

HOLLAND & HART LLP



Ocean Munds-Dry

Associate

omundsdry@hollandhart.com

January 17, 2006

HAND DELIVERY

Mr. Mark Fesmire, Director
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Case 13645

2006 JUN 17 PM 5 08

Re: Application of Rubicon Oil & Gas, L.L.C. for approval of a unit agreement, Lea County, New Mexico.

Dear Mr. Fesmire:

Enclosed in triplicate is the Application of Rubicon Oil & Gas, L.L.C. in the above-referenced case as well as a copy of the legal advertisement. Yates Petroleum Corporation requests that this matter be placed on the February 16, 2006 Examiner Hearing docket.

Very truly yours,

Ocean Munds-Dry
Ocean Munds-Dry

Enclosures

cc: Mr. Gary Green
Rubicon Oil & Gas, L.L.C.

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ♻

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

**APPLICATION OF RUBICON
OIL & GAS LLC FOR APPROVAL
OF A UNIT AGREEMENT,
LEA COUNTY, NEW MEXICO.**

CASE NO. 13645

2006 JUN 17 PM 5 09

APPLICATION

RUBICON OIL & GAS, L.L.C. ("Rubicon"), through its undersigned attorneys, hereby makes application for an order approving its Hightower State Exploratory Unit and in support of this application states:

1. The proposed Unit Area consists of 2,080 acres, more or less, of State of New Mexico lands, situated in Lea County, New Mexico. The horizontal limits of said unit are described as follows:

Township 12 South, Range 33 East, N.M.P.M.

Section 15: All
Section 22: All
Section 23: NW4
Section 27: All

2. The Unit Agreement has been approved by a sufficient percentage of the interest owners within the proposed Unit Area to provide effective control of unit operations.

3. The Applicant, Rubicon Oil & Gas, L.L.C., is designated as Unit Operator in said Unit Agreement and all oil and gas in all formations are unitized.

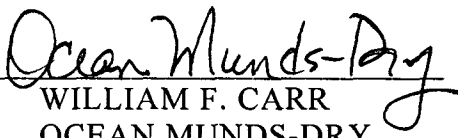
4. The unit boundaries are consistent and substantially supported by the geological limits of the unitized formations.

5. Said Unit Agreement and the unitized operation and management of the Unit Area will be in the interest of conservation and the prevention of waste, and it will protect the correlative rights of all parties concerned.

WHEREFORE, Rubicon requests that this application be set for hearing before an Examiner of the Oil Conservation Division on February 16, 2006, that notice be given as required by law and the rules of the Division, and that the Hightower State Exploratory Unit be approved.

Respectfully submitted,

HOLLAND & HART, LLP

By: 
WILLIAM F. CARR
OCEAN MUNDS-DRY
Post Office Box 2208
Santa Fe, New Mexico 87504
Telephone: (505) 988-4421

ATTORNEYS FOR RUBICON OIL & GAS,
LLC

CASE NO. 13645:

Application of Rubicon Oil & Gas, L.L.C. for approval of a Unit Agreement, Lea County, New Mexico. Applicant seeks approval of the Hightower State Exploratory Unit from the surface to the base of the Devonian formation in an area comprising 2,080 acres of State of New Mexico lands in Sections 15, 22, 23, and 27 in Township 12 South, Range 33 East, NMPM, which is located approximately 8 miles south of Caprock, New Mexico.