

**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. 13331
ORDER NO. R-12212**

**APPLICATION OF YATES PETROLEUM CORPORATION FOR A UNIT
AGREEMENT, LEA COUNTY, NEW MEXICO.**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing on September 2, 2004, at Santa Fe, New Mexico, before Examiner William V. Jones.

NOW, on this 9th day of September, 2004, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner,

FINDS THAT:

(1) Due public notice has been given, and the Division has jurisdiction of this case and its subject matter.

(2) The applicant, Yates Petroleum Corporation ("Yates" or "Applicant"), seeks approval of its Elvis State Exploratory Unit Agreement for all oil and gas in all formations from the surface to the base of the Mississippian formation underlying the following-described 1,280 acres, more or less, of State of New Mexico lands situated in Lea County, New Mexico:

TOWNSHIP 10 SOUTH, RANGE 34 EAST, NMPM

Section 22: All

Section 27: All

(3) The Applicant presented testimony by affidavit as follows.

(a) One hundred percent of the working interest is committed to the Unit.

(b) One hundred percent of the royalty interest is owned by the State of New Mexico.

(c) The State Land Office has given preliminary approval for this Unit.

(d) The initial well will be the Elvis State Unit Well No. 1 to be drilled at a standard gas well location 990 feet from the South line and 1,760 feet from the West line of Section 22, Township 10 South, Range 34 East, NMPM, Lea County, New Mexico. Division records indicate this will be the first well ever drilled inside the boundaries of the proposed Unit.

(e) The primary targets for this initial well will be the Atoka and Morrow formations, but the well will be drilled to a total depth into the limestone of the Mississippian formation.

(f) Yates is attempting to locate the high risk, Atoka and Morrow channel sands using 3-D seismic, log correlation, and regional mapping.

(4) No other party appeared at the hearing or otherwise opposed this application.

(5) All of the proposed unit acreage appears prospective for recovery of oil and gas from the target formations under the concept proposed by the applicant. These acres should be unitized and should equally share in the benefits from future oil and gas recovery.

(6) The approval of the proposed unit agreement will serve to prevent waste and protect correlative rights within the lands assigned to the unit area.

IT IS THEREFORE ORDERED THAT:

(1) The Elvis State Exploratory Unit Agreement executed by Yates Petroleum Corporation is hereby approved for all oil and gas in all formations from the surface to the base of the Mississippian formation underlying the following-described 1,280 acres, more or less, of State of New Mexico lands situated in Lea County, New Mexico:

TOWNSHIP 10 SOUTH, RANGE 34 EAST, NMPM

Section 22: All

Section 27: All

(2) The plan contained in the Elvis State Exploratory Unit Agreement for the development and operation of the above-described unit area is hereby approved in principle; provided, however, notwithstanding any of the provisions contained in the unit agreement, this approval shall not be considered as waiving or relinquishing, in any manner, any right, duty, or obligation that is now, or may hereafter be, vested in the Division to supervise and control operations for the unit and production of oil and gas therefrom.

(3) The unit operator shall file with the Division an executed original or executed counterpart of the unit agreement within 30 days of the effective date thereof; in the event of subsequent joinder by any other party, or expansion or contraction of the unit area, the unit operator shall file with the Division, within 30 days thereafter, copies of the unit agreement reflecting the subscription of those interests having joined or ratified.

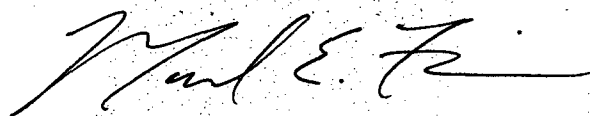
(4) All: (i) plans of development and operation; (ii) creations, expansions or contractions of participating areas; and (iii) expansions or contractions of the unit area shall be submitted to the Division Director for approval.

(5) This order shall become effective upon the approval of the unit agreement by the New Mexico State Land Office. This order shall terminate upon the termination of the unit agreement. The last unit operator shall notify the Division immediately in writing of such termination.

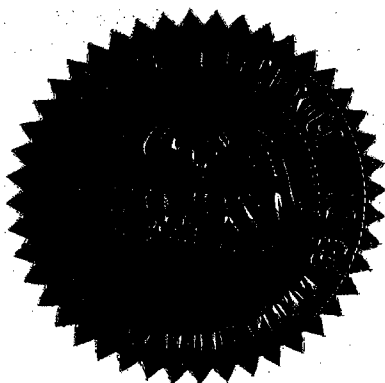
(6) Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.

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

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION



MARK E. FESMIRE, P.E.
Director



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