

VANDIVER & BOWMAN

Attorneys at Law

611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(505) 746-9841

DAVID R. VANDIVER
JEFFREY L. BOWMAN

FAX
(505) 746-4208

September 24, 1996

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

Case 11630

Re: *Cerros "AQF" Federal Com. No. 1 Well*
Township 18 South, Range 29 East, NMPM
Section 15: E/2
Eddy County, New Mexico

Gentlemen:

Enclosed for filing, please find three copies of the Application of Yates Petroleum Corporation for Compulsory Pooling, Eddy County, New Mexico. Also enclosed is an extra copy of the Application which we would appreciate your returning to us in the enclosed stamped self-addressed envelope **after inserting the docket number**.

Please set this matter for hearing before an Examiner on October 17, 1996.

Thank you.

Very truly yours,

VANDIVER & BOWMAN


David R. Vandiver

DRV:pvw
Enclosures

cc w/enclosure: Yates Petroleum Corporation

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Oil Conservation Division

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

**IN THE MATTER OF THE APPLICATION OF
YATES PETROLEUM CORPORATION FOR
COMPULSORY POOLING, EDDY COUNTY,
NEW MEXICO**

CASE NO. 11630

APPLICATION

COMES NOW Yates Petroleum Corporation, by its attorneys, and in support hereof, respectfully states:

1. Applicant is the operator of the following lands in Eddy County, New Mexico:

Township 18 South, Range 29 East, N.M.P.M.

Section 15: E/2

containing 320 acres, more or less,

and proposes to drill its Cerros "AQF" Federal Com. No. 1 Well at an orthodox location 1,650 feet from the south line and 990 feet from the east line (Unit 1) of said Section 15 to a depth sufficient to test all formations from the surface to the base of the Morrow formation, at approximately 11,700 feet. Said lands are within the Turkey Track Morrow North Gas Pool.

2. A standard 320-acre proration unit comprising E/2 of said Section 15, or such lesser portion thereof as is reasonably shown to be productive of oil and gas, should be dedicated to such well for all formations which may be developed on 320-acre spacing.

3. There are interest owners in the unit who have not agreed to pool their interests.

4. Applicant should be designated the operator of the well and the proration unit.

5. To avoid the drilling of unnecessary wells, to protect correlative rights and to afford to the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense, his just and fair share of the oil and gas in said unit, all mineral interests, whatever they may be, should be pooled.

6. That any non-consenting working interest owner that does not pay his share of estimated well costs should have withheld from production his share of the reasonable well costs, plus an additional 200% thereof as a reasonable charge for the risk involved in the drilling of the well.

7. Applicant should be authorized to withhold from production the proportionate share of a reasonable supervision charge for drilling and producing wells attributable to each non-consenting working interest owner.

8. The approval of this Application will afford Applicant the opportunity to produce its just and equitable share of oil and gas, will prevent economic loss caused by the drilling of unnecessary wells, avoid the augmentation of risk arising from the drilling of an excessive number of wells, and will otherwise prevent waste and protect correlative rights.

WHEREFORE, Applicant prays:

A. That this Application be set for hearing before an examiner and that notice of said hearing be given as required by law.

B. That upon hearing the Division enter its order pooling all mineral interests, whatever they may be, from the surface down to the base of the Morrow formation, underlying E/2 Section 15, Township 18 South, Range 29 East, N.M.P.M., Eddy County, New Mexico, as to all formations which may be developed on 320-acre spacing, or such lesser portion as may be productive of oil and gas and dedicated to Applicant's well.

C. And for such other and further relief as may be just in the premises.

YATES PETROLEUM CORPORATION

By: 

David R. Vandiver
611 West Mahone, Suite E
Artesia, New Mexico 88210-2075
(505) 746-9841

Attorneys for Applicant