

**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. 14471**

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**PRE- HEARING STATEMENT**

This Pre-Hearing Statement is submitted by Holland & Hart LLP, as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

Rick Harris  
McElvain Oil & Gas Properties, Inc.  
1050 17<sup>th</sup> Street, Suite 1800  
Denver, Colorado 80265  
(303) 893-0933

**ATTORNEY**

Ocean Munds-Dry, Esq.  
Holland & Hart LLP  
Post Office Box 2208  
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**STATEMENT OF CASE**

**APPLICANT**

Applicant in the above-styled cause seeks an order pooling all uncommitted mineral interests in all formations from the surface to the base of the Pictured Cliffs formation underlying the S/2 of Section 3, Township 29 North, Range 13 West, N.M.P.M., San Juan County, New Mexico, for all formations and/or pools developed on 320-acre spacing within this vertical extent including but not limited to the Basin Fruitland Coal Gas Pool and for all formation and/or pools developed on 160-acre spacing within this vertical extent including but not limited to the Fulcher Kutz-Pictured Cliffs Gas Pool. This unit is to be dedicated to the Ruby Well No. 2, to be dual-completed at a location in the SE/4 of said Section 3 to test the Fruitland Coal formation and the Pictured Cliffs formation. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof, as well as actual operating costs and charges for

supervision, designation of applicant as operator of the well and the imposition of a 200% risk charge against the working interest of any party that elects not to participate in this project. Said area is located within the city limits of Farmington and southwest of the Worley baseball complex, New Mexico.

### **PROPOSED EVIDENCE**

#### WITNESSES

#### ESTIMATED TIME

#### EXHIBITS

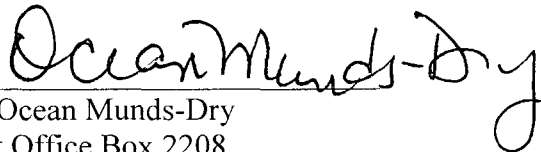
By Affidavit

### **PROCEDURAL MATTERS**

McElvain Oil & Gas Properties, Inc., has none at this time.

Respectfully submitted,

HOLLAND & HART LLP

By: 

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