

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

IN THE MATTER OF THE APPLICATION  
OF NEARBURG PRODUCING COMPANY,  
FOR COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO.

CASE NO. 11191

**AMENDED APPLICATION**

NEARBURG PRODUCING COMPANY, ("Nearburg"), through its undersigned attorneys, hereby makes application pursuant to the provisions of N.M.Stat.Ann. § 70-2-17, (1978), for an order pooling all mineral interests in all formations developed on 320-acre spacing in the N/2, in all formations developed on 160-acre spacing in the NE/4, in all formations developed on 80-acre spacing under the N/2 NE/4, and in all formations developed on 40-acre spacing under the NW/4 NE/4 of Section 13, Township 19 South, Range 33 East, N.M.P.M., Lea County, New Mexico, and in support thereof states:

1. Nearburg is a working interest owner in the N/2 of Section 13 and has the right to drill thereon.
2. Applicant proposes to dedicate the above-referenced spacing or proration unit to its Stetson "13" Federal Well No. 1 to be drilled to a standard location 1,980 feet from the North line and 1,650 feet from the East line of said Section 13, to a depth sufficient to test any and all formations to the base of the Morrow formation.
3. Applicant has sought and been unable to obtain either voluntary agreement for

pooling or farmout from certain interest owners in the subject spacing units identified on Exhibit A to this application.

4. Said pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

5. In order to permit the Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, all mineral interests should be pooled, and Nearburg Producing Company, should be designated the operator of the well to be drilled.

WHEREFORE, Applicant prays that this amended application be set for hearing before an Examiner of the Oil Conservation Division on June 12, 1997 and, after notice and hearing as required by law, the Division enter its order pooling the lands, including provisions for Applicant to recover its costs of drilling, equipping and completing the well, its costs of supervision while drilling and after completion, including overhead charges, and imposing a risk factor for the risk assumed by the Applicant in drilling, completing and equipping the well.

Respectfully submitted,

CAMPBELL, CARR, BERGE  
& SHERIDAN, P.A.

By: 

WILLIAM F. CARR  
Post Office Box 2208  
Santa Fe, New Mexico 87504  
Telephone: (505) 988-4421

ATTORNEYS FOR NEARBURG  
PRODUCING COMPANY

**EXHIBIT A**  
**NOTIFICATION LIST**  
**APPLICATION OF NEARBURG PRODUCING COMPANY,**  
**FOR COMPULSORY POOLING,**  
**LEA COUNTY, NEW MEXICO**

**SECTION 13, TOWNSHIP 19 SOUTH, RANGE 33 EAST.**  
**N.M.P.M.**

S.H. Cavin  
1504 N. Wyoming Drive  
Roswell, NM 88201-2169

Stephen Mitchell  
Post Office Box 2415  
Midland, TX 79702

Sealy H. Cavin, Jr.  
c/o Stratton & Cavin, P.A.  
Post Office Box 1216  
Albuquerque, NM 87103-1216

Frank S. & Robin L. Morgan  
Rt. 1, Box 83  
Artesia, NM 88210

Eloy S. Duran  
1909 W. 4th Street  
Roswell, NM 88201-1745

MorOilCo., Inc.  
Rt. 1, Box 83  
Artesia, NM 88210

Robert W. Eaton  
2505 Don Juan Loop, NW  
Albuquerque, NM 87104-3050

Arnold Newkirk  
2601 Sherrill Lane  
Roswell, NM 88201-3462

Enron Oil and Gas Company  
Post Office Box 2267  
Midland, TX 79702

Red Oak Cattle Company  
Post Office Box 998  
Ardmore, OK 73402

John Herr  
5017 Calle de Luna, NE  
Albuquerque, NM 87111-2918

Kenneth D. Reynolds  
Post Office Box 1498  
Roswell, NM 88201

Harold Kiious  
c/o Kiious & Co., Inc.  
320 Gold Ave., SW, #1210  
Albuquerque, NM 87102-3248

Thomas Alden Ritch, M.D.  
200 E. Country Club Drive  
Roswell, NM 88201

Patrick J. Roger  
2305 Calle de Sancho, NW  
Albuquerque, NM 87104-3022

Scott Exploration, Inc.  
648 Petroleum Building  
Roswell, NM 88201

George L. Scott, III  
c/o Scott Exploration, Inc.  
648 Petroleum Building  
Roswell, NM 88201

Susan Scott  
c/o Scott Exploration, Inc.  
648 Petroleum Building  
Roswell, NM 88201

Warren Scott  
c/o Scott Exploration, Inc.  
648 Petroleum Building  
Roswell, NM 88201

Sealy, Hutchings Cavin, Inc.  
S.H. Cavin  
504 North Wyoming Ave.  
Roswell, NM 88201-2169

David J. Sorenson  
2010 Fulkerson Drive  
Roswell, NM 88201

Williamson Enterprises  
c/o G. Dee Williamson  
216 West Third Street  
Roswell, NM 88201-4624