



12886

NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Lori Wrotenbery
Director
Oil Conservation Division

October 24, 2003

Mr. Michael Feldewert
Holland & Hart
Attorneys at Law
Post Office Box 2208
Santa Fe, New Mexico 87504-2208

Dear Mr. Feldewert:

Based upon the reasons stated in your letter of October 21, 2003, and in accordance with the provisions of Division Order No. R-11805, Kestrel, Inc., designated by Petrocap, Inc. as operator of the subject well, is hereby granted a fifth extension of time until January 31, 2004, in which to commence drilling the well pooled by this order.

Because of the length of time that has elapsed since the order was entered, any request for further extension will be set for hearing.

Sincerely,

LORI WROTENBERY
Division Director

fd/

cc: Case No. 12886 ✓
OCD - Hobbs

October 21, 2003

HAND DELIVERED

Lori Wrottenbery, Director
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
2040 South Pacheco Street
Santa Fe, New Mexico 87505

RECEIVED

OCT 21 2003

Oil Conservation Division

**Re: Oil Conservation Division Case No. 12886: Application of Petrocap, Inc.
for compulsory pooling Roosevelt County, New Mexico.
*Order No. R-11805***

Dear Ms. Wrottenbery;

On August 6, 2002, the Division entered Order No. R-11805 which granted the application of Petrocap, Inc. in the above-referenced case pooling all uncommitted interests from the surface to the base of the Basal Penn Unconformity Sand formation underlying the N/2 of Section 34, Township 4 South, Range 31 East, NMPM, Roosevelt County, New Mexico in the following manner:

The N/2, forming a standard 320-acre gas spacing and proration unit for all formations or pools spaced on 320-acres within this vertical extent.

The NW/4, forming a standard 160-acre gas spacing and proration unit for all formations or pools spaced on 160-acre within this vertical extent.

The S/2 NW/4, forming a standard 80-acre spacing and proration unit for all formations or pools spaced on 80-acres within this vertical extent.

The SW/4 NW/4, forming a standard 40-acre spacing and proration unit for all formations or pools spaced on 40 acres within this vertical extent.

The pooled units are to be dedicated to the applicant's McCowen Well No. 1 which Kestrel, Inc. (the designated operator of this well and of the pooled units) proposes to re-enter and drill at a standard well location 1980 feet from the North line and 660 feet from the West line (Unit E) of Section 34.

Holland & Hart LLP

Phone (505) 954-7298 Fax (505) 983-6043 www.hollandhart.com

Jefferson Place 110 North Guadalupe Suite 1 Santa Fe, New Mexico 87501 Mailing Address P.O. Box 2208 Santa Fe, New Mexico 87504-2208

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

HOLLAND & HART^{LLP}
ATTORNEYS AT LAW

Lori Wrotenbery
October 21, 2003
Page 2

The Division has since extended Order R-11805 on four occasions, with the most recent extension to expire on October 31, 2003. Kestrel still plans to re-enter the McCowen Well No. 1, but has encountered delays in closing the deal and obtaining necessary partner approvals. As result, Kestrel requests an extension of Order No. R-11805 to January 31, 2004.

Your attention to this request is appreciated.

Sincerely,



Michael H. Feldewert

MHF/jlp

cc: Victoria Irwin
Petrocap, Inc.
Kestrel, Inc.