

Amended

CASE 91-24:

Application of Nearburg Exploration Company, L.L.C. for compulsory pooling and an unorthodox gas well location, Eddy County, New Mexico. Applicant in the above-styled cause seeks an order pooling all mineral interests in all formations developed on 320-acre spacing, including but not limited to the South Carlsbad-Morrow Gas Pool, under the N/2 of Section 35, Township 23 South, Range 26 East. Said unit is to be dedicated to its Cass Draw "35" State Com Well No. 1 to be drilled at an unorthodox gas well location 760 feet from the North line and 1650 feet from the West line of said Section 35. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision, designation of applicant as operator of the well and a charge for risk involved in drilling said well. Said area is located approximately 4 miles south of Carlsbad, New Mexico.

