

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)

Applicant submitted to Hanley Petroleum, Inc. its AFE for the proposed well by letter dated October 31, 1990 to which would be dedicated all of Section 30, T19S, R36E, N.M.P.M., Lea County, New Mexico.

Applicant has filed its compulsory pooling case against Hanley Petroleum, Inc. prior to proposing the well specified in its letter of October 31, 1990.

Hanley Petroleum, Inc. objects to the failure of Nearburg to comply with Section 70-2-17(c) N.M.S.A. (1978).

PROPOSED EVIDENCE

APPLICANT

WITNESSES (name and expertise)	EST. TIME	EXHIBITS
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OPPOSITION

WITNESSES (name and expertise)	EST. TIME	EXHIBITS
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Because of inadequate notice and opportunity to prepare, Hanley will not be able to present any witnesses.

PROCEDURAL MATTERS

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

Request that this case be dismissed, or in the alternative, continued to the Examiner hearing set for November 28, 1990.

KELLAHIN, KELLAHIN & AUBREY

By: _____

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

**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. 10152

APPLICATION OF NEARBURG PRODUCING
COMPANY FOR COMPULSORY POOLING AND
A NON-STANDARD GAS PRORATION UNIT,
LEA COUNTY, NEW MEXICO.

RECEIVED

1980

PRE-HEARING STATEMENT

OIL CONSERVATION DIVISION

This prehearing statement is submitted by William F. Carr, as required by the Oil Conservation Division.

APPEARANCES OF PARTIES

APPLICANT

Nearburg Producing Company _____
401 E. Illinois, Suite 300 _____
Midland, Texas 79701 _____
Attn: Mark Nearburg _____

(915) 686-8235 _____
name, address, phone and
contact person

ATTORNEY

William F. Carr _____
Campbell & Black, P.A. _____
Post Office Box 2208 _____
Santa Fe, New Mexico 87504 _____

(505) 988-4421 _____

OPPOSITION OR OTHER PARTY

name, address, phone and
contact person

ATTORNEY

STATEMENT OF CASE

APPLICANT

Nearburg Producing Company seeks an Order pooling all mineral interests in the Undesignated North Osudo-Morrow Gas Pool, underlying all of Section 30, Township 19 South, Range 36 East, forming a non-standard 631.76-acre gas spacing and proration unit for said pool, said unit to be dedicated to a well to be drilled at a standard gas well location thereon.

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.)

PROPOSED EVIDENCE

APPLICANT

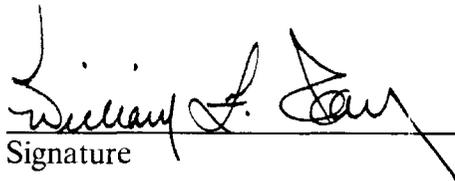
WITNESSES (Name and expertise)	EST. TIME	EXHIBITS
Mark Nearburg (Landman)	10 Min.	Approximately 5
Louis Mazzullo (Engineer)	10 Min.	Approximately 1

OPPOSITION

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

None



Signature