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JASON E. DOUGHTY*

June 30, 1997
(Our Files 97-170.1 and 97-170.2)

VIA HAND DELIVERY

David Catanach
Hearing Examiner
Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

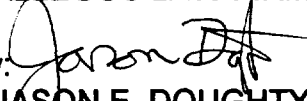
RE: NMOCD Cases 11808 and 11809
Application of Burlington Resources Oil & Gas Co. for compulsory pooling,
Sections 8 and 9, T31N-R10W, NMPM San Juan County, New Mexico

Dear Mr. Catanach:

On behalf of Lee Wayne Moore and Joann Montgomery Moore, Trustees and Timothy B. Johnson, Trustee for Ralph A. Bard, Jr. Trust U/A/D February 12, 1983 et al., affected working interest owners in the referenced, please find our Motion for Continuance in the referenced NMOCD Cases.

Very truly yours,

GALLEGOS LAW FIRM, P.C.

By: 
JASON E. DOUGHTY

cfx: W. Thomas Kellahin, Attorney for Burlington Resources Oil & Gas Co.

**BEFORE THE
OIL CONSERVATION DIVISION
NEW MEXICO DEPARTMENT OF ENERGY, MINERALS
AND NATURAL RESOURCES**

**IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:**

**CASE NO. 11808
CASE NO. 11809**

**RE: APPLICATION OF BURLINGTON RESOURCES
OIL AND GAS COMPANY FOR COMPULSORY
POOLING AND A NON-STANDARD PRORATION
AND SPACING UNIT, SECTIONS 8 AND 9, T31N-
R10W, NMPM, SAN JUAN COUNTY, NEW MEXICO**

MOTION FOR CONTINUANCE

COME NOW, LEE WAYNE MOORE AND JOANN MONTGOMERY MOORE, TRUSTEES AND TIMOTHY B. JOHNSON, TRUSTEE FOR RALPH A. BARD, JR. TRUST U/A/D FEBRUARY 12, 1983 ET AL. (hereinafter sometimes collectively referred to as "Movants") by and through their attorneys, GALLEGOS LAW FIRM, P.C., and hereby move for a continuance of the hearings scheduled in the above referenced cases for July 10, 1997, and in support of this Motion state:

1. On June 11, 1997, Burlington Resources Oil & Gas Co. ("Burlington") filed its application in NMOCD Case No. 11809. On June 12, 1997, Burlington filed its application in NMOCD Case No. 11808. These cases are hereinafter sometimes referred to collectively as the "Cases". The Cases are presently set to be heard on the July 10, 1997 Examiner Hearing Docket.

2. In Case No. 11809, Burlington seeks, inter alia, an Order from the Division compulsory pooling all of Section 8, T31N, R10W, NMPM San Juan County, New Mexico, for its proposed high risk Deep Pennsylvanian test well, the Marcotte Well No. 2. Burlington estimates that this well will cost \$2,316,973 and assigns it a 10% success rate. Movant Lee Wayne Moore and Joann Montgomery Moore, Trustees acreage contribution to this proposed well is 2.2517% and, as such, their estimated cost contribution would be approximately \$52,171.

3. In Case No. 11808, Burlington seeks, inter alia, an Order from the Division compulsory pooling all of Section 9, T31N, R10W, NMPM San Juan County, New Mexico, for its proposed high risk Deep Pennsylvanian test well, the Scott Well No. 24. Burlington estimates that this well will also cost \$2,316,973 and likewise assigns it a 10% success rate. Movants Timothy B. Johnson, Trustee for Ralph A. Bard, Jr. Trust U/A/D February 12, 1983 et al's cumulative acreage contribution to this proposed well is approximately 64.4% and, as such, their estimated cost contribution would be approximately \$1,492,130. Movant Lee Wayne Moore and Joann Montgomery Moore, Trustees acreage contribution to this proposed well is .294805% and, as such, their estimated cost contribution would be approximately \$6,830.

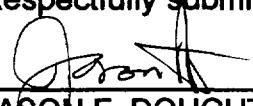
4. Given, inter alia, the Movants' large financial exposure on Burlington's proposed Scott Well No. 24 and the Marcott Well No. 2, it is absolutely reasonable and necessary for the Movants, in order to be in a position to fully to respond to Burlington's applications, to request an opportunity to examine Burlington's information, documents and data supporting the location and drilling of these wells. Accordingly, on June 27, 1997, the Movants submitted a Subpoena Duces Tecum to the Division seeking the

production of certain data and documents relevant to the location and drilling of these wells from Burlington on July 8, 1997.

5. Movants submit that given the amount of data and documents requested from Burlington, it will be extremely difficult for Burlington to produce such data and documents by June 8, 1997. Even if Burlington were able to produce the subpoenaed data and documents, it would be **virtually impossible** for the Movants to conduct a meaningful review and analysis of Burlington's technical data in order to be fully prepared for the scheduled July 10, 1997 hearing.

WHEREFORE, Lee Wayne Moore and Joann Montgomery Moore, Trustees and Timothy B. Johnson, Trustee for Ralph A. Bard, Jr. Trust U/A/D February 12, 1983 et al. respectfully request that the hearing in the Cases scheduled for hearing on July 10, 1997 be continued from the Examiner Hearing Docket until such time as the Movants have had an opportunity to receive and review the documents and information requested from Burlington.


Respectfully submitted,



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CERTIFICATE OF MAILING

I certify that a copy of this pleading was transmitted by hand delivery to counsel of record this 30th day of June, 1997



JASON E. DOUGHTY