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 BURLINGTON RESOURCES) CASE NOS. 13,987 OIL AND GAS COMPANY, LP, FOR THE ESTABLISHMENT OF A DOWNHOLE COMMINGLING REFERENCE CASE FOR ITS SAN JUAN 28-4 UNIT, RIO ARRIBA COUNTY, NEW MEXICO APPLICATION OF BURLINGTON RESOURCES 13,988 OIL AND GAS COMPANY, LP, FOR THE ESTABLISHMENT OF A DOWNHOLE COMMINGLING REFERENCE CASE FOR ITS SAN JUAN 30-6 UNIT, RIO ARRIBA COUNTY, NEW MEXICO APPLICATION OF BURLINGTON RESOURCES and 13,989 OIL AND GAS COMPANY, LP, FOR THE ESTABLISHMENT OF A DOWNHOLE COMMINGLING REFERENCE CASE FOR ITS SAN JUAN 27-4 UNIT, RIO ARRIBA COUNTY, NEW MEXICO (Consolidated)

OFFICIAL EXHIBIT FILE EXAMINER HEARING

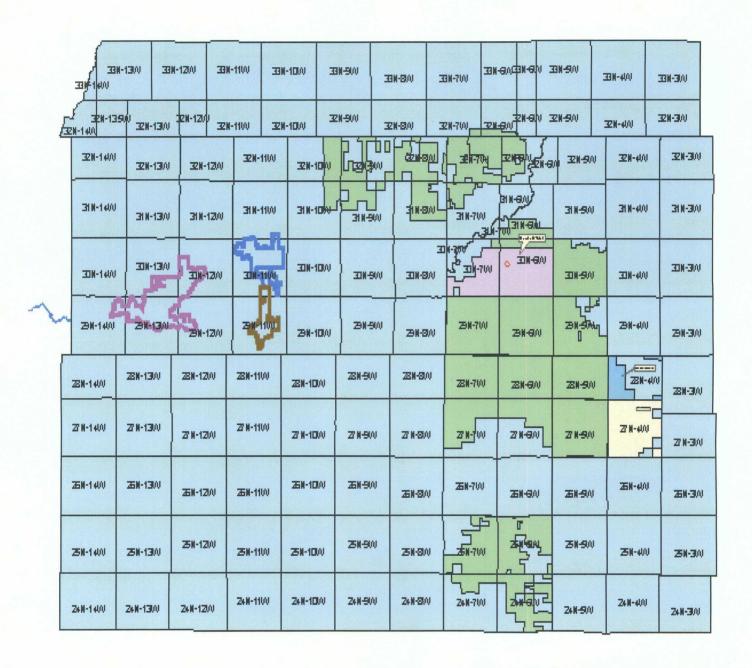
BEFORE: WILLIAM V. JONES, Jr., Technical Examiner DAVID K. BROOKS, Jr., Legal Examiner

September 20th, 2007 Santa Fe, New Mexico

These matters came on for hearing before the New Mexico Oil Conservation Division, WILLIAM V. JONES, Jr., Technical Examiner, DAVID K. BROOKS, Jr., Legal Examiner, on Thursday, September 20th, 2007, at the New Mexico Energy, Minerals and Natural Resources Department, 1220 South Saint Francis Drive, Room 102, Santa Fe, New Mexico, Steven T. Brenner, Certified Court Reporter No. 7 for the State of New Mexico.

* * *

Burlington Resources Oil and Gas Company LP Federal Units Notice Exemption Application



New Mexico Oil Conservation Division

Case # 13987

Case # 13988

Case # 13989

September 20, 2007

KELLAHIN & KELLAHIN Attorney at Law

W. Thomas Kellahin 706 Gonzales Road Santa Fe, New Mexico 87501

TELEPHONE 505-982-4285 FACSIMILE 505-982-2047 TKELLAHIN@COMCAST.NET

August 24, 2007

TO: NOTICE OF THE HEARING OF THE FOLLOWING NEW MEXICO OIL CONSERVATION DIVISION CASE:

Re: Application of Burlington Resources Oil & Gas Company LP for a downhole commingling reference case for its San Juan 27-4 Unit pursuant to Division Rule 303.E Rio Arriba County, New Mexico

On behalf of Burlington Resources Oil & Gas Company LP, please find enclosed our referenced application for the San Juan 27-4 Unit that has been set for hearing on the New Mexico Oil Conservation Division Examiner's docket now scheduled for 8:15 a.m. September 20, 2007. The hearing will be held in Porter Hall in the Division's offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico, 87505.

As an interest owner who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

Pursuant to the Division's Rule 1208.B, you are further notified that if you desire to appear in this case or to oppose the proposed risk charge (See Order R-11992), then you are required to file a Pre-Hearing Statement with the Division not later than 5:00 PM on Thursday, September 13, 2007, with a copy delivered to the undersigned. The Pre-Hearing Statement should include: the names of the parties and their attorneys; a concise statement of the case; the names of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and the identification of any procedural matters that are to be resolved prior to the hearing.

Very truly

Thomas Kellahin

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 BURLINGTON RESOURCES
OIL & GAS LP COMPANY FOR DOWNHOLE
COMMINGLING REFERENCE CASE FOR ITS
SAN JUAN 27-4 UNIT PURSUANT TO DIVISION
RULE 303.E, RIO ARRIBA COUNTY, NEW MEXICO.

CASE NO.

[7]

APPLICATION

Comes now BURLINGTON RESOURCES OIL & GAS COMPANY, by and through its attorneys, Kellahin and Kellahin, and applies to the New Mexico Oil Conservation Division for the establishment of a downhole commingling reference case pursuant for its San Juan 27-4 Unit, Rio Arriba County, New Mexico. Applicant, in the above-styled cause, in accordance with Division Rule 303.E, seeks to establish a downhole commingling reference case to modify the notification rules on an area-wide basis authorization for downhole commingling of Dakota and Mesaverde production in the wellbores of existing or future wells drilled anywhere within the San Juan 27-4 Unit located in Township 27 North Range 4 West, NMPM, Rio Arriba County, New Mexico, said production being portions of the Basin-Dakota Gas Pool and the Blanco-Mesaverde Gas Pool.

In support of its application, Burlington Resources Oil & Gas Company LP ("Burlington"). states:

- (1) Burlington is the operator of the San Juan 27-4 Unit which currently includes 120 wells in the Basin Dakota Gas Pool and 104 wells of theBlanco-Mesaverde Gas pool all located within an area known as the "San Juan 27-4 Unit" consisting of 23,046.91 acres, more or less of acreage, as identified on Exhibit "A".
- (2) The absence of the establishment of a "reference case" as provided in Rule 303.E, Division general state-wide Rule 303.C requires that administrative applications for downhole commingling of gas production be submitted, processed and approved on a well by well basis including notification by certified mail return receipt requested to each interest owner where ownership is not common in the zones to be commingled.

- (3) As a result of the entry of Order R-11363, dated April 26, 2000, the Basin-Dakota and the Blanco-Mesaverde Pools were approved as "pre-approved pools" for downhole commingling of production thus eliminating the need to justify pressure and economic criteria on a well by well basis.
- (4) In additional, allocation formula are administered and approved by the District Office of the Division.
- (5) Currently, the Division still requires the applicant for downhole commingling for this unit to notify in writing to each interest owner where ownership is not common in the zones to be commingled.
- (6) For the San Juan 27-4 Unit this rule requires notice to some 48 interest owners at current development levels.
- (7) In support of its request to establish a "reference case" to delete the requirement that each application for downhole commingling be sent to each interest owner affected, Burlington will provided evidence and testimony which will demonstrated that:
 - (a) because this is a "divided" unit with various participating areas, the interest ownership between any zones to be downhole commingled within a given wellbore in the Unit will not be common;
 - (b) pursuant to Division Rule 303. D, applicant is currently required to notify all interest owners in the unit every time a Form C-107-A is submitted to the Division which can involve as many as 48different owners; and,
 - (c) providing notice to each interest owner in the unit of subsequent downhole commingling application is unnecessary and is an excessive burden to the applicant.
- (8) In seven prior Burlington cases, the Division has entered orders in DHC referenced cases that have eliminated the notice requirements:
 - (a) Order R-10692, Nov 1, 1996, Case 11601 for the San Juan 32-9 Unit.
 - (b) Order R-10694, Nov 12, 1996, Case 11626 for the San Juan 27-5 Unit
 - (c) Order R-10695, Nov 12, 1996, Case 11627 for the San Juan 28-5 Unit
 - (d) Order R-10696, Nov 18, 1996, Case 11628 for the San Juan 28-6 Unit
 - (e) Order R-10697, Oct 8, 1996, Case 11629 for the San Juan 29-7 Unit
 - (f) Order R-10786, April 2, 1997, Case 11685 for the Canyon Largo Unit
 - (g) Order R-10476-B, Oct 17, 1997, Case 11815 for the San Juan 28-7 Unit

- (9) The ownership is not common among these two pools/formations within the San Juan 27-4 Unit and notification in this case by certified mail return receipt constitutes satisfactory notification in all subsequent cases to each interest owner where ownership is not common in the zones to be commingled.
- (10) Burlington therefore requests that the Division authorize that all downhole commingling applications received by the Division after October 1, 2007 for downhole commingling of production from Mesaverde and Dakota wells within the San Juan 27-4 Unit may cite the order entered in this case as a reference case for:

elimination of unnecessary notice: such that any future or further notice concerning downhole commingling applications within this unit shall not be required to any owner (including royalty, overriding royalty or working interest owners) in instances where ownership are not common or percentages are not identical in the zones to be commingled

- (11) Applicant requests that this matter be docketed for hearing on the Division's Examiner docket now scheduled for September 20, 2007.
- (12) Notice of this application has been sent to all interest owners entitled to receive production within the unit.

WHEREFORE Applicant requests that this matter be set for hearing on September 20, 2007 before a duly appointed Examiner of the Oil Conservation Division and that after notice and hearing as required by law, the Division enter its order granting this application.

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Respectfully submitted

y. Thomas Kellahin

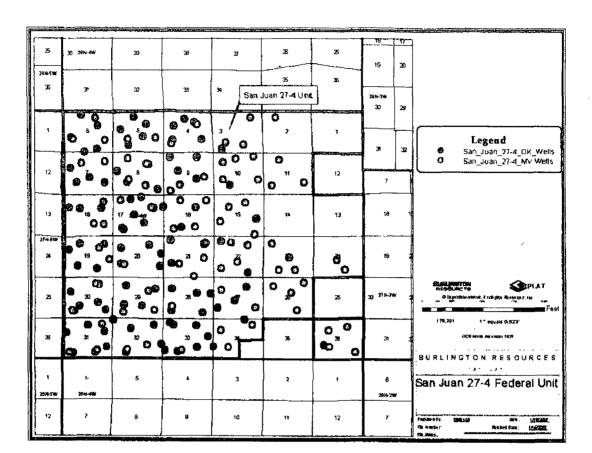
KELLAHIN and KELLAHIN

706 Gonzales Road

Santa Fe, New Mexico 87501

(505) 982-4285

Attorneys for Applicant





Interest Owner		Address	Sity	Ü	Zin	Certified Receipt Returned
ALVIN DEWEY BAKEB.IB		PO BOX 12002	EI DACO	2 ×	70013-0000	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
AMALIA SENA	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TUISA	ž	74101	
ANNE MARIE MITCHELL	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TUISA	Š	74101	× × ×
BUREAU OF LAND MANAGEMENT	FARMINGTON DISTRICT OFFICE	1235 LA PLATA HIGHWAY	FARMINGTON	Z	87401-1808	Yes
CARLOS M SENA	C/O BANK OF OKLAHOMA NA AGENT		TULSA	Š	74101	
CHAPPELL FAMILY TRUST U/T/A DTD 6-4-98	BUDDIE G CHAPPELL SURVIVING TRUSTEE	PO BOX 1865	CORRALES	Z	87048 Yes.	Yes.
CHEVRON MIDCONTINENT LP		PO BOX 730365	DALLAS	X	75373-0365	Yes.
CHRISTOPHER HOFFMANN	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	Š	74101	Yes.
COMMISIONER OF PUBLIC LANDS	NEW MEXICO STATE LAND OFFICE	310 OLD SANTA FE TRAIL	SANTA FE	Z	87501	Yes.
D A ABRAHAM LLC	C/O STEVE J ABRAHAM	PO BOX 25123	ALBUQUERQUE	ΣZ	87125 Yes.	Yes.
DEREK PETER VENEZIA		PO BOX 432976	SAN DIEGO	CA	92143-2976	Yes.
DIANE HENKLE FAMILY TRUST		PO BOX 25123	ALBUQUERQUE	ZZ	87125 Yes.	Yes.
HARRINGTON ENERGY RESOURCES LP	A NEW MEXICO LP HARRINGTON SAN JUAN	PO BOX 1813	DESMOINES	¥	50306-1813	Yes.
JOSE M SANCHEZ	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	Š	74101 Yes.	Yes.
JOSE N SENA	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	ð	74101	Yes.
JUAN R MONTANO REVOCABLE TRUST	JUAN R MNTANO TRUSTEE	10405 CALLE CONTENTO NW	ALBUQUERQUE	ΣN	87114	Yes.
LMA ROYALTIES, LTD.		PO BOX 1449	CASTLE ROCK	8	80104 Yes.	Yes.
MAR OIL AND GAS CORP	M.A. ROMERO PRESIDENT	PO BOX 5155	SANTA FE	ΣZ	87502	Yes.
MARY F ROBERTS		PO BOX 2203	RUIDOSO	Z	88345-2203	Yes.
MARY ISABEL HOFFMANN	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	š	74101	Yes.
MARY J CHAPPELL TRUST B	BUDDIE GENE CHAPPELL TRUSTEE	PO BOX 1865	CORRALES	ΣZ	87048	Yes.
MEADOWS FAMILY PARTNERSHIP		6053 ARLINGTON EXPRESSWAY	JACKSONVILLE	긥	32211	Yes.
MICHAEL C ABRAHAM		P O BOX 25123	ALBUQUERQUE	ΣZ	87125-0123	Yes.
MIKE C ABRAHAM TRUSTEE		PO BOX 25123	ALBUQUERQUE	ΣN	87125 Yes.	Yes.
MINERALS MGT SERVICE	ONSHORE FEDERAL 17555	P O BOX 5810	DENVER	8	80217-5810	Yes.
MONICA SENA	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	OK	74101	Yes.
NORWEST BANK NEW MEXICO NA TRUSTEE OF	~EDNA MORRELL LIVING TRUST	P O BOX 5383	DENVER	00	80217	Yes.
P ELENA SANCHEZ	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	OK	74101	Yes.
PATRICIA ANN ASHBURN		7095 69TH ST	VERO BEACH	FL	32967	Yes.
PATRICIA PENROSE SCHIEFFER	BANK OF AMERICA N A AGENT	P O BOX 840738	DALLAS	XT	75284-0738	Yes.
PHILIP L SANCHEZ	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	OK	74101	Yes.
ROBERT P EARNEST & ANNA DOKUS EARNEST TR	K. EARNEST RIOS TRSTEE, C/O R.P. EARNES	PO BOX 91036	SAN DIEGO	CA	92169	Yes.
ROMERO FAMILY LIMITED PARTNERSHIP	C/O BANK OF AMERICA NA	PO BOX 840845	DALLAS	XT	75283	Yes.
SANDRA C SANCHEZ	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	9 K	74101	Yes.
SANRIO GAS LLC		PO BOX 1847	CORRALES	NN	87048 Yes.	Yes.
SCOTT ANTHONY VENEZIA		PO BOX 432976	SAN DIEGO	CA	92143-2976	Yes.
STEPHEN J ABRAHAM		P O BOX 25123	ALBUQUERQUE	MN	87125-0123	Yes.
TEMPE LIMITED PARTNERSHIP	C/O F E OR M K HARRINGTON	8081 CLYMER LANE	INDIANAPOLIS	Z	46250	Yes.
TERRI G LEAGUE REVOC LIV TRUST	TERRI G LEAGUE TRUSTEE	RT 2 BOX 83	POND CREEK	S	73766	73766 Yes.
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SJ 27-4 Interest Owners 09.20.07 Hearing Notification					
DHC Ref. Case					
ALVIN DEWEY BAKER JR		PO BOX 12992	EL PASO	TX 79913-0992	Yes.
WELLS FARGO BANK TRUSTEE	U/W/O FOSTER MORRELL	P O BOX 5383	DENVER	CO 80217 Yes.	res.
WILLIAM HOFFMAN	C/O BANK OF OKLAHOMA NA AGENT	PO BOX 1588	TULSA	OK 74101 Yes.	res.
BUREAU OF LAND MANAGEMENT	FARMINGTON DISTRICT OFFICE	1235 LA PLATA HIGHWAY	FARMINGTON	NM §7401-1808	
CLIFTON RESOURCES INC.	1301 NW 178TH ST, APT. 69		EDMOND	OK 73003-4267	
ELEANOR G HAND		570 LAKESHORE DR NE	ATLANTA	GA 30307-1795	
HARCO LIMITED PARTNERSHIP		P O BOX 3716	ROSWELL	NM 88202-3716	
KRISTIN DAWN BAKER ASHTON		4 MIDDLELOOP RD	CLANCY	MT 59634	
LESLIE C. TATUM		PO BOX 7392	N KANSAS CITY	MO 64116	
MARY JO WELLS		5250 WOODLAWN AVENUE	CHEVY CHASE	MD 20815	
THE TATUM LIVING TRUST DTD 12-10-96	R.S. TATUM, TRSTEE-BANK OF ARMERICA NA LOCK BOX 840738	LOCK BOX 840738	DALLAS	TX 75284-0738	



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PS Form 3811 Domestic Return Receipt	MINERALS MGT SERVICE ONSHORE FEDERAL 17555 P O BOX 5810 DENVER, CO 80217-5810 8/27/2007 5:10 PM Code: \$137.4 DHC REF CASE HEARING N 4. Rev	1. Article Addressed to:	PS Form 3811 Domestic Return Receipt	MIKE C ABRAHAM TRUSTEE PO BOX 25123 ALBUQUERQUE, NM 87125 8/27/2007 5:10 PM Cods: \$127/4 DHC REE CASE HEARING N 4. Res	7110 Lb05 9590 0020 7062 7110 Lb05 9590 0020 7062 0. is do 0. is do 0. is do 0. is do	PS Form 3811 Domestic Return Receipt	MICHAEL C ABRAHAM P O BOX 25123 ALBUQUERQUE, NM 87125-0123 8/27/2007 5:10 PM Geden S127 4 DHC REF CASE HEARING N 4. Rest	7130 6605 9590 0020 7055
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	ROMERO FAMILY LIMITED PARTNERSHIP PO BOX 840845 3. Service Type 3. Service Type Corrifice) PM 37.4 DHC REE CASE HEA	Domestic Return Receipt to the state of the	71.10 6605 9590 0020 71.6.1 B. Received by Prince Purple C. Date C. Da	SANDRA C SANCHEZ C/O BANK OF OKLAHOMA NA AGENT PO BOX 1588 TULSA, OK 74101 827/2007 5:10 PM 4. Restricted Delivery? (Extra Fee) Ceess. S. 127 4 DHC REF CASE HEARING N	811 Domestic Return Receipt	A TAILOR MUMBER MANAGEMENT OF THE PROPERTY OF	PO BOX 1847 CORRALES, NM 87048 3. Service Type 8/27/2007 5:10 PM 4. Restricted Delivery? (Extra Fee)	1811 Domestic Return Receipt
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	D. Is delivery address different from Item 77 Yes If YES anter delivery address below: No 3. Service Type	4. Restricted Delivery? (Extra Fee)		B. Received by (Fri	3. Service Type 4. Restricted Delivery? (Extra Fee) Ves	Domestic Return Receipt	A. Signature A. Signature A. Signature Agent X. A. Signature B. Ragalwed by (Prinfol Asma) D. Is delivery address different from Iren 17 D. Is delivery address different from Iren 17 H. VES enter (delivery address below:	Service Type A. Restricted Delivery? (Extra!	Domestic Return Receipt
ANTO CLOS 1540 0020 7086	1. Article Addressed to: MONICA SENA C/O BANK OF OKLAHOMA NA AGENT PO BOX 1588 TULSA, OK 74101	8/27/2007 5:10 PM		7110 6605 9590 0020 7109	P ELENA SANCHEZ CO BANK OF OKLAHOMA NA AGENT PO BOX 1588 TULSA, OK 74101 8/27/2007 5:10 PM CO40: S.1274 DHC REE CASE HEARING N	PS Form 3811 Domes	Tilo 6605 9590 0020 7130	PHILIP L SANCHEZ C/O BANK OF OKLAHOMA NA AGENT PO BOX 1588 TULSA, OK 74101 8/27/2007 5:10 PM Code: S127/4 DHC REF CASE HEARINGA	PS Form 3811 Domes

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um Receipt	A. Signature A. Signature X X B. Redayad by Pringa Name) B. Redayad by Pringa Name) C. Date of Delivery D. Is delivery address different from Item 17 %s If YES enter delivery address below: No Service Type 3. Service Type A. Restricted Delivery? (Extra Fee) Yes	urn Receipt	3. Service Type X Certified 4. Restricted Delivery? (Extra Fee) Yes	A-Stopature A-Sto	urn Receipt	A. Signatury A. Aperic B. Beculod by (***pinet Alman) C. Date of Delivery A. In LANZ 1.** C. Date of Delivery C. Date of Delivery
PS Form 3811 Domestic Neturn Receipt	24A7190419111	Form 3811 Domestic Return Receipt	ERRI G LEAGUE REVOC LIV TRUST IERRI G LEAGUE TRUSTEE RT 2 BOX 83 OND CREEK, OK 73766 L27/2007 5:10 PM Code: \$187 4 DHC REE CASE HEARING N	1. Article Addressed to:	PS Form 3811 Domestic Return Receipt	71.10 bb05 9590 DD20 7208 1. Article Addressed to: 2. Article Addressed to: 2. Article Addressed to: 2. Article Addressed to: 3. Article Addressed to: 3. Article Addressed to: 3. Article Addressed to: 3. Article Addressed to: 4. Article Addressed to: 4. Article Addressed to: 4. Article Addressed to: 5. Article Addressed to: 5. Article Addressed to: 5. Article Addressed to: 6. Article Addressed to: 6. Article Addressed to: 6. Article Addressed to: 7. Article Addressed to: 8. Article Addres
lurn Receipt			3. Service Type X Certified 4. Rectricted Delivery? (Extra Fee) Yes	A. Signature A.		A. Signature A. Restricted Delivery? (Extra Fee) A. Service Type A. Restricted Delivery? (Extra Fee) A. Restricted Delivery? (Extra Fee) A. Service Type A. Restricted Delivery? (Extra Fee) A. Restricted Delivery? (Extra Fee) A. Restricted Delivery? (Extra Fee)
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		Domestic Return Receipt	3. Service Type 3. Service Type 4. Restricted Delivery? (Extra Fee)	A. Signature B. Received by (Printed Marne) D. Is delivery address different from Item (7 'D D. It Statement (1 in the month of the	Domestic Return Receipt	A. Signaphra B. Putch L. J. J. C. Data or J.

2. Article Number	COMPLETE THIS SECTION ON DELIVERY
7110 6605 9590 0020 6973	X Lew (Agent Addressee B. Received by (Printed Name) C. Date of Delivery LESUE (TANW)
1. Article Addressed to:	D. Is delivery address different from item 1? Yes If YES enter delivery address below: No
LESLIE C. TATUM	
PO BOX 7392	100
N KANSAS CITY, MO 64116	3. Service Type
8/27/2007 5:10 PM Code: SJ 27-4 DHC REF CASE HEARING N	4. Restricted Delivery? (Extra Fee)
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