following by:

James Bruce

PO Box 1056

Santa Fe, NM 87504

ATTORNEY FOR BURNETT OIL CO.


Ocean Munds-Dry