

**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. 13203
ORDER NO. R-12101**

**APPLICATION OF JOHN R. STEARNS d/b/a STEARNS FOR AN
UNORTHODOX GAS WELL LOCATION, LEA COUNTY, NEW MEXICO**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on January 8 and on February 5, 2004, at Santa Fe, New Mexico, before Examiners David R. Catanach and William V. Jones, respectively.

NOW, on this 10th day of February, 2004, the Division Director, having considered 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, John R. Stearns d/b/a Stearns ("Stearns"), seeks an exception to Division Rule 104.C (2) (a) for the existing State "16" Well No. 1-Y (API No. 30-025-34070) to be recompleted up-hole into the Undesignated West Sawyer-Morrow Gas Pool (97103) at an unorthodox deep gas well location 330 feet from the South line and 940 feet from the East line (Unit P) of Section 16, Township 9 South, Range 37 East, NMPM, Lea County, New Mexico, within a standard 320-acre stand-up gas spacing unit comprising the E/2 of Section 16.

(3) The applicant filed this application with the Division on December 1, 2003, for administrative review pursuant to the provisions of Division Rules 104.F and 1207.A (2).

(4) A timely objection filed by Richard Donald Jones, Jr. of Cedar Creek, Texas on December 15, 2003, caused this application to be set for hearing.

(5) When this case was called at the January 8, 2004 hearing no interested or affected party entered an appearance. The applicant subsequently requested this application be remanded to the Division's administrative process.

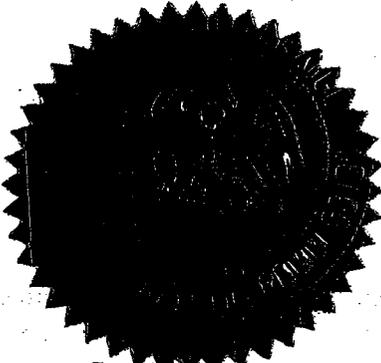
(6) By Administrative Order NSL-4993, dated February 4, 2004, the Division approved the subject application, thereby making this case moot.

(7) Dismissal of this case should therefore be granted.

IT IS THEREFORE ORDERED THAT:

Case No. 13203 is hereby dismissed.

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



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STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

A handwritten signature in cursive script that reads "Lori Wrottenbery".

LORI WROTENBERY
Director