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May 13, 2003

Hand Delivered

Florene Davidson  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

*Case 13083*

Dear Florene:

Enclosed are an original and one copy of an application for compulsory pooling, together with a proposed advertisement, filed on behalf of Roca Production, Inc. Please set this matter for the June 5, 2003 Examiner hearing. Thank you.

The advertisement is also on the enclosed disk.

Very truly yours,



James Bruce

Attorney for Roca Production, Inc.

**RECEIVED**

MAY 13 2003

Oil Conservation Division

PARTIES BEING POOLED

Evelyn Clay O'Hara  
3774 West Sixth Street  
Fort Worth, Texas 76107

RECEIVED

MAY 13 2003

Oil Conservation Division

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF ROCA PRODUCTION,  
INC. FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

Case No. 13083

APPLICATION

Roca Production, Inc. applies for an order pooling all mineral interests in the Jalmat Gas Pool underlying the NE $\frac{1}{4}$  of Section 33, Township 22 South, Range 36 East, N.M.P.M., Lea County, New Mexico, and in support thereof states:

1. Applicant is the operator in the Jalmat Gas Pool in the NE $\frac{1}{4}$  of Section 33, and on behalf of the working interest owners has the right to drill or re-complete a well thereon.

2. The existing Esmond A Well No. 2, located 1980 feet from the north line and 990 feet from the east line of Section 33, was drilled in 1953 and is dedicated to a 160 acre non-standard gas spacing and proration unit in the Jalmat Gas Pool.

3. Applicant proposes to re-enter the Esmond A Well No. 2, and re-complete it in the Jalmat Gas Pool. The well will be dedicated to the existing 160 acre non-standard gas spacing and proration unit.

4. The working interest owners in the well unit have in good faith sought the voluntary joinder of all mineral interest owners in the NE $\frac{1}{4}$  of Section 33 for the purposes set forth herein.

5. Although applicant attempted to obtain voluntary agreements from all mineral interest owners to participate in the re-completion of the well, or to otherwise commit their interests to the well, one owner has failed or refused to join in dedicating

her interest. Therefore, applicant seeks an order pooling all mineral interest owners in the NE¼ of Section 33, pursuant to NMSA 1978 §§70-2-17, 18.

6. The pooling of all mineral interests underlying the NE¼ of Section 33 will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

**WHEREFORE**, applicant requests that, after notice and hearing, the Division enter its order:

- A. Pooling all mineral interests in the Jalmat Gas Pool underlying the NE¼ of Section 33;
- B. Designating applicant as operator of the well;
- C. Considering the cost of re-entering the well, and allocating the cost thereof among the well's working interest owners;
- D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting those rates as provided in the COPAS accounting procedure; and
- E. Setting a penalty for the risk involved in re-entering and re-completing the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,



James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attorney for applicant