Sendero Petroleum, Inc.

Tony B. Sam Engineer '90 MAY 11 AM 8 35

P.O. Box 1736 Midland, TX 79702 915/684-4561

Kurt W. Boley Geologist

May 9, 1990

Oil Conservation Commission P. O. Box 2088 Santa Fe, NM 87054-2088

Attention: Mr. Michael Stogner

Re: Re-Entry: Santa Fe Exploration Co. #1 Indian Basin Section 8, T21S R23E Eddy County, New Mexico

Dear Mr. Stogner::

A well was drilled to a total depth of 9356' in May of 1989 on the captioned Section by Santa Fe Exploration Company. The Indian Basin Cisco Pool rules state that a well must be 1650' from the outer boundaries to be an orthodox location. Santa Fe Exploration Co. drilled the subject well 660' FSL and 660' FEL at an unorthodox location by approval number R8913. The well tested the Cisco and Morrow pools and the operator plugged and abandoned the well. An allowable deduction was given to the subject well by order number R8913. The order R8913 was rescinded by order R8913-A after plugging the subject well.

Sendero Petroleum Inc has acquired 520 acres out of the 640 acres in Section 8 and is in the process of communitizing the remaining 120 acres. Sendero Petroleum Inc. is proposing to re-enter the Santa Fe Exploration Co. #1 Indian Basin well in late June of 1990 or as soon as possible to 7650'. We are proposing to rename the well as the #1 Pronghorn Federal to minimize confusion. Since the allowable deduction agreement with the offset operators terminated with plugging, Sendero Petroleum Inc. wishes to re-enter said well and establish a 60% allowable or 40% allowable deduction. Please let this letter serve as notice to the offset operators as to Sendero Petroleum Incorporated's intentions. I have spoken with Mr. Michael Stogner of the Oil Conservation Commission and he informed me that his matter can be handled administratively if no objections are received, within 20 days of notice, by offset operators or lease owners of record. Mr. Stogner also would prefer if this situation could be settled between the parties without a hearing. Sendero Petroleum Inc. feels that a 60% allowable will not adversely affect our economics to the point of a hearing protest even though Section 8 has been pressure depleted for 24 years by offset wells. Offsetting wells have left only a fraction of the original bottom-hole pressure. Sendero Petroleum Inc. firmly believes that the low pressure combined with Section 8's tight Cisco limestone facies will result in a well classified as marginal.



Oil Conservation Commission May 9, 1990 Page Two

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Please call or write us if you have any questions or comments. Our hope is that we can proceed ahead with this project as soon as possible to maximize remaining recoverable reserves.

Thank you,

Kust Boly

Kurt Boley Vice President

KB/dm

cc: Abo Petroleum Corporation Yates Drilling Company MYCO Industries Yates Petroleum Corporation Wiser Oil Company BHP Petroleum Oryx Energy Marathon Oil Company

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Sendero Petroleum, Inc.

Tony B. Sam Engineer GIL GERELMANIUK BIVISION

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P.O. Box 1736 Midland, TX 79702 915/684-4561 '90 MAY 16 AM 8 47 Kurt W. Boley Geologist

May 14, 1990

Oil Conservation Commission P. O. Box 2088 Santa Fe, New Mexico 87054-2088

Attention: Mr. Michael Stogner

Re: Section 8, T-21-S, R-23-E, Eddy County, New Mexico Federal Lease LC-066037

Gentlemen:

Sendero Petroleum, Inc. is the record owner of oil and gas leasehold containing 520 acres within Section 8, T-21-S, R-23-E in Eddy County, New Mexico. Our records indicate that has an HBP leasehold interest in the referenced Section. Sendero plans to re-enter the Santa Fe Exploration Company Indian Basin Federal #1 (660' FEL and 660' FSL) on or as close to June 15, 1990 as possible. This well was drilled to total depth and plugged and abandoned without production casing being run.

Sendero proposes to re-enter, set casing to a depth of 7,630 and production test various Upper Pennsylvanian zones. An AFE is attached covering the estimated costs involved in this re-entry. Sendero requests that support this re-entry by either joining with your working interest, farming out your working interest or selling Sendero an assignment of your working interest.

In lieu of your participation in this project, Sendero proposes the following options for your election.

1. Farmout your interest based upon a mutually acceptable farmout agreement providing 120 days from execution to commence re-entry of said well and if commercial production is established assign 100% of your leasehold to Sendero conveying a 75% Net Revenue Interest with a quarter back-in of this interest at payout. This assignment will be limited in depth to 7,630 feet.

2. Assign 100% of your right, title and interest in said Section limited in depth to 7,630 feet. This assignment would deliver a 75% Net Revenue Interest and as consideration of this assignment Sendero would pay \$50.00 per net acre assigned.

Oil Conservation Commission May 14, 1990 Page Two

Sendero Petroleum Inc. requests that you make an election on this proposal at your earliest convenience. Your cooperation in this matter is greatly appreciated.

Very truly yours,

SENDERO PETROLEUM INC.

Kurt W. Boley Kurt W. Boley

KWB/dm Encl.

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BHP Petroleum Company, Inc. cc: J. Hiram Moore Thomas Ingram Meridian Õil Oryx Energy Oxy USA, Inc. Mr. Joe Warren Santa Fe Exploration Company OPERATOR: Sendero Petroleum, Inc. WELL NAME: Section 8, Pronghorn Federal FIELD NAME: Indian Basin, Eddy County, New Mexico

COMPLETION	TANGIBLE	INTANGIBLE_	TOTAL
Move In/Out Drilling Rig/Service Production Casing Production Liner Cement, Additives, Services Casing Handling Tools Perforating, Logging	XXXXXXXX XXXXXXXX 57,000.00 0.00 XXXXXXXX XXXXXXX XXXXXXX XXXXXXX XXXXXX	<pre>\$ 12,000.00 45,000.00 0.00 0.00 18,500.00 2,000.00 3,500.00 50,000.00</pre>	<pre>\$ 12,000.00 45,000.00 57,000.00 0.00 18,500.00 2,000.00 3,500.00 50,000.00</pre>
Treating Mud,Chemicals, Water	XXXXXXX	13,000.00	13,000.00
Production Testing	XXXXXXXXX	2,000.00	2,000.00
Wireline	XXXXXXXXX	0.00	0.00
Transportation	XXXXXXXXX	1,000.00	1,000.00
Equipment Rental	XXXXXXXXX	4,500.00	4,500.00
Wellhead Assembly	4,000.00	0.00	4,000.00
Production Tubing	20,000.00	0.00	20,000.00
Geolog., Eng. Services	XXXXXXXX	8,000.00	8,000.00
Foundations, Bldg.	0.00	0.00	0.00
Artificial Lift	0.00	0.00	0.00
Storage Tanks	3,800.00	0.00	3,800.00
Separator/Heater Treater	18,000.00	2,000.00	20,000.00
Line Pipe	1,200.00	1,000.00	2,200.00
Insurance	XXXXXXXX	3,500.00	3,500.00
Misc. Services, Labor	XXXXXXXXX	<u>30,000.00</u>	<u>30,000.00</u>
TOTAL COMPLETION COSTS	\$104,000.00	\$196,000.00	<u>\$300,000.00</u>
TOTAL OF DRILLING & COMPLETION	\$104,000.00	\$196,000.00	\$300,000.00

OWNER:_____

* .

APPROVED BY:_____

DATE:_____

PERCENTAGE INTEREST = _____ ESTIMATED TOTAL COSTS = _____ Tony B. Sam Engineer P.O. Box 1736 Midland, TX 79702 '99 MAY 23 AM 8 46 Kurt W. Boley 915/684-4561 Geologist

NECHVED

May 17, 1990

Oil Conservation Commission P. O. Box 2088 Santa Fe, New Mexico 87054-2088

Attention: Mr. Michael Stogner

Re: Re-Entry: Santa Fe Exploration Co. #1 Indian Basin, Section 8, T21S R23E, Eddy County, New Mexico

Dear Mr. Stogner:

Please find enclosed a copy of all nine return receipts confirming delivery of my May 9th letter which notified all offset operators and leasehold owners of Sendero Petroleum Inc.'s request for an administratively approved 60% allowable in the Indian Basin prorated gas pool. Approximately half of the letters were received by the parties on May 10, 1990, while the other half were received on May 11, 1990. Hopefully there will be no protest. As of today, May 17, 1990, only the Yates companies have verbally told me that they have no objection to my request.

I am enclosing the letter, of which you have a copy, as a reminder of what I am referencing.

Thanks, Kart W. Boley Kurt W. Bolev

KWB/dm

Encl.



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户句 B⑤x 552 Midland, Texas 79702 Telephone 915/682-1626

May 23, 1990

Mr. Michael Stogner Energy and Minerals Department Oil Conservation Division P. O. Box 2088 Santa Fe, New Mexico

RE: Application of Sendero Petroleum, Inc. For an Unorthodox Location In the Indian Basin Upper Penn Pool For the Re-entry of The Santa Fe Exploration Co. No. 1 Indian Basin

Dear Mr. Stogner:

Marathon Oil Company, as an offset operator to the Santa Fe Exploration No. 1 Indian Basin, recommends that Sendero Petroleum's application for an unorthodox location to re-enter the Santa Fe Exploration No. 1 Indian Basin be approved and that a penalty of 50% be imposed on the well. The penalty has been agreed to by both Marathon and Sendero and will allow Sendero the opportunity to produce the well at an economically attractive rate while protecting Marathon's correlative rights.

Sincerely,

W.D. Holmes for NOS

W. O. Snyder Production Manager Midland Operations

xc: C. R. Hubacher C. T. Kent R. W. Tracy L. D. Garcia, Houston

> Mr. Kurt W. Boley Sendero Petroleum P. O. Box 1736 Midland, Texas 79702

CTK/192.274/sk

A subsidiary of USX Corporation

3. Article Addressed to: 4. Article Number Yates Petroleum Corp. P T43 463 463 105 S. 4th St. Artesia, NN 88210 Artesia, NN 88210 Registered Barton Addresse Insured Signature – Address Registered Signature – Address 8. Addressee's Addresse Signature – Address 8. Addressee's Addresse (ONLY if requested and fee paid) G. Signature – Address 8. Addressee's Address (ONLY if requested and fee paid) PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988–212–865 DOMESTIC RETURN REC SENDER: Complete items 1 and 2 when additional services are desired, and complete ite card from being returned to you. The return receipt fee will provide you the name of the parson deliver to cand the date of delivery. For additional services (Provide you the name of the proson deliver (Extra charge) 3. Article Addressed to: 1. Show to whom delivered, date, and addressee's addresse. 2. Restricted Delivery (Extra charge) 3. Article Addressed to: 1. Show to whom delivered, date, and addressee's addresse. 2. Restricted Delivery (Extra charge) 3. Article Addressed to: 1. Show to whom delivered, date, and addressee's addresse. 2. Restricted Delivery (Extra charge) 3. Article Addressed to: 1. Show to whom delivered, date, and addressee's addresse. 2. Restricted Delivery (Extra charg	to and the date of delivery. For add for fees and check box(ss) for add 1. Show to whom delivered, d (Extra c	itional service(s) requested. ate, and addressee's address. 2. 🗆 Restricted Delivery
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Oryx Energy P. C. Box 2880 Dallas, TX 75221-2880 ATTN: Keith Melson 5. Signature - Address X 6. Signature - Agent	Certified COD Express Mail Return Rec for Mercha Always obtain signature of address or agent and <u>DATE DELIVERED</u> . 8. Addressee's Address (ONLY

• •	12	: (1n0 % Gester 1983) Remerty (2033)		UNITED ST MENT OF T AU OF LAND	HE INT	ERIORS	CBMIT IN Other Lustr grageldel) tesia, 1		5. LEASE D NM-5	B511	1. 1985 91 10 BERTAL
		SUN (The not use this	IDRY NO	TICES AND	REPOR	IS ON back to uch proposals.	WELLS a different r	eservoir.	6 IF INDIA	N, ALLOTTER (DR TRIPE HAND
	;	GAS MELL WELL	[X] _{отнея}							LEASE NAME	.
	2 3	Santa Fe I	•	on Company	, , , , , , , ,		RECE	IVED	1	ian Basi	n 4721
	ş	P. O. Box the attest of well (See also space 17 bel Attaurface	Report location	swell, NM a		n any State r	equirements.	26 '89	NEV	ND POOL OR	
			& 660'_FE	L Section 8	, T21S,	R23E	0. 0	C. D. A, OFFICE	11. SBC., T. SURV	ET OR ABEA	/
	14	PERMIX NO		15. ELEVATIONS 3987.		,				T21S, R	
	18		Check A	Appropriate Box	To Indice	ie Nature	of Notice,	, Report, or	Other Data		
			NOTICE OF INT	ENTION TO :		1		8088	EQUENT ESPORT	07:	
		TEST MATER SHUT C Profiles treat Shout or Audize) FF	PELL OR ALTER CO Multiple comple Abandon®			WATER SHUT FRACTURE TO SHOOTING OF	REATMENT	į	REFAIRING WE Altering cas Abandonment	
	17	 0.0 PARE SERV. 0.0 Service Proposition (2005) 0.0 Service Proposition (R CONFLETED O	CHANGE PLANS TERATIONS (Fleatly tionally drilled, give	state all per	rtinent detail	Comple s. and give	etion or Recoi	its of multiple apletion Report es, including es tical depths for	and Log form	of starting any
SJS)	nent to this work.)	•Called C	arlsbad eng o give Plug	ineer S	hannon S	Shaw & r	received	plugging	instruct	ions.
		1575-	5 5 4	3790-8990 √ 3230-8330 √ 5930-6030 √ 1880-4980 √ 5/8 Csg shọ	100' 100' 100'	1 <u>Tag P1</u> 2 No Tag 3 No Tag 4 No Tag 5 Tag P1]]	Morrow Strawn Wolfcamp Bone Spr Csg Shoe	rings		
		1373	1775 5	177-277 0-50	100'	6 No Tag 7 No Tag	3	13 3/8 (Surface	Csg Shoe	-	
		Jim Amos	witnessed	l plugging o	f well:						
								₩ 1 <u>59</u> 4			
			•			AL	,				त्यः तम
				÷		OIL C	ONSERVATI SANTA FI	E E			ENEBL
			• •	2	• •						D
	ĨЯ,	I hereby certify that SIGNED Andrea	the forefoling	is true and correc	TITLE	Petrol	eum Eng	ineer	DATE	6 Jul	89
		(This space for Fed APPROVED BY CONDITIONS OF	PPROVAL, IF	ANT:	FOR : TITLE	CHIEF, tatt.	HUL RELA	UCES .	DATR	1-24	19
		tiona Lioby Suiville	د در . بر ایرون برد ایرون بر ایرون برد برد ایرون		See Instruc	tions on R	evèrse Side				

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

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		MENT OF			Artes	sia, M	struction	NM-58	
WELL CO	MPLETION	OR RECOM	PLETI	ON F	REPOR	T AND	LOG	6. IF INDIAN, A	THE OR TRIBE
1s. TYPE OF WEL	WEL	GAS WELL	DB	it 🖄	Other		· ·	- T. UNIT AGREE	MENT NAME
b. TYPE OF COM	WORK DEEL OVER EN	PLUG DACK	DIST	R. 🗌	Other	<u> </u>		S. FARM OR LE	n Basin A
		on Company				REC	EIVED	9. WELL NO.	1
3. ADDRESS OF OPE P. O. B		swell, NM	88202					10. JUELD AND	POOL, OR WILDCAT
4 100.000 00 000	L (Present Incetion		cordance	with any	y state req 215, R-	23EJUL	26 '89		Sin Upper Pe
	erval reported bei	₩C	: 2 - 51	. کالیہ ۲		-	C. D.	Sec. 8,	T21S, R23E
At total dep th			14. PER	MIT NO.		DATE I	SULD	12. COUNTY OR	13. STATE
				Bacilia	-		-	Eddy	New Me>
15. DATE SPUDDED 28 Apr 89	16. DATE T.D. RI 30 Jun 89		6 Jul		prod.)	18, ELEV 4003	.8 GR		19. ELEV. CASINGEE 3987.8
20. TOTAL DEPTH, MD 9355	TVD 21. PLUG Surf	BACK T.D., MD & T	VD 22.	IF MUL	TIPLE COM	PL.,	23. INTERVA		CABLE TOOL
24. PRODUCING INTEL	RVAL(S), OF THIS	COMPLETION-TOP,	BOTTOM.	NAME (X	ID AND TV	D)•			25. WAS DIRECTIO SURVEY MADE
None							Δ		Yes
26. TYPE ELECTRIC	L, CNL, CDL							2 2 203 2	7. WAS WELL CORED NO
23.		CASIN			ort all stri	ings set in		SERVATION DIV	
CASING SIZE	48	T. DEPTH SET		но 17	1/2		<u></u>	ated Cmt.	None
9 5/8	36	1675		12	1/4			ated Cmt.	None
					<u>3/4</u> 7/8		· ·		
29.]	LINER RECORD			<u> </u>		30.	TUBING RECOR	.D
SIZE	TOP (MD)	BOTTOM (MD)	BACKS CE	MENT*	SCREEN	(ND)	812E	DEPTH SET (MD)	PACKER BET (
31. PERFORATION RE	CORD (Interval, siz	e and number)			82.	ACI		ANOTHE CEMENT	SQUEEZE, ETC.
None .			• •		N/A				
							<u> </u>		
33.* DATE FIRST PRODUCT	PION PRODU	CTION METHOD (FI	owing, ga		UCTION	ize and ty	pe of pump)	WELL ST shut-i	ATUB (Producing or n)
DATE OF TEST	HOURS TESTED	CHOKE SIZE	PROD'N TEST		01LBB	L.	GAS-MCF.	WATER-BBL.	GAS-OIL BATIO
FLOW. TUBING PRESS.	CASING PRESSUR	CALCULATED 24-HOUR BATE	011	81.	GAI	— мст. —	WA I	TER-BBL. 0	IL GRAVITY-API (COB
34. DISPOSITION OF	AB (Sold, used for	fuel, vented, etc.)		<u> </u>	<u> </u>		I	TEST WITNESS	ID BY
	ogs, Mud 1c	g, Drillst			•		· · · · · · · · · · · · · · · · · · ·	•	· · · · · · · · · · · · · · · · · · ·
36. I hereby certify SIGNED	that the foregoing	and attached inf	ormation TIT	P	etrole	· · · · · ·		rom all available reco ACCEFIEL	TOR RECOR
								Side)	2 1 1989

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INSTRUCTIONS

General: This form is designed for submitting a complete and correct well completion report and log on all types of lands and leases to either a Federal agency or a State agency, or both, pursuant to applicable Federal and/or State laws and regulations. Any necessary special instructions concerning the use of this form and the number of copies to be submitted, particularly with regard to local, area, or regional procedures and practices, either are shown below or will be issued by, or may be obtained from, the local Federal and/or State office. See instructions on items 22 and 24, and 33, below regarding separate reports for separate completions. If not filed prior to the time this summary record is submitted, copies of all currently available logs (drillers, geologists, sample and core analysis, all types electric, etc.), formation and pressure tests, and directional surveys, should be attached hereto, to the extent required by applicable Federal and/or State laws and regulations. All attachments

should be listed on this form, see item 35.

Item 4: If there are no applicable State requirements, locations on Federal or Indian land should be described in accordance with Federal requirements. Consult local State or Federal office for specific instructions.

Items 22 and 24: If this well is completed for separate production from more than one interval zone (multiple completion), so state in item 22, and in item 24 show the producing interval, or intervals, top(s), bottom(s) and name(s) (if any) for only the interval reported in item 33. Submit a separate report (page) on this form, adequately identified, item 18: Indicate which elevation is used as reference (where not otherwise shown) for depth measurements given in other spaces on this form and in any attachments. e i

for each additional interval to be separately produced, showing the additional data pertinent to such interval. Herm 29: "Socks Coment": Attached supplemental records for this well should show the details of any multiple stage cementing and the location of the cementing tool. Herm 33: Submit a separate completion report on this form for each interval to be separately produced. (See instruction for items 22 and 24 above.)

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- =	9145	Barnett Shale		•	1 			
= =	5350 7190	Wolfcamp Cisco		•		 		
=	3250	Bone Springs	•				، 	
-Same	1005	San Andres		•				
TRUN VERT. DEFTH	MEAS, DEPTH	6						MID I OG ATTACHEN
	TOP	× × × × ×		DESCRIPTION, CONTENTS, ETC.		BOTTOM	TOP	FORMATION
r∕iD _	GEOLOGIC MARKERS	38. GROLOGI	STS, INCLUDING	37. SUMMARY OF POROUS ZONES: 8HOW ALL IMPORTANT ZONES OF POROSITY AND CONTENTS THEREOF; CORED INTERVALE; AND ALL DRILL-STEM TESTS, DEFTH INTERVAL TESTED, CUBHION USED, TIME TOOL OPEN, FLOWING AND SHUT-IN FRESSURES, AND RECOVERIDS	S THEREOF ; CORED INTI	OSITY AND CONTENT SED, TIME TOOL OPI	S ZONES : IT ZONES OF POR STED, CUBHION U	T. SUMMARY OF POROUS SHOW ALL IMPORTAN DEPTH INTERVAL TER
· · · • •								-
е 1 1 1	·			· · · ·	; 	•		
,:						•		
			÷				-	•

WELL NAME AND NUMBER	FEI. Indian Basin P rospect #1
	RECEIVED
LOCATION Section 8,	T-21S, R-23E, Eddy County, New Mexico
(New Mexico give U.S.	T.ER Texas give S, BLK, SURV. and TWP)
OPERATOR	Santa Fe Exploration
DRILLING CONTRACTOR	RECEIVED MORANCO Drilling, Inc.

The undersigned hereby certifies that he is an authorized representative of the drilling contractor who drilled the above-described well and that he has conducted deviation tests and obtained the following results:

	-			ESA, ORE		
and Depth	Degrees a	nd Depth	Degrees	and Depth	Degrees	and Depth
	3 3/4	4190	2 1/2	5397	1_3/4	8225
227	3 3/4	4323	2 3/4	5522	1	8721
626	4 1/4	4406	2 1/4	5640	1 1/4	9127
904	3 1/4	4468	1_3/4	6013	2 3/4	9253
1290	3 3/4	4560	1 1/2	6171		
1675_	4 1/4	4687	3/4	6420		
2169	_4	4779	1 3/4	6670		
2603	4	4843_	1	6765		
3080	3 1/4	4979	1 1/2	7000		
3539	3 1/2	5059	2	7359		
4005	3	5183	1 3/4	7604		
4101	2 3/4	5275	2 1/4	8092		
	227 626 904 1290 1675 2169 2603 3080 3539 4005	$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	80 $3.3/4$ 4190 227 $3.3/4$ 4323 626 $4.1/4$ 4406 904 $3.1/4$ 4468 1290 $3.3/4$ 4560 1675 $4.1/4$ 4687 2169 4 4779 2603 4 4843 3080 $3.1/4$ 4979 3539 $3.1/2$ 5059 4005 3 5183	80 $3 \ 3/4$ 4190 $2 \ 1/2$ 227 $3 \ 3/4$ 4323 $2 \ 3/4$ 626 $4 \ 1/4$ 4406 $2 \ 1/4$ 904 $3 \ 1/4$ 4468 $1 \ 3/4$ 904 $3 \ 1/4$ 4468 $1 \ 3/4$ 1290 $3 \ 3/4$ 4560 $1 \ 1/2$ 1675 $4 \ 1/4$ 4687 $3/4$ 2169 $4 \ 4779$ $1 \ 3/4$ 2603 $4 \ 4843$ $1 \ 3/4$ 3080 $3 \ 1/4$ 4979 $1 \ 1/2$ 3539 $3 \ 1/2$ 5059 $2 \ 4005$ 4005 $3 \ 5183$ $1 \ 3/4$	80 $3.3/4$ 4190 $2.1/2$ 5397 227 $3.3/4$ 4323 $2.3/4$ 5522 626 $4.1/4$ 4406 $2.1/4$ 5640 904 $3.1/4$ 4468 $1.3/4$ 6013 1290 $3.3/4$ 4560 $1.1/2$ 6171 1675 $4.1/4$ 4687 $3/4$ 6420 2169 4 4779 $1.3/4$ 6670 2603 4 4843 1 6765 3080 $3.1/4$ 4979 $1.1/2$ 7000 3539 $3.1/2$ 5059 2 7359 4005 3 5183 $1.3/4$ 7604	and Depth Degrees and Depth 80 $3.3/4$ 4190 $2.1/2$ 5397 $1.3/4$ 227 $3.3/4$ 4323 $2.3/4$ 5522 1 626 $4.1/4$ 4406 $2.1/4$ 5640 $1.1/4$ 904 $3.1/4$ 4468 $1.3/4$ 6013 $2.3/4$ 1290 $3.3/4$ 4560 $1.1/2$ 6171 $$ 1675 $4.1/4$ 4687 $3/4$ 6420 $$ 2169 4 4779 $1.3/4$ 6670 $ 2603 4 4843 1 6765 $

Drilling Contractor

MORANCO Drilling, Inc. By Wiley Gilmore, Marketing Manager

Subscribed and sworn to before me this $\underline{11th}$ day of

My Commission expires:

<u>th</u> day of <u>July</u> 19<u>89</u> <u>Aircinia</u> <u>July</u> 19<u>89</u> Notary Public

Lea County, New Mexico

September 13, 1992

Form 3160-5 November 1983) Sormerly 9-331)	UNITED STATES DEPARTMENT OF THE IN BUREAU OF LAND MANAG	TERIOR verse alde)	5. LEASE DESIGNATION AND SERIAL NO. NM - 58511
(Do not use this	IDRY NOTICES AND REPO form for proposals to drill or to deepen o Use "APPLICATION FOR PERMIT_" for	RTS ON WELLS or plug back to a different reservoir. r such proposals.) <u>RECEIVED</u>	6. IF INDIAN, ALLOTTEE OR TRIBE NAME
1. OIL GAS WELL WELL			(. UNIT AGREEMENT NAME
2. NAME OF OPERATOR		JUN 08 '89	8. FARM OR LEASE NAME
Santa Fe Exp	oration Company'		Indian Basin / 2A
P. O. Box 113	36 Roswell, New Mexico 8	8201 O. C. D.	(∩ #1
See also space 17 bei At surface	Report location clearly and in accordance w ow.) & 660 FEL Section 8 T215		10/JF197LB AND POOL, OR WILDCAT Indian Basin – Unpper Penn 11. SBC., T., B., M., OR BLK. AND SURVEY OR AREA
UL P DOU FSL	& OOU FEL Section & 1213	D KZJE	Section 8 T21S R23E
14. PERMIT NO.	15. ELEVATIONS (Show wi		12. COUNTY OR PARISH 13. STATE
		37.8	Eddy New Mexico
16.	Check Appropriate Box To Indi	icale Nature of Notice, Report,	
	NOTICE OF INTENTION TO:		BSEQUENT REPORT OF:
TEST WATER SHUT-C	MULTIPLE COMPLETE	FRACTUBE TREATMENT	ALTERING CASING
FRACTURS TREAT Shoot or acidize	ABANDON*	SHOOTING OR ACIDIZING	
REPAIR WELL	CHANGE PLANS		sults of multiple completion on Well
(Other)		Completion or Rec	acts, including estimated date of starting any
Broke Circula	Jts New 9 5/8" Casing 36 Circ., Cmtd-with 390 sacks 200 sacks ated Approx 50 sacks to th r. Amos witnessed cement ;	s Lite and s Class C ne Pit.	cement.
WOC Ap	prox. 16 Hrs. Nipple-up E . Held OK.		
		Received	The second secon
		JUN 1 4 1989	LUN 0 3 1000
	\cap	OIL CONSERVATION DAY. SAMTA FE	CHST. 6 N.M. O
18. I bereby certify that	the foregoing is true and correct		Carlon-1 Net
SIGNED Undel	W/ K. 1 Methildal TITL	_æ <u>Petroleum Engineer</u>	DATE 2989
(This space for Fed	eral or State office use)		
APPROVED BY		лЕ	ACCEPTED FOR RECERD
CONDITIONS OF A	PPROVAL, IF ANY :		JUN 5 1989
	•• ·		\$J <i>5</i>
	*See Inst	ructions on Reverse Side	CARISBAD, NEW MENTOD

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Table 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

Form 3160-5 November 1983)	UNITED STATES	SUBMIT IN TRIPLICATE	Form approved. Budget Bureau No. 1 Expires August 31, 1	
Formerly 9-331) DEPAR	TMENT OF THE INTER	IOR verse alde)	5. LEASE DESIGNATION AND A NM - 58511	SERIAL NO.
			6. IF INDIAN, ALLOTTEE OR T	BIBE NAME
SUNDRY NO (Do not use this form for pro- Use "APPI	OTICES AND REPORTS (oppsals to drill or to deepen or plug l LICATION FOR PERMIT—" for such p	DIN WELLS back to a different reservoir. roposals.)		
OIL GAB		RECEIVED	7. UNIT AGREEMENT NAME	<u> </u>
OIL GAS WELL OTHER	<u> </u>		8. FARM ON LEASE NAME	<u> </u>
Santa Fe Exploratio	n Company	JUN OB 189	Indian Basin d	28
ADDRESS OF OPERATOR			9. WELL NO.	
P. O. Box 1136 Ros	well, New Mexico 8820		<u> </u>	
See also space 17 below.)	on clearly and in accordance with any	State requirements.	IN FIELD AND POUL, OR WILL	-
At surface			Indian Basin Up	and the second se
UL P 660' ESL & 660	' FEL Section 8 T21S	R23F	BURYET OR AREA	
			Sec 8 T21S R23E	
. PERMIT NU.	15. ELEVATIONS (Show whether DF	, ST, GR, etc.)	12. COUNTY ON PARISH 13.	STATE
	3987.8		Eddy New	Mexico
Check	Appropriate Box To Indicate N	lature of Notice, Report, or (Other Data	
NOTICE OF IN	• •		UBNT REPORT OF :	
	PULL OR ALTER CASING			
TEST WATER SHUT-OFF	MULTIPLE COMPLETE	WATER SHUT-OFF	ALTEEING CABING	
SHOOT OR ACIDIZE	ABANDON®	BEOOTING OR ACIDIZING LEMENT SUT		
REPAIR WELL	CHANGE PLANS	(Other)		X
(Other)	[]	(NOTE: Report result Completion or Recomp	a of multiple completion on We detion Report and Log form.)	11
during job. Good Re Casing tested ok to	l). Circulated 50 sack eturns. Bump Plug at 5 500 PSI. WOC 24 Hrs. the BLM witnessed ceme	5:30 AM 29 May 1989		
		RECEN		REC
				EIVE
		JUN 1 4 198		ΈD
			_ ··	
		OIL CONSERVATION SANTA FE	QV.	
	4	-		
I hereby certify that the foregoing SIGNED MMMU A.	1. interior	troleum Engineer	30 May 19	989
(This space for Federal or State of	office use)			
APPROVED BY		ACCE	PTED FOR RECORD	
CONDITIONS OF APPROVAL, IF			date JUN 5 1989	
			DON D 1203	
	*See Instructions		535	
			BAD, NEW MEXICO	

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

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	•	1 m .		Form approved. Budget Bureau N	0 1004-0135
Form 3160-5 November 1983)	UNITED STATES	KE CIT SUBMIT IN TR (Other instructs	IPLICATE.	Expires August	31, 1985
Formerly 9-331) DEPA	TTURNENT OF THE	- Ant- and		LEASE DESIGNATION J	
······································	REAU OF LAND MANAG		9	NM-5851	-
SUNDRY N (Do not use this form for i Use "AP	IOTICES AND REPO proposals to drill or to deepen plication for permit " to	ORTS ON WELLS or plug back to a different reser or such proposals.)			
OIL CAS WELL OTH	n /			UNIT AGREEMENT NAA	
2. NAME OF OPERATOR Santa Fe Exploration	Company	DECEN.		Indian Basin	·
P. O. Box 1136 Rosw		88201	ED 9.	WBLL NO.	
4. LOCATION OF WELL (Report local See also space 17 below.) At surface	tion clearly and in accordance w	· · · · ·	'89	Indian Basin	
UL P 660 FSL & 660 F	EL Section 8 T21S	R23E O. C. I		Sec 8 T215 R2	E, AND
	,	ARTESIA, O			JL
14. PERMIT NO.	15. ELEVATIONS (Show W 3987.8			2. COUFTY OR PARISH Eddy	13. STATE New Mexic
16. Check	k Appropriate Box To Ind	icate Nature of Notice, Re	eport, or Oth	er Data	
NOTICE OF	INTENTION TO :	_	BUBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBBB	EBPORT OF:	
TEST WATER SHUT-OFF	PELL OR ALTER CASING	WATER SHUT-OF		REPAIRING W	
FRACTURE TREAT	ABANDON®			ALTERING CAN ABANDONMEN	
REPAIR WELL	CHANGE PLANS	(Other) Spud	Well		[]
(Other)		(Nots: Re Completion	port results of a or Recompletion	multiple completion o a Report and Log form	n Well n.)
17. DESCRIBE PROPOSED OR COMPLETE proposed work. If well is d nent to this work.) *	DOPERATIONS (Clearly state all irectionally drilled, give subsurf	pertinent details, and give pertact locations and measured and	tinent dates, inc true vertical d	luging estimated date epths for all markers	of starting an and zones perti
		· · · · ·			
Moved in Abbott Br	rothers and rigged	up.			
Spudded Well at 1:	05 P. M. 28 APR 89	•			
	•				. .
	•		. •		
		LECENVI			REC
		and an Af	SED	· 10)	EIVE
•		MAY 1 6 1989			ΕO
		OIL CONSERVATION DI SANTA FE	IV.		
	Λ	· · · · ·			
SIGNED _ Month h.	ing in true and conrect	Petroleum Engine	er	DATE 28 APR	89
(This space for Federal or State	e office use)		ACCEPT	ED FOR RECO	RD
APPROVED BY CONDITIONS OF APPROVAL.	IF ANY :	B	FA	date AY 81989	
			. :	0	
	*See Instru	uctions on Reverse Side	CARLSB	SJS 1D, NEW MEXI	co

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Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

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'orm 3160-3 November 1983)	HNI	L. Artonia TED STATES	SUBMIT IN TR E: Cother instruction		30-015- Form approved. Budget Bureau EIV Expires August	
formerly 9-331C)	DEPARTMEN	T OF THE INTE		'R E.∪	5. LEASE DEBIGNATION	AND BEBIAL NO.
		F LAND MANAGEME	······································		NM- 38511	·
	I FOR PERMIT	TO DRILL, DEEP	EN, OR PLUG, B	BACK	6 IF INDALLOTTE	BOH TRIBE NAME
I. TYPE OF WORK DRI D. TYPE OF WELL	LL 🗵	DEEPEN 🗌	PLUG BAC RECEIVE	& □	7. UNIT AGEFEMENT N	AM E
	ELL OTHER		INGLE MULTIP ONE ZONE	X	S. FARM OR LEASE NA.	
Santa Fe Ext	oloration Compa	anv /	APR 24	'89	Indian Basi	Federal (
ADDRESS OF OPERATOR		- <u>12-</u>			#1	(575
		New Mexico 8820			10. FIELD AND POOL, O	1.10
AUSUITUCE		id in accordance with any	State reduitementarESIA,	ب ر	Mo Indian Basi	BLK.
660' FSL and At proposed prod. zon		, rt	̈́, Υ		AND SURVEY OR A	-
					Sec. 8, T-2	
		esia, New Mexico			Eddy	NM
DISTANCE FROM PROPO LOCATION TO NEAREST	SED.		O. OF ACRES IN LEASE		OF ACRES ASSIGNED	
PROPERTY OR LEASE L (Also to Dearest drig	INE, FT.	660'	400	101	640	
. DISTANCE FROM PROP TO NEAREST WELL, D	OSED LOCATION® Rilling, completed,		ROPOSED DEPTH	20. ROT	ARY OR CABLE TOOLS	····
OR APPLIED FOR, ON THE		N/A	9000 '		Rotary	BK WILL START*
3 / 87.8					Upon Appro	
¥ /	<u> </u>	PROPOSED CASING AN	D CEMENTING PROGRA	AM		
SIZE OF HOLE	SIZE OF CABING	WEIGHT PER FOOT	SETTING DEPTH	1	QUANTITY OF CEME	
17-1/2"	13-3/8"	54.5#	200 '		225 SXCIRC	ULAIE
12-1/4"	<u>9-5/8"</u>	36#	1650'	.	750 sxcto	
8-3/4" 6-1/8"	/" 4-1/2"	23# & 26#	7200 '		125 SX (See 115 SX	stips
0-170	4-172	11.0#	5500		110 37	
San Andres Glorietta Bone Springs Wolfcamp Cisco	5350' 7217'				CEIVI	
Strawn Limes					APR 2 7 1989	
Atoka Morrow	8615' 8990'	GENERAL I	SUBJECT TO REQUIREMENTS AND TPULATIONS	0	IL CONSERVATION DI SANTA FE	V.
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*See Instructions On Reverse Side

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

Submit to Appropriate District Office State Lease - 4 copies Foe Lease - 3 copies

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DISTRICT I P.O. Box 1980, Hobbs, NM 88240

DISTRICT II P.O. Drawer DD, Artesia, NM 88210

DISTRICT III 1000 Rio Brazos Rd., Aztoc, NM 87410

State of New Mexico Energy, Minerais and Natural Resources Department

Form C-102 Revised 1-1-89

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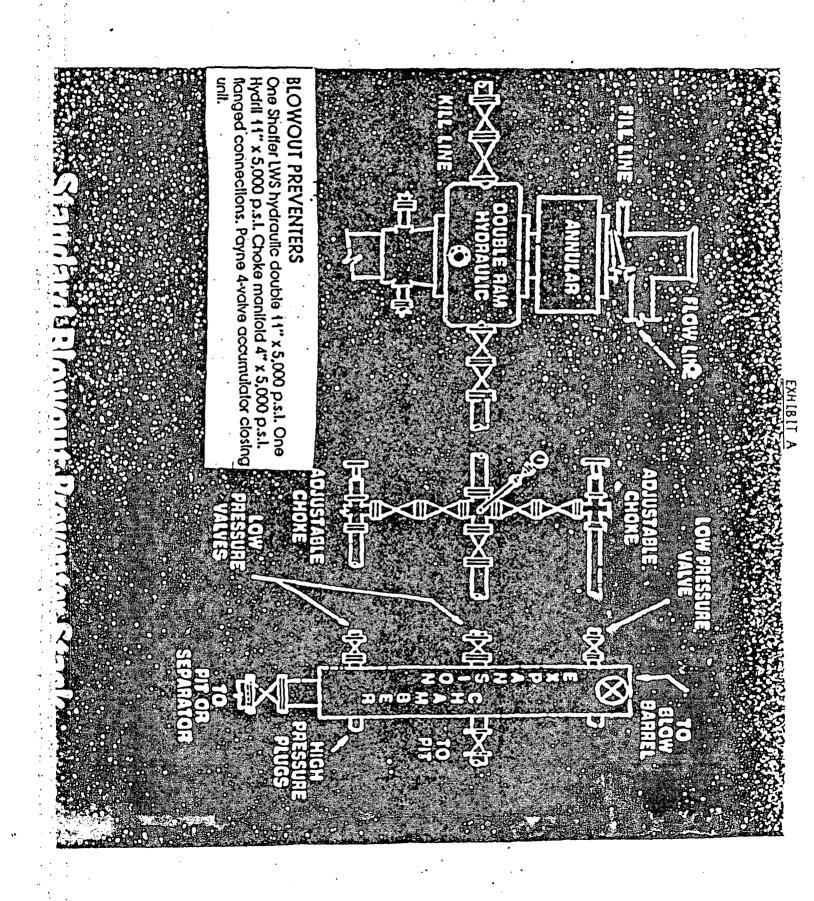
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OIL CONSERVATION DIVISION

P.O. Box 2088 Santa Fe, New Mexico 87504-2088

WELL LOCATION AND ACREAGE DEDICATION PLAT All Distances must be from the outer boundaries of the section

Operator				سنسوري والارتباع		Lease			<u>.</u>	Well No.
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NOTICE OF STAKING

(Not to be used in place of Application for Permit to Drill Form 3160-3)

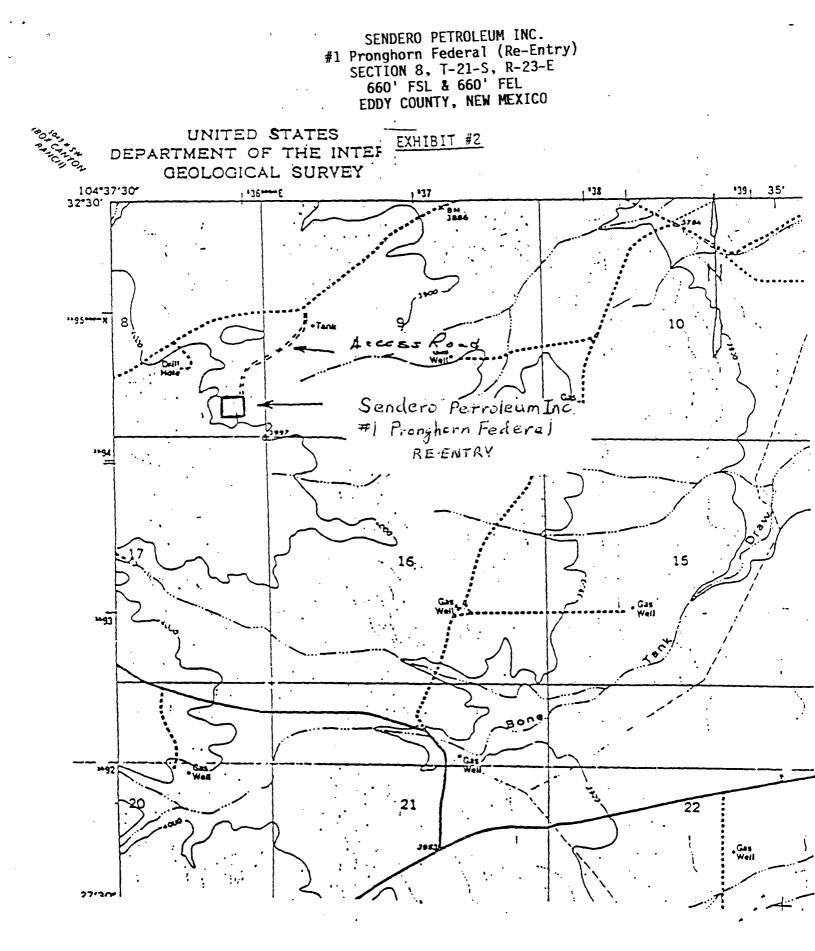
	1. Oil Well Gas Well Re-Entry	(Specify)	6. Lease Number NM 58511			
	2. Name of Operator: Sendero Petroleum Inc.	 7. If Indian, Allottee or Tribe Name N/A 8. Unit Agreement Name N/A 				
•	 Hame of Specific Contact Tony Sam/Kurt Boley 					
5-684-45	4. Address & Phone No. of C 61 P. O. Box 1736, Midland,	9. Farm or Lease Name Pronghorn Federal				
	5. Surface Location of Well	10. Well No. 1 11. Field or Wildcat Name Indian Basin Cisco				
	Attach: a) Sketch showing pad, pad dimens					
		or other acceptable cation, access road, daries.	12. Sec., T., R., M., or Blk and Survey or Area			
		Section 8, T21S R23E				
5 # 1	15. Formation Objective(s)	16. Estimated Well Depth	13. County, Parish or Borough	14. State		

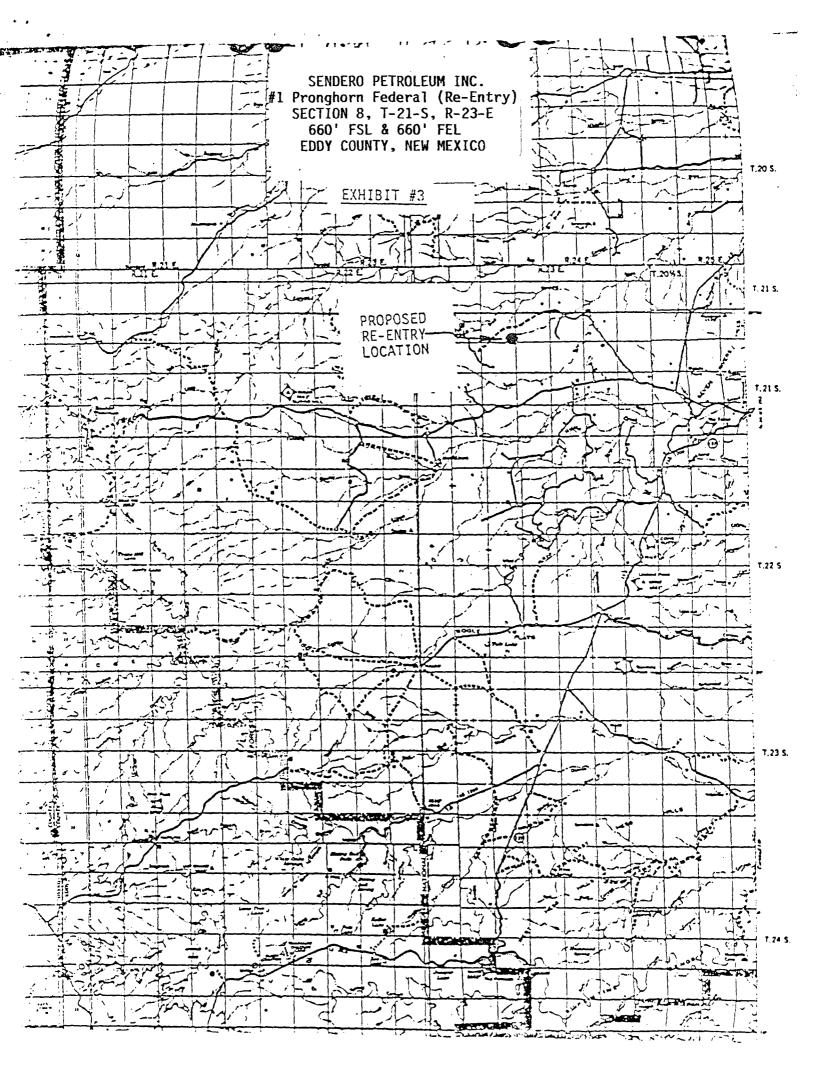
17. Additional Information (as appropriate; must include surface owner's name, address, and telephone number).

BLM 505 887 6544 P. O. Box 1778, Carlsbad, New Mexico 88220 18. Signed Kunt Tele Title Vice President Date 5/4/90 Note: Upon receipt of this Notice, the Bureau of Land Management (BLM) will schedule the date of the onsite predrill inspection and notify you accordingly. The location must be staked and access road must be flagged prior to the onsite. Operators must consider the following prior to the onsite: a) H2S Potential b) Cultural Resources (Archeology) c) Federal Right of Way or Special Use Permit

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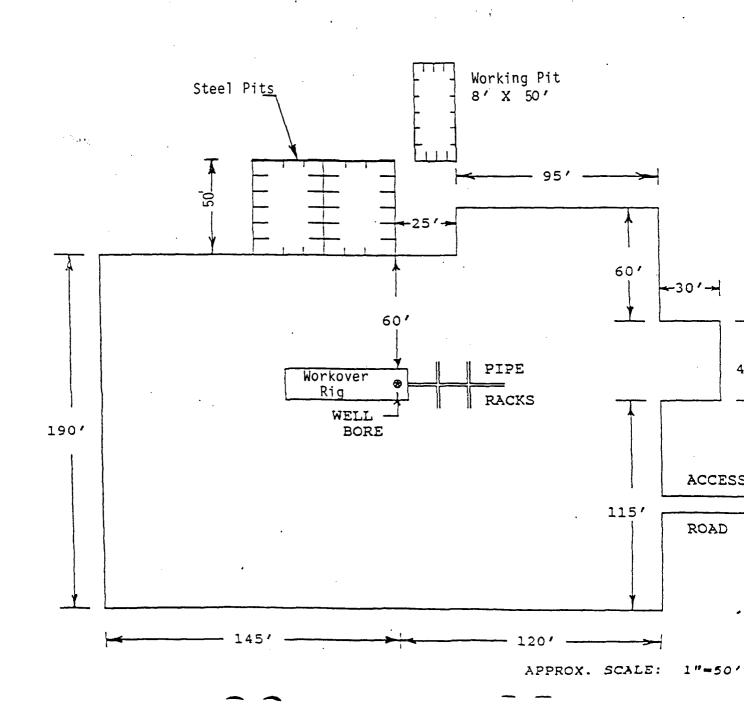
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SENDERO PETROLEUM INC. #1 Pronghorn Federal (Re-Entry) SECTION 8, T-21-S, R-23-E 660' FSL & 660' FEL EDDY COUNTY, NEW MEXICO

EXHIBIT #4



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. 9619 Order No. R-8913

APPLICATION OF SANTA FE EXPLORATION COMPANY FOR AN UNORTHODOX GAS WELL LOCATION, DUAL COMPLETION, AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

See Alex No. R. 89, 3. A

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on March 29, 1989, at Santa Fe, New Mexico, before Examiner David R. Catanach.

NOW, on this <u>12th</u> day of April, 1989, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

FINDS THAT:

(1) Due public notice having been given as required by law, the Division has jurisdiction of this cause and the subject matter thereof.

(2) The applicant, Santa Fe Exploration Company, seeks an order pooling all mineral interests in the Undesignated Indian Basin-Upper Pennsylvanian Gas Pool and the Undesignated Indian Basin-Morrow Gas Pool, underlying all of Section 8, Township 21 South, Range 23 East, NMPM, Eddy County, New Mexico, forming a standard 640-acre gas spacing and proration unit for both pools.

(3) Production from both zones is to be from a dually completed well to be located at a proposed unor-thodox gas well location 660 feet from the South and East lines (Unit P) of said Section 8.

-2-Case No. 9619 Order No. R-8913

(4) The applicant has the right to drill and proposes to drill a well at the unorthodox gas well location described above.

(5) There are interest owners in the proposed proration unit who have not agreed to pool their interests.

(6) To avoid the drilling of unnecessary wells, to protect correlative rights, to avoid waste, and to afford to the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense his just and fair share of the production in any pool completion resulting from this order, the subject application should be approved by pooling all mineral interests, whatever they may be, within said unit.

(7) The applicant should be designated the operator of the subject well and unit.

(8) The evidence presented at the hearing and information obtained from Division records indicates that there have been two wells previously drilled in said Section 8, these being the Robert N. Enfield Indian Basin Well No. 3 located at a standard location 1650 feet from the South and East lines (Unit J), which was drilled in 1966, tested in the Upper Pennsylvanian, and was apparently deemed non-commercial and subsequently plugged and abandoned, and the Odessa Natural Gasoline Company Standard Federal "A" Well No. 1 located at an unorthodox gas well location 660 feet from the South and West lines (Unit M), which was drilled in 1962, tested in the Upper Pennsylvanian, and was also subsequently plugged and abandoned.

(9) Geologic evidence and testimony presented at the hearing indicates that a well at the proposed unorthodox location will better enable the applicant to produce the gas underlying the proposed proration unit.

(10) Marathon Oil Company (Marathon), the operator of the North Indian Basin Unit Area which encompasses acreage immediately to the East of said Section 8, entered an appearance at the hearing in this case.

(11) Evidence presented at the hearing indicates that the applicant has voluntarily reached an agreement with Marathon Oil Company as to a production penalty to be assessed against the subject well due to its proposed unorthodox location. -3-Case No. 9619 Order No. R-8913

(12) The proposed 60 percent production penalty is based upon the proposed well location's east-west variance from a standard well location or 990/1650.

(13) The agreement, presented as applicant's Exhibit No. (6), stipulates that said 60 percent penalty is to be applied against any producing well rate, and to this end, Marathon has proposed that the well's daily production be limited to 40 percent of the CAOF established by test as required by Rule 401 of the Division Rules and Regulations or 40 percent of its prorated allowable, whichever is less.

(14) Both the Indian Basin-Upper Pennsylvanian Gas Pool and the Indian Basin-Morrow Gas Pool are prorated gas pools governed by the Rules and Regulations for the Prorated Gas Pools in New Mexico as promulgated by Division Order No. R-8170.

(15) The method of determining the well's gas allowable should be accomplished by assigning the subject well an acreage factor of 0.40 in the subject pools inasmuch as the alternate method proposed by Marathon does not blend itself well into the current gas proration system and would be very difficult to administer.

(16) No other offset operator objected to the proposed unorthodox gas well location.

(17) Approval of the proposed unorthodox location and dual completion will afford the applicant the opportunity to produce its just and equitable share of the gas in the subject pools, will prevent the economic loss caused by the drilling of unnecessary wells, avoid the augmentation of risk arising from the drilling of an excessive number of wells, and will otherwise prevent waste and protect correlative rights, provided that the subject well's gas allowable in the subject pools be penalized as described in Finding No. (15) above.

(18) Any non-consenting working interest owner should be afforded the opportunity to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production.

(19) Any non-consenting working interest owner who does not pay his share of estimated well costs should have withheld from production his share of the reasonable well -4-Case No. 9619 Order No. R-8913

costs plus an additional 200 percent thereof as a reasonable charge for the risk involved in the drilling of the well.

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(20) Any non-consenting interest owner should be afforded the opportunity to object to the actual well costs but actual well costs should be adopted as the reasonable well costs in the absence of such objection.

(21) Following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs should pay to the operator any amount that reasonable well costs exceed estimated well costs and should receive from the operator any amount that paid estimated well costs exceed reasonable well costs.

(22) \$5000.00 per month while drilling and \$500.00 per month while producing should be fixed as reasonable charges for supervision (combined fixed rates); the operator should be authorized to withhold from production the proportionate share of such supervision. charges attributable to each non-consenting working interest, and in addition thereto, the operator should be authorized to withhold from production the proportionate share of actual expenditures required for operating the subject well, not in excess of what are reasonable, attributable to each non-consenting working interest.

(23) All proceeds from production from the subject well which are not disbursed for any reason should be placed in escrow to be paid to the true owner thereof upon demand and proof of ownership.

(24) Upon the failure of the operator of said pooled unit to commence the drilling of the well to which said unit is dedicated on or before July 15, 1989, the order pooling said unit should become null and void and of no effect whatsoever.

(25) Should all the parties to this forced pooling reach voluntary agreement subsequent to entry of this order, the forced pooling provisions of the order shall thereafter be of no further effect.

(26) The operator of the well and unit shall notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the forced pooling provisions of this order. -5-Case No. 9619 Order No. R-8913

IT IS THEREFORE ORDERED THAT:

(1) All mineral interests, whatever they may be, in the Undesignated Indian Basin-Upper Pennsylvanian Gas Pool and the Undesignated Indian Basin-Morrow Gas Pool underlying all of Section 8, Township 21 South, Range 23 East, NMPM, Eddy County, New Mexico, are hereby pooled to form a standard 640-acre gas spacing and proration unit for said pools, to be dedicated to a well to be drilled at an unorthodox gas well location, also hereby approved, 660 feet from the South and East lines (Unit P) of said Section 8.

(2) The applicant is further authorized to dually complete the subject well in the Undesignated Indian Basin-Upper Pennsylvanian Gas Pool and the Undesignated Indian Basin-Morrow Gas Pool.

PROVIDED HOWEVER THAT, the operator of said unit shall commence the drilling of said well on or before the 15th day of July, 1989, and shall thereafter continue the drilling of said well with due diligence to a depth sufficient to test the Upper Pennsylvanian and Morrow formations.

PROVIDED FURTHER THAT, in the event said operator does not commence the drilling of said well on or before the 15th day of July, 1989, Ordering Paragraph No. (1) of this order shall be null and void and of no effect whatsoever, unless said operator obtains a time extension from the Division for good cause shown.

PROVIDED FURTHER THAT, should said well not be drilled to completion, or abandonment, within 120 days after commencement thereof, said operator shall appear before the Division Director and show cause why Ordering Paragraph No. (1) of this order should not be rescinded.

(3) Santa Fe Exploration Company is hereby designated the operator of the subject well and unit.

(4) After the effective date of this order and within 90 days prior to commencing said well, the operator shall furnish the Division and each known working interest owner in the subject unit an itemized schedule of estimated well costs. -6-Case No. 9619 Order No. R-8913

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(5) Within 30 days from the date the schedule of estimated well costs is furnished to him, any non-consenting working interest owner shall have the right to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production, and any such owner who pays his share of estimated well costs as provided above shall remain liable for operating costs but shall not be liable for risk charges.

(6) The operator shall furnish the Division and each known working interest owner an itemized schedule of actual well costs within 90 days following completion of the well; if no objection to the actual well costs is received by the Division and the Division has not objected within 45 days following receipt of said schedule, the actual well costs shall be the reasonable well costs; provided however, if there is objection to actual well costs within said 45-day period the Division will determine reasonable well costs after public notice and hearing.

(7) Within 60 days following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated well costs in advance as provided above shall pay to the operator his pro rata share of the amount that reasonable well costs exceed estimated well costs and shall receive from the operator his pro rata share of the amount that estimated well costs exceed reasonable well costs.

(8) The operator is hereby authorized to withhold the following costs and charges from production:

- (A) The pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within 30 days from the date the schedule of estimated well costs is furnished to him, and
- (B) As a charge for the risk involved in the drilling of the well, 200 percent of the pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within 30 days from the date the schedule of estimated well costs is furnished to him.

-7-Case No. 9619 Order No. R-8913

(9) The operator shall distribute said costs and charges withheld from production to the parties who advanced the well costs.

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(10) \$5000.00 per month while drilling and \$500.00 per month while producing are hereby fixed as reasonable charges for supervision (combined fixed rates); the operator is hereby authorized to withhold from production the proportionate share of such supervision charges attributable to each nonconsenting working interest, and in addition thereto, the operator is hereby authorized to withhold from production the proportionate share of actual expenditures required for operating such well, not in excess of what are reasonable, attributable to each non-consenting working interest.

 (11) Any unleased mineral interest shall be considered a seven-eighths (7/8) working interest and a one-eighth
 (1/8) royalty interest for the purpose of allocating costs and charges under the terms of this order.

(12) Any well costs or charges which are to be paid out of production shall be withheld only from the working interest's share of production, and no costs or charges shall be withheld from production attributable to royalty interests.

(13) All proceeds from production from the subject well which are not disbursed for any reason shall immediately be placed in escrow in Eddy County, New Mexico, to be paid to the true owner thereof upon demand and proof of ownership; the operator shall notify the Division of the name and address of said escrow agent within 30 days from the date of first deposit with said escrow agent.

(14) Should all parties to this forced pooling order reach voluntary agreement subsequent to entry of this order, the forced pooling provisions of this order shall thereafter be of no further effect.

(15) The operator of the well and unit shall notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the forced pooling provisions of this order.

(16) For purposes of assigning gas allowables, the subject well shall be assigned an acreage factor of 0.40 in the Undesignated Indian Basin-Upper Pennsylvanian Gas Pool and the Undesignated Indian Basin-Morrow Gas Pool. -8-Case No. 9619 Order No. R-8913

(17) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION WILLIAM J. LEMAY Director

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

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

CASE NO. 9619 DE NOVO Order No. R-8913-A

APPLICATION OF SANTA FE EXPLORATION COMPANY FOR AN UNORTHODOX WELL LOCA-TION, DUAL COMPLETION, AND COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

See Aler Order No. R-8413

ORDER OF THE COMMISSION

BY THE COMMISSION:

1.19

This cause came on for hearing at 9:00 a.m. on July 20, 1989, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission."

NOW, on this <u>28th</u> day of July, 1989, the Commission, a quorum being present, having considered the record and being fully advised in the premises,

FINDS THAT:

(1) Due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.

(2) Pursuant to Division Order No. R-8913, the applicant, Santa Fe Exploration Company, commenced the drilling of the subject well at an unorthodox location 660 feet from the South and East lines of Section 8, Township 21 South, Range 23 East, NMPM, Eddy County, New Mexico.

(3) The applicant has completed the drilling of the subject well, has been unsuccessful in establishing commercial production, and has plugged and abandoned the well.

(4) Division Order No. R-8913 should be vacated and Case No. 9619 dismissed.

-2-Case No. 9619 DE NOVO Order No. R-8913-A

IT IS THEREFORE ORDERED THAT:

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(1) Division Order No. R-8913 is hereby vacated and Case No. 9619 is hereby dismissed.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO OIL CONSERVATION COMMISSION WILLIAM R. HUMPHRDES, Member

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WILLIAM J. LEMAY, Chairman and Secretary

SEAL