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

DEC 2 9 (235

IN THE MATTER OF THE APPLICATION OF OXY USA INC. FOR APPROVAL OF AN UNORTHODOX GAS WELL LOCATION, EDDY COUNTY, NEW MEXICO

Oil Conservation

CASE: 11453

APPLICATION

Comes now OXY USA INC., by and through its attorneys, KELLAHIN and KELLAHIN, and applies to the New Mexico Oil Conservation Division for approval to drill its Government S Well No. 9 at an unorthodox gas well location 660 feet from the North line and 660 feet from the East line (Unit A) of Section 3, Township 20 South, Range 28 East, NMPM. The N/2 of Section 3 is to be dedicated to this well forming a standard 320-acre gas spacing and proration unit for any and all production from the top of the Wolfcamp formation to the base of the Morrow formation. Applicant further requests approval of the unorthodox well location as to all prospective pools or formations including but not limited to the North Burton Flat-Wolfcamp Gas Pool, the Winchester-Morrow Gas Pool, the Winchester-Strawn Gas Pool, the Winchester-Atoka Gas Pool and the Burton Flat-Morrow Gas Pool.

In support thereof, Applicant states:

1. Applicant, Oxy USA Inc. ("OXY"), is a working interest owner in the N/2 of Section 3, T20S, R28E and the proposed operator for the Government S Well No. 9 to be drilled at an unorthodox gas well location 660 feet from the North line and 660 feet from the East line of said Section 3 as set forth on Exhibit "A" attached.

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

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APPLICATION

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In support thereof, Applicant states:

1. Applicant, Oxy USA Inc. ("OXY"), is a working interest owner in the N/2 of Section 3, T20S, R28E and the proposed operator for the Government S Well No. 9 to be drilled at an unorthodox gas well location 660 feet from the North line and 660 feet from the East line of said Section 4 as set forth on Exhibit "A" attached. NMOCD Application Oxy USA Inc. Page 2

2. Oxy proposes to drill its Government S Well No. 9 to test for production from the surface to the base of the Morrow formation including but not limited to the Old Millman Ranch-Bone Springs Associated Pool which provides for 40-acre oil and 80-acre gas spacing and proration units and the North Burton Flat-Wolfcamp Gas Pool, the Winchester-Morrow Gas Pool, the Winchester-Strawn Gas Pool, the Winchester-Atoka Gas Pool and the Burton Flat-Morrow Gas Pool which provide for 320 acre gas spacing and proration units.

3. In the event the well is completed for oil production in the Old Millman Ranch Bone Spring Associated Pool, a standard 40-acre oil spacing unit consisting of the NE/4NE/4 of Section 3 will be dedicated to the well and if completed for gas production below the top of the Wolfcamp formation then a standard 320-acre gas spacing and proration unit consisting of the N/2 of Section 3 will be dedicated to the well.

4. The well is within the current boundaries of the Old Millman Ranch-Bone Springs Associated Pool and therefore is subject to Special Rules and Regulations set forth in Order R-5353-M-1 (March 2, 1995) which provide in Rule 2(b) that:

"Gas wells shall be located within 150 feet of the center of either quarter-quarter section or lot."

5. The well will be located at a standard well location for any oil production and for gas production from the Bone Springs formation but will be at an unorthodox gas well location for any production below the top of the Wolfcamp formation.

6. Geologic and engineering evaluations have concluded that the optimum location in this spacing unit to test the Bone Springs formation is at the proposed location.

7. However, all of the potential gas productive formations below the top of the Wolfcamp are very risky and cannot be justified by drilling a separate well at a standard "deep gas" well location in the N/2 of Section 3. NMOCD Application Oxy USA Inc. Page 3

8. Geologic and engineering evaluations have concluded that the proposed location is necessary in order to have the optimum location at which to drill this well in order to use a single wellbore to test all of these potential producing formations within the subject spacing units.

9. Approval of the application will afford the applicant the opportunity to produce its just and equitable share of the hydrocarbons in these formations and will otherwise prevent waste and protect correlative rights.

10. In accordance with Division Rule 1207, notification is being sent to those parties listed on Exhibit "B".

WHEREFORE, Applicant requests that, after notice and hearing, this Application be approved as requested.

KELLAH and KELLAHIN BY

W. Thomas Kellahin P. O. Box 2265 Santa Fe, New Mexico 87504 (505) 982-4285 Attorneys for Applicant