

**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 NEARBURG EXPLORATION  
COMPANY, L.L.C. FOR COMPULSORY  
POOLING, LEA COUNTY, NEW MEXICO.**

**Case No. 13,967 (reopened)**

**PRE-HEARING STATEMENT**

This pre-hearing statement is submitted by applicant as required by the Oil Conservation Division.

**APPEARANCES**

**APPLICANT**

Nearburg Exploration Company, L.L.C.  
Building 2, Suite 120  
3300 North "A" Street  
Midland, Texas 79705

Attention: Linda Hicks  
(432) 686-8235

**APPLICANT'S ATTORNEY**

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

**OPPONENT**

**OPPONENT'S ATTORNEY**

**STATEMENT OF THE CASE**

**APPLICANT**

Applicant seeks an order pooling all mineral interests from the surface to the base of the Abo formation underlying the SW/4SW/4 of Section 30, Township 16 South, Range 39 East, NMPM, to form a standard 40-acre oil spacing and proration unit for any and all formations or pools developed on 40-acre spacing within that vertical extent. The unit is to be dedicated to the Cone 30 Fee Well No. 1, located at an orthodox location in the SW/4SW/4 of Section 30. Also to be considered will be the cost of drilling and completing the 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 proposed well, and a 200% charge for the risk involved in drilling and completing the well.

2010/10/16  
JTB

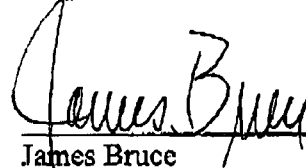
OPPONENT**PROPOSED EVIDENCE**APPLICANTWITNESSESEST. TIMEEXHIBITS

**THE CASE WILL BE PRESENTED BY AFFIDAVIT.** This case was previously presented, and pooling to the base of the Drinkard was requested. Applicant requests that pooling to the base of the Abo formation be granted.

OPPONENTWITNESSESEST. TIMEEXHIBITS**PROCEDURAL MATTERS**

-None-

Respectfully submitted,



James Bruce  
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(505) 982-2043

Attorney for Nearburg Exploration  
Company, L.L.C.