

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. 10006

APPLICATION OF ESTATE OF THELMA
FORD SIMMONS dba D. J. SIMMONS
COMPANY FOR COMPULSORY POOLING,
SAN JUAN COUNTY, NEW MEXICO

PRE-HEARING STATEMENT

This prehearing statement is submitted by Estate of Thelma Ford Simmons dba D. J. Simmons Company as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

Estate of Thelma Ford Simmons
dba D. J. Simmons Company
P.O. Box 1469

Farmington, New Mexico 87499

(505) 325-5789

Rod Pinkett
name, address, phone
and contact person

OPPOSITION OR OTHER PARTY

BBL - Ltd. dba
Breck Operating Corp.
Box 911

Breckenridge, Texas 76024-0911

Ron Holloway

name, address, phone
and contact person

ATTORNEY

Tommy Roberts, Esq.

P.O. Box 1020

Farmington, New Mexico 87499

(505) 325-1801

ATTORNEY

Not Known

STATEMENT OF CASE

APPLICANT

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

Applicant seeks an order pooling all mineral interests in the Basin-Fruitland Coal (Gas) Pool underlying the E/2 of Section 33, Township 28 North, Range 10 West. Applicant also seeks to be designated as operator of the well to be drilled on these lands and asks that a reasonable charge to be assessed for risk involved in drilling the well. The application is made because all interest owners have not agreed to join in the drilling of the proposed well.

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.)

NOT APPLICABLE

PROPOSED EVIDENCE

APPLICANT

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
Rod Pinkett Professional Engineer	30 Minutes	- Land Plat - Correspondence - Operating Agreement - Authority for Expenditure. - Area Map - Geologic Maps - Log Sections - Proof of Notice

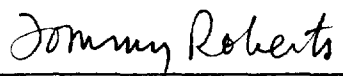
OPPOSITION

WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
	NOT KNOWN	

PROCEDURAL MATTERS

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

May want to consolidate this case with Case Nos. 10005
and 10007 for purposes of providing testimony. If the cases
are consolidated, then the estimated time for testimony will
be one (1) hour.



TOMMY ROBERTS, Attorney for
Estate of Thelma Ford Simmons
dba D. J. Simmons Company

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:

RECEIVED

JUL 06 1990

OIL CONSERVATION DIV.
SANTA FE

CASE NOS. 10005
10006
10007

APPLICATIONS OF THE ESTATE OF THELMA
FORD SIMMONS d/b/a/ D.J. SIMMONS COMPANY
FOR COMPULSORY POOLING, SAN JUAN COUNTY,
NEW MEXICO.

PRE-HEARING STATEMENT

This pre-hearing statement is submitted by William F. Carr as required by the Oil Conservation Division.

APPEARANCE OF PARTIES

APPLICANT

Estate of Thelma Ford Simmons
d/b/a/ D.J. Simmons Company
Post Office Box 1469
Farmington, New Mexico 87499

ATTORNEY

Tommy Roberts, Esq.
Tansey Rosebrough Gerding
& Strother, P.C.
621 West Arrington
Farmington, New Mexico 87401
(505) 325-1801

OPPOSITION OR OTHER PARTY

Breck Operating Corp.
Post Office Box 911
Breckenridge, Texas 76024-0911
Attn: Ronald A. Holloway
(817) 559-3355

ATTORNEY

William F. Carr, Esq.
Campbell & Black, P.A.
Post Office Box 2208
Santa Fe, New Mexico 87504-2208
(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.)

Breck Operating Corp. objects to being force pooled since as of July 5, 1990, the applicant has not proposed a Joint Operating Agreement for the subject properties.

PROPOSED EVIDENCE

APPLICANT

WITNESSES
(Name and Expertise)

EST. TIME

EXHIBITS

OPPOSITION

WITNESSES
(Name and Expertise)

EST. TIME

EXHIBITS

None at this time

PROCEDURAL MATTERS

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


Signature