

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

IN THE MATTER OF THE  
APPLICATION OF ENCORE ACQUISITION  
COMPANY FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE NO. 13942

APPLICATION FOR COMPULSORY POOLING

ENCORE ACQUISITION COMPANY applies for an order pooling all mineral interests all mineral interests from the surface of the earth to a depth sufficient to a depth of 13,000 feet or a depth sufficient to test the Morrow formation underlying the N/2 of Section 22, Township 17 South, Range 34 East, NMPM, Lea County, New Mexico (Section 22). In support of this application, Applicant states:

1. Applicant is an interest owner in the N/2 of Section 22, and has the right to drill thereon.
2. Applicant proposes to drill its Encore 22 State Com No. 1 well to be located at a standard well location 1000 FEL and 1730 FNL of Section 22. Applicant seeks to dedicate the N/2 of Section 22 to the well to forming a standard 320 acre spacing and proration unit for any formations or pools developed on 320 acre spacing within the vertical extent of the well.
3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the N/2 of Section 22 for the purposes set forth herein.
4. Certain mineral owners have failed or refused to join in the drilling of the

proposed well, therefore, applicant seeks an order pooling all mineral interest owners in the N/2 of Section 22 pursuant to NMSA 1978, Section 70-2-17.

5. The pooling of all mineral interests in the Morrow formation underlying the N/2 of Section 22 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 N/2 of Section 22;
- B. Designating Applicant as the operator of the well;
- C. Considering the cost of completing the well, and allocating the cost among the well's working interest owners;
- D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and,
- E. Setting a 200% charge for the risk involved in drilling and completing the well in the event a working interest owner elects not to participate in the well.

PADILLA LAW FIRM, P.A.

By:



Ernest L. Padilla

P.O. Box 2523

Santa Fe, New Mexico 87504

(505) 988-7577

NMOCD Case No. 13942; *Application of Encore Acquisition Company for compulsory pooling, Lea County, New Mexico*; Applicant seeks an order pooling all mineral interests in the Morrow formation underlying the N/2 of Section 22, Township 17 South, Range 34 East, N.M.P.M., Lea County, New Mexico. Applicant proposes to drill its Encore 22 State Com No. 1 well to be located at a standard gas well location 1000 feet from the east line and 1730 feet from the north line of said Section 22. Applicant seeks to dedicate the N/2 of Section 22 to the well to form a standard 320 acre gas spacing and proration unit for any formations and/or pools developed on 320 acre spacing within that vertical extent, including the Morrow formation. The subject lands are located approximately 3 miles east of Buckeye, New Mexico.