

**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:**

**CASE NO. 12635**

**APPLICATION OF McELVAIN OIL & GAS  
PROPERTIES, INC. FOR COMPULSORY POOLING,  
RIO ARriba COUNTY, NEW MEXICO.**

OIL CONSERVATION DIV.  
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**PRE-HEARING STATEMENT**

This Prehearing Statement is submitted by Holland & Hart LLP and Campbell & Carr, as required by the Oil Conservation Division.

**APPEARANCES OF PARTIES**

**APPLICANT**

McElvain Oil & Gas Properties, Inc.  
Attention: Mona Binion  
1050 17th Street, Suite 1800  
Denver, Colorado 80265  
(303) 893.0933

**ATTORNEY**

Michael H. Feldewert, Esq.  
Holland & Hart LLP and Campbell & Carr  
Post Office Box 2208  
Santa Fe, New Mexico 87504-2208  
(505) 988.4421

**OPPOSITION OR OTHER PARTY**

D. J. Simmons, Inc.  
c/o J. Scott Hall, Esq.  
Miller, Stratvert & Torgerson, P.A.  
Post Office Box 1986  
Santa Fe, New Mexico 87504-1986  
(505) 989.9614

## STATEMENT OF CASE

### APPLICANT

Applicant in the above-styled cause seeks an order pooling all mineral interests in all formations from the base of the Pictured Cliffs formation to the base of the Mesaverde formation in S/2 of Section 25, Township 25 North, Range 3 West, N.M.P.M. for all formations and or pools developed on 320-acre spacing, which includes but is not necessarily limited to the Mesaverde formation, Blanco-Mesaverde Gas Pool. Said units are to be dedicated to its Naomi Well No. 1 (formerly the Wynona Well No. 1) at a previously approved unorthodox gas well location 1650 feet from the South line and 450 feet from the West line of said Section 25, to be reentered and recompleted in the Mesaverde 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 a charge for risk involved in drilling said well. Said area is located approximately 5 miles southwest of Lindrith, New Mexico.

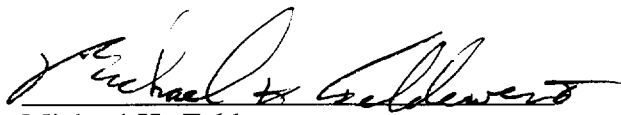
## PROPOSED EVIDENCE

### APPLICANT

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
Mona Binion (Land)	10 Minutes	Approximately 6
John Steuble (Engineer)	10 Minutes	Approximately 2

## PROCEDURAL MATTERS

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

  
Michael H. Feldewert  
ATTORNEY for McELVAIN OIL & GAS  
PROPERTIES, INC.