

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. 11170
ORDER NO. R-10287

**APPLICATION OF NEARBURG PRODUCING COMPANY TO RESCIND APPROVAL
OF YATES PETROLEUM CORPORATION'S APPLICATION FOR PERMIT TO DRILL
ITS TACKITT "AOT" WELL NO. 1 IN SECTION 28, TOWNSHIP 19 SOUTH, RANGE
25 EAST, NMPM, EDDY COUNTY, NEW MEXICO.**

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on December 15, 1994, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this 21st day of December, 1994, the Division Director, having considered the record and the recommendations of the Examiner, and being fully advised in the premises,

FINDS THAT:

- (1) Due public notice having been given as required by law, the Division has jurisdiction of this cause and the subject matter thereof.
- (2) The applicant, Nearburg Producing Company, seeks an order from the Division rescinding approval of Yates Petroleum Corporation's Form C-101, "Application for Permit to Drill" ("APD"), filed in the Artesia District Office of the Division on its Tackitt "AOT" Well No. 1, to be drilled at a standard oil well location in the Undesignated North Dagger Draw-Upper Pennsylvanian Pool, 1650 feet from the South line and 990 feet from the East line (Unit P) of Section 28, Township 19 South, Range 25 East, NMPM, Eddy County, New Mexico.
- (3) By letter to the Division dated December 12, 1994 the applicant requested this matter be dismissed.
- (4) Dismissal of this case should therefore be granted.