



WESTPORT OIL AND GAS COMPANY, INC.

410 Seventeenth Street #2300 Denver Colorado 80202-4436

Telephone: 303 573 5404 Fax: 303 573 5609

VIA OVERNIGHT MAIL

January 18, 2000

Mr. Mark Ashley
New Mexico Oil Conservation Division
2040 South Pacheco Street
Santa Fe, New Mexico 87504

**Re: Case No. 12276 and No. 12277
Application of Burlington Resources Oil and Gas Company
for Compulsory Pooling
San Juan County, New Mexico**

Dear Examiner Ashley

Westport Oil and Gas Company is the owner of certain leasehold working interests that Burlington Resources seeks to have force-pooled in the above-referenced proceedings.

The working interests of Westport and its predecessors-in-interest are subject to that Farmout and Operating Agreement dated November 27, 1951, also known as the GLA-46 Agreement. Under GLA-46, Burlington (and its predecessors-in-interest) acquired the exclusive operating rights on the affected acreage and approximately 100 wells have been drilled under the terms of the agreement. In each case, Westport, Burlington, and their respective predecessors have consistently regarded GLA-46 to be the governing agreement for drilling and development. Correspondingly, consistent with past practice, Westport notified Burlington that it would participate in the drilling of the wells referenced in Burlington's applications pursuant to the terms of GLA-46.

It is Westport's position that its working interests are voluntarily committed to the proposed wells under its existing contract with Burlington; any ruling by the Conservation Division would invalidate a long-standing farmout and operating agreement between 14 companies and individuals. Consequently, Westport respectfully requests that Burlington's applications be dismissed.

WESTPORT OIL AND GAS COMPANY, INC.

By: 

Kent S. Davis, Senior Landman

letter
1-18-00