

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION**

RECEIVED

FEB 20 1995

Oil Conservation Division

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

CASE NO. 10994(DeNovo)

APPLICATION OF ENSERCH EXPLORATION, INC.
FOR A SPECIAL DEPTH BRACKET OIL ALLOWABLE
FOR THE SOUTH PETERSON-FUSSELMAN POOL,
ROOSEVELT COUNTY, NEW MEXICO.

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by Phillips Petroleum Company as required by the Oil Conservation Division.

APPEARANCE OF PARTIES

APPLICANT

Enserch Exploration, Inc.

ATTORNEY

William F. Carr, Esq.
P. O. Box 2208
Santa Fe, New Mexico 87501

OPPONENT

Phillips Petroleum Co.
4001 Penbrook
Odessa, Texas 79762
Attn: Elizabeth Harris, Esq.
(915) 368-1278

ATTORNEY

W. Thomas Kellahin
KELLAHIN AND KELLAHIN
P.O. Box 2265
Santa Fe, NM 87504
(505) 982-4285

STATEMENT OF CASE

OPPONENT

Phillips Petroleum Company and Enserch Exploration Inc. are the only two operators in the South Peterson-Fusselman Pool.

On July 6, 1978, the Division granted Enserch Exploration, Inc.'s request to create this pool and to establish 80-acre oil proration and spacing units with a depth bracket oil allowable of 267 BOPD.

This Pool is a strong water drive reservoir which produces oil along with significant volumes of salt water. For some sixteen years the 287 BOPD allowable has been adequate for this pool.

Phillips opposes Enserch's request to increase that allowable to 500 BOPD for the following reasons:

- (1) the reservoir is sensitive to the rate of total fluid withdrawals and increasing the rate of oil production would serve to adversely affect the ultimate recovery from the pool thereby causing waste; and
- (2) Increasing the oil allowable will serve to benefit only Enserch's higher capacity oil well which has already produced 38 % of the total oil in the entire pool while only having 20 % of the original oil in

place and would allow Enserch the opportunity to further drain the oil from adjoining spacing units operated by Phillips which cannot be protected by existing wells thereby impairing correlative rights.

PROPOSED EVIDENCE

APPLICANT

WITNESSES	EST. TIME	EXHIBITS
Jack Pickett (P.E.)	45 Min.	est. 10 exhibits
Scott Balke (geologist)	40 Min.	est. 6 exhibits

PROCEDURAL MATTERS

None applicable at this time.

KELLAHIN AND KELLAHIN

By: 

W. Thomas Kellahin

P.O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION

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Oil Conservation Division

APPLICATION OF ENSERCH EXPLORATION,
INC., FOR THE ASSIGNMENT OF A
SPECIAL DEPTH BRACKET OIL ALLOWABLE,
ROOSEVELT COUNTY, NEW MEXICO.

No. 10994
(De Novo)

PRE-HEARING STATEMENT

This Prehearing Statement is submitted by Campbell, Carr, Berge & Sheridan, P.A.,
as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

ATTORNEY

Enserch Exploration, Inc.
c/o Frank Pope
Post Office Box 2649
Dallas, TX 75221
(214) 748-1110

William F. Carr, Esq.
Campbell, Carr, Berge & Sheridan, P.A.
Post Office Box 2208
Santa Fe, New Mexico 87504
(505) 988-4421

name, address, phone and
contact person

OTHER PARTY

ATTORNEY

Phillips Petroleum Company

W. Thomas Kellahin, Esq.
Kellahin & Kellahin
Post Office Box 2265
Santa Fe, New Mexico 87504-2265
(505) 982-4285

name, address, phone and
contact person

STATEMENT OF CASE

APPLICANT

(Please make a concise statement of what is being sought with this application and the reasons therefore.)

Enserch Exploration, Inc., applicant in the above-styled cause, seeks a special depth bracket allowable, pursuant to General Rule 505(d), of 500 barrels of oil per day for the South Peterson-Fusselman Pool, which is located in portions of Townships 5 and 6 South, Ranges 32 and 33 East, being approximately 14 miles east of Kenna, New Mexico.

OTHER PARTY

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

7

PROPOSED EVIDENCE

APPLICANT

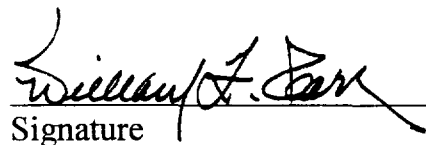
WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
George Faigle, Geologist	20 Min.	Approximately 4
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OTHER PARTY

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
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PROCEDURAL MATTERS

(Please identify any procedural matters which need to be resolved prior to hearing)


Signature

**STATE OF NEW MEXICO
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OPPONENT

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4001 Penbrook
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Attn: Elizabeth Harris, Esq.
(915) 368-1278

ATTORNEY

W. Thomas Kellahin
KELLAHIN AND KELLAHIN
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Santa Fe, NM 87504
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STATEMENT OF CASE

OPPONENT

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This Pool is a strong water drive reservoir which produces oil along with significant volumes of salt water. For some sixteen years the 287 BOPD allowable has been adequate for this pool.

Phillips opposes Enserch's request to increase that allowable to 500 BOPD for the following reasons:

- (1) the reservoir is sensitive to the rate of total fluid withdrawals and increasing the rate of oil production would serve to adversely affect the ultimate recovery from the pool thereby causing waste; and
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PROCEDURAL MATTERS

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KELLAHIN AND KELLAHIN

By: 

W. Thomas Kellahin

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APPLICATION OF ENSERCH EXPLORATION, INC.
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FOR THE SOUTH PETERSON-FUSSELMAN POOL,
ROOSEVELT COUNTY, NEW MEXICO.

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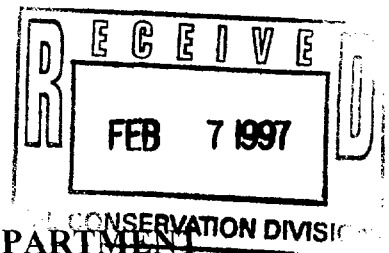
By: 

W. Thomas Kellahin

P.O. Box 2265

Santa Fe, New Mexico 87504

(505) 982-4285



**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION COMMISSION**

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

CASE NO. 10994
(Reopened)

APPLICATION OF PHILLIPS PETROLEUM
COMPANY TO REOPEN DE NOVO CASE NO. 10994
ROOSEVELT COUNTY, NEW MEXICO.

PRE-HEARING STATEMENT

This Prehearing Statement is submitted by Campbell, Carr, Berge & Sheridan, P.A.,
as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

Phillips Petroleum Company _____

name, address, phone and
contact person

ATTORNEY

W. Thomas Kellahin, Esq.
Kellahin & Kellahin
Post Office Box 2265
Santa Fe, New Mexico 87504-2265
(505) 982-4285

OPPOSITION OR OTHER PARTY

Enserch Exploration Inc. _____
c/o Ralph Telford _____
6 Desta Drive, Suite 5250 _____
Midland, TX 79705 _____
(915) 682-9756 _____

name, address, phone and
contact person

ATTORNEY

William F. Carr, Esq. _____
Campbell, Carr, Berge & Sheridan, P.A.
Post Office Box 2208 _____
Santa Fe, New Mexico 87504 _____
(505) 988-4421 _____

STATEMENT OF CASE

APPLICANT

(Please make a concise statement of what is being sought with this application and the reasons therefore.)

OPPOSITION OR OTHER PARTY

(Please make a concise statement of the basis for opposing this application or otherwise state the position of the party filing this statement.)

Enserch Exploration Inc. opposes this application because:

1. The evidence relied on by Phillips in this application was available to it in prior hearings and their application in this case is an improper collateral attack on Commission Order No. R-5771-C; and
2. Even if the Division hears this case, the evidence will not change the April 1995 decision of the Commission that a 500 BOPD allowable for the South Peterson-Pennsylvanian Fusselman Pool will prevent waste and protect the correlative rights of the interest owners in this pool.

PROPOSED EVIDENCE

APPLICANT

WITNESSES
(Name and expertise)

EST. TIME

EXHIBITS

OPPOSITION

WITNESSES
(Name and expertise)

EST. TIME

EXHIBITS

George Faigle, Geologist

15 Min.

4 Exhibits

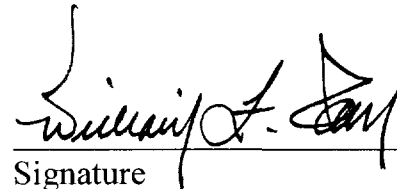
Ralph Telford, Petroleum Engineer

25 Min.

12 Exhibits

PROCEDURAL MATTERS

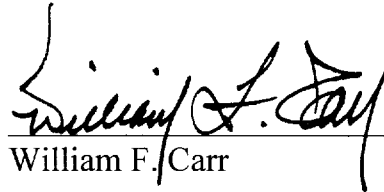
(Please identify any procedural matters which need to be resolved prior to hearing)


Signature

CERTIFICATE OF MAILING

I hereby certify that on this 14th day of February, 1997, I have caused to be hand-delivered a copy of our Pre-Hearing Statement in the above-captioned cases to the following counsel of record:

W. Thomas Kellahin, Esq.
Kellahin & Kellahin
117 North Guadalupe Street
Santa Fe, New Mexico 87501



William F. Carr

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

IN THE MATTER OF THE HEARING
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CASE NO. 10994

APPLICATION OF ENSERCH EXPLORATION, INC.
FOR THE ASSIGNMENT AT A SPECIAL DEPTH
BRACKET OIL ALLOWABLE,
ROOSEVELT, COUNTY, NEW MEXICO.

JUN 17 1994

PRE-HEARING STATEMENT

This Prehearing Statement is submitted by Campbell, Carr, Berge & Sheridan, P.A.,
as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

Enserch Exploration, Inc.
c/o Frank H. Pope, Jr., Esq.
4849 Greenville Ave., Suite 1200
Dallas, TX 75206-4186
(214) 987-7844

name, address, phone and
contact person

ATTORNEY

William F. Carr, Esq.
Campbell, Carr, Berge & Sheridan, P.A.
Post Office Box 2208
Santa Fe, New Mexico 87504
(505) 988-4421

OPPOSITION OR OTHER PARTY

Phillips Petroleum Company

name, address, phone and
contact person

ATTORNEY

W. Thomas Kellahin, Esq.
Kellahin & Kellahin
Post Office Box 2265
Santa Fe, New Mexico 87504-2265
(505) 982-4285

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(Please make a concise statement of what is being sought with this application and the reasons therefore.)

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OPPOSITION OR OTHER PARTY

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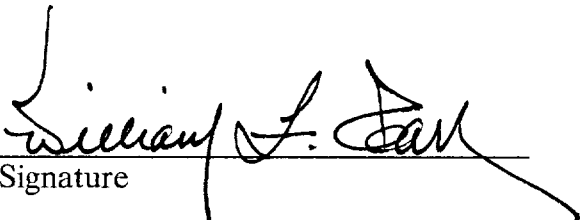
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ATTORNEY

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P. O. Box 2208
Santa Fe, New Mexico 87501

OPPONENT

Phillips Petroleum Co.
4001 Penbrook
Odessa, Texas 79762
Attn: Elizabeth Harris, Esq.
(915) 368-1278

ATTORNEY

W. Thomas Kellahin
KELLAHIN AND KELLAHIN
P.O. Box 2265
Santa Fe, NM 87504
(505) 982-4285

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Phillips opposes Enserch's request to increase that allowable to 500 BOPD for the following reasons:

(1) This reservoir is sensitive to the rate of withdrawals and increasing the rate of oil production will have an adverse effect on ultimate recovery from the pool thereby causing waste and

(2) Increasing the oil allowable will cause the higher capacity oil well to drain the oil from adjoining spacing units which cannot be protected by existing wells thereby impairing correlative rights.

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PROCEDURAL MATTERS

None applicable at this time.

KELLAHIN AND KELLAHIN

By: 

W. Thomas Kellahin
P.O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285

KELLAHIN AND KELLAHIN

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

SANTA FE, NEW MEXICO 87504-2265

W. THOMAS KELLAHIN*

*NEW MEXICO BOARD OF LEGAL SPECIALIZATION
RECOGNIZED SPECIALIST IN THE AREA OF
NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

TELEPHONE (505) 982-4285
TELEFAX (505) 982-2047

June 3, 1993

HAND DELIVERED

Mr. Michael E. Stogner
Chief Hearing Examiner
Oil Conservation Division
310 Old Santa Fe Trail
Santa Fe, New Mexico 87504

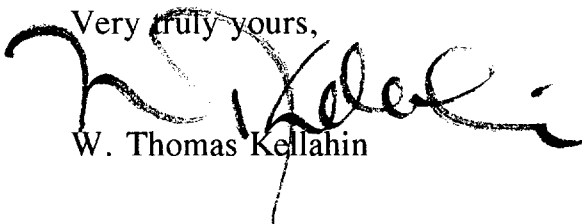
3 PM

Re: NMOCD Case 10994
Application of Enserch Exploration, Inc.
for the Assignment of a Special Depth Bracket
Allowable, South Peterson-Fusselman Pool,
Roosevelt County, New Mexico

Dear Mr. Stogner:

On behalf of Phillips Petroleum Company, please find enclosed our
Entry of Appearance in the referenced case.

Very truly yours,



W. Thomas Kellahin

cc: Elizabeth A. Harris, Esq.
Phillips Petroleum Company

cc: William F. Carr, Esq.
Attorney for Enserch Exploration, Inc.

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

IN THE MATTER OF THE APPLICATION
OF ENSERCH EXPLORATION INC. FOR THE
ASSIGNMENT OF A SPECIAL DEPTH BRACKET
OIL ALLOWABLE, SOUTH PETERSON-FUSSELMAN POOL,
ROOSEVELT COUNTY, NEW MEXICO.

CASE NO. 10994

ENTRY OF APPEARANCE

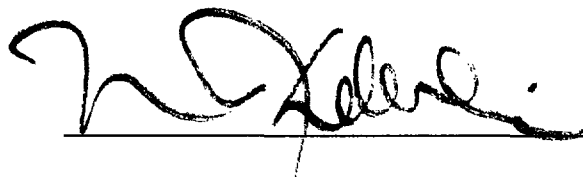
Comes now Phillips Petroleum Company, by its attorneys, Kellahin and Kellahin, and enters its appearance in this case which has been continued from the June 9, 1994 Examiner's hearing docket to the Examiner's docket schedule for June 23, 1994.



W. Thomas Kellahin
Kellahin & Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285

CERTIFICATE OF SERVICE

The undersign certifies that on June 3, 1994, a copy of the foregoing pleading was mailed to William F. Carr, Esq, attorney for Enserch Exploration, Inc.



KELLAHIN AND KELLAHIN

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

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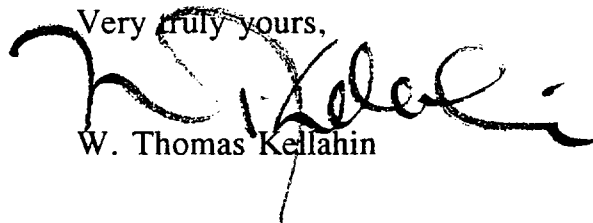
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310 Old Santa Fe Trail
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CASE NO. 10994

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KELLAHIN AND KELLAHIN

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

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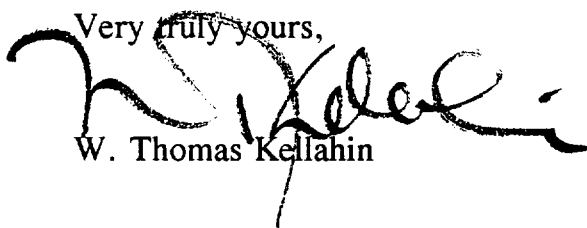
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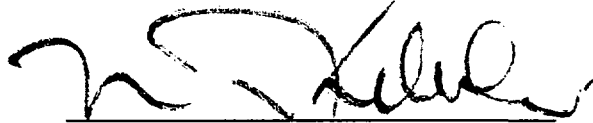
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