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W. THOMAS KELLAHIN\*

NEW MEXICO BOARD OF LEGAL SPECIALIZATION RECOGNIZED SPECIALIST IN THE AREA OF NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

June 11, 2002

#### HAND DELIVERED

Ms. Lori Wrotenbery, Director Oil Conservation Division 1220 South Saint Francis Drive Santa Fe, New Mexico 8750

Case /2888

2 JUNI 2 PH 2.49

Re: NMOCD Case (pending) Application by the Fruitland Coalbed Methane Study Committee to amend Rule 4 and 7 of the Special Rules and Regulations of the Basin-Fruitland Coal Gas Pool

Ms. Wrotenbery:

Please find enclosure the referenced application which we request for set for hearing in Farmington, New Mexico on July 9, 2002.

Very truly yours bmas Kellahin

cc: Burlington Resources Oil & Gas Company LP Coal Committee Attn: Alan Alexander

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> OIL CONSETVATION DIV. 02 JUNI 12 PH 2:49

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"NEW MEXICO BOARD OF LEGAL SPECIALIZATION RECOGNIZED SPECIALIST IN THE AREA OF NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

June 14, 2002

#### **CERTIFIED MAIL-RETURN RECEIPT REQUESTED**

#### TO: NOTICE OF THE HEARING OF THE FOLLOWING NEW MEXICO OIL CONSERVATION DIVISION CASE:

Re: Application of the Fruitland Coalbed Methane Study Committee to amend Rule 4 and Rule 7 of the Special Rules and Regulations of the Basin-Fruitland Coal Gas Pool, Rio Arriba, Sandoval, San Juan and McKinley Counties, New Mexico

On behalf of applicant, please find enclosed a copy of our referenced applicant which will be heard by the New Mexico Oil Conservation Division Examiner at 8:15 AM on July 9, 2002. The hearing will be held at the Farmington Civic Center, Rooms 1 and 2, 200 W. Arrington, Farmington, New Mexico, 87401 (phone OCD-Aztec: 505-334-6178).

As a party who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. You are not required to attend this hearing, but failure to appear at the hearing and become a party of record will preclude you from challenging the matter at a later date.

Pursuant to Division Rule 1208.B, you are further notified that if you desire to appear in this case, then you are required to file a Pre-Hearing Statement with the Division not later than 4:00 PM on Friday, July 5, 2002, with a copy delivered to the undersigned. This statement must include: the names of the parties and attorneys; a concise statement of your position in this case; the names of all witnesses you will call to testify at the hearing; the approximate time you will need to present your case and identification of any procedural matters that area to be resolve prior to the hearing.

Very truly yours.

W. Thomas Kellahin

#### PROPOSED ADVERTISEMENT

<u>Case 1288</u> Application of the Fruitland Coalbed Methane Study Committee ("Committee") to amend Rule 4 and 7 of the Special Rules and Regulations for the Basin-Fruitland Coal Gas Pool for purposes of amending well density requirements for coalbed methane wells in Rio Arriba, San Juan, McKinley and Sandoval Counties, New Mexico. Applicant seeks to amend Rule 7 for the Special Rules and Regulations for the Basin Fruitland Coal Gas Pool to authorize under certain restrictions infill drilling of up to two wells within a standard 320-acre gas proration and spacing unit by increasing the well density from the current maximum of one (1) well provided in Order R-8768, as amended, to a maximum of two (2) wells (160-acre infill) per 320-acre gas proration and spacing unit for wells located in the pool. In the alternative, Applicant requests the adoption of these rule changes for wells located in the "Low Productivity Area" of the pool and for special administrative proceeds for infill wells drilled in the "High Productivity Area" of the pool, as identified in the application. Applicant also seeks the termination of the Cedar Hills-Fruitland Basal Coal Gas Pool.

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

Case /2888 02 JUNI 2 PH 2:49

#### IN THE MATTER OF THE HEARING CALLED BY THE OIL CONSERVATION DIVISION FOR THE PURPOSE OF CONSIDERING:

APPLICATION OF THE FRUITLAND COALBEAD METHANE STUDY COMMITTEE TO AMEND RULE 4 AND 7 OF THE SPECIAL RULES AND REGULATIONS FOR THE BASIN-FRUITLAND COAL GAS POOL AND FOR THE TERMINATION OF THE CEDAR HILLS-FRUITLAND BASAL COAL GAS POOL AND THE CONCOMITANT EXPANSION OF THE BASIN-FRUITLAND COAL GAS POOL, RIO ARRIBA, SAN JUAN, MCKINLEY AND SANDOVAL COUNTIES, NEW MEXICO

#### APPLICATION

Comes now the Fruitland Coalbed Methane Study Committee ("Committee") and applies to the New Mexico Oil Conservation Division for an order of increase well density for coalbed methane wells by amending Rule 4 and 7 of the Special Rules and Regulations for the Basin-Fruitland Coal Gas Pool located in Rio Arriba, San Juan, McKinley and Sandoval Counties, New Mexico. Applicant seeks to amend Rule 4 and 7 for the Special Rules and Regulations for the Basin-Fruitland Coal Gas Pool to authorize under certain restrictions infill drilling of up to two wells within a standard 320-acre gas proration and spacing unit by increasing the well density from the current maximum of one (1) well provided in Order R-8768, as amended, to a maximum of two (2) wells (160-acre infill) per

acre gas proration and spacing unit for wells located in the pool. In the alternative, Applicant requests the adoption of these rules for wells located the "Low Productivity Area" of the pool and for special administrative proceeds for infill wells drilled in the "High Productivity Area" of the pool as identified in the application. Applicant also seeks to abolish the Cedar Hill-Fruitland Basal Coal Pool and include the horizontal and vertical limits of the Cedar Hill-Fruitland Basal Coal Pool into the Basin-Fruitland Coal Gas Pool.

In support of its application, the Committee states:

(1) There are approximately 3,160 wells currently producing from Basin-Fruitland Coal Gas Pool, including approximately 2,704 wells in the "Low Productivity area" and approximately 456 wells in the "High Productivity area" of the pool.

(2) The Basin-Fruitland Coal Gas Pool Rules currently provide, in part, that:

Rule 4: 320 acre spacing units with a provision for an exception from Rule 4 to allow the drilling of a second well on a standard 320 acre unit after notice and hearing.

Rule 7: wells in the pool "shall be located in the NE/4 or SW/4 of a single governmental section and shall be located not closer than 660 feet to any outer boundary of a proration unit nor closer than 10 feet to any interior quarter or quarter-quarter line or subdivision inner boundary."

(3) On July 16, 1991, the Division entered Order R-8768-A which found that:

"(9) The results of the reservoir simulation study generally establish that one well in the subject pool can effectively drain and develop 320 acres."

"(10) The results of the study further indicate however that there may be certain areas within the basin where reservoir parameters such as porosity, permeability, coal thickness, pressure, gas content, sorption isotherm and initial gas/water saturation may exist in certain combinations such that infill drilling may be required to increase gas recover

(4) In August 22, 2001, the Division entered Order R-11639 in Case 12651 and granted Burlington Resources Oil & Gas Company LP's ("Burlington") application to initiate a pilot project for the drilling of additional Basin-Fruitland Coal Gas Pool wells to provide data for reservoir engineering and geologic studies for the purposes of determining the proper well density.

(5) Burlington's pilot project and other data evaluated by the Fruitland Coalbed Methane Study Committee are at the point where the Division has concluded that there is sufficient evidence to increase well density to two (2) wells in a 320-acre GPU in the "Low Productivity Area" of the pool. The Committee also recommends adoption a procedure for obtaining an infill well in appropriate portions of the "High Productivity Area" of the pool.

(6) The Committee recommends that the Basin-Fruitland Coal Gas Pool be divided into a "Low Productivity Area" and "High Productivity area" of the pool.

(7) The "High Productivity Area " of this pool is shown on the map attached as Exhibit 1 and as shown in the acreage description set forth in Exhibit 2.

(8) The "Low Productivity Area" is the balance of the pool remaining after deleting the "High Productivity Area".

(9) Based upon a study of the geological and reservoir engineering data, the Committee has concluded that in order to increase ultimate recovery of gas from this pool there is a need to adopt and amend rules and regulations for this pool in order to drill more wells per GPU than is currently permitted by Rule 4 and 7 of the pool rules.

(10) **Proposed rule changes:** Accordingly, the Committee recommends that the Special Rules and Regulations for the Basin-Fruitland Coal Gas Pool be amended as follows:

Rule 4: Each standard gas proration unit (GPU) will consist of 320 acres, more or less, comprising any two contiguous quarter sections of a single governmental section, being a legal subdivision of the United States Public Lands Survey.

Rule 7: (a) Well Locations:

(i) wells drilled on a GPU shall be located not closer than 660 feet to the outer boundary of a GPU and not closer than 10 feet to any interior quarter or quarter-quarter section line or subdivision inner boundary.

(ii) Wells located within federal exploratory units are permitted an exception to the 660-feet setback requirement to the outer boundary of a GPU and shall be permitted to be no closer than 10 feet to any section, quarter section or interior quarterquarter section line or subdivision inner boundary, provided, however:

(a) wells shall not be closer than 660 feet to the outer boundary of the federal exploratory unit;

(b) a well located within the unit area but adjacent to an existing or prospective GPU containing a non-committed tract or partially committed tract shall not be closer than 660 feet to the outer boundary of its GPU;

(c) a well located within a non-committed or partially committed GPU shall not be closer than 660 feet to the outer boundary of its GPU;

(d) a well located within a participating area but adjacent to an existing or prospective GPU that is not within the same participating area shall not be closer than 660 feet to the outer boundary of the participating area;

(e) a well located within the unit area but in an existing or prospective GPU that is a non-participating GPU shall not be closer than 660 feet to the outer boundary of its GPU.

> (iii) The operator filing an APD for any well within a unit area that is closer to the outer boundary of its assigned GPU than 660 feet shall provide proof in the form of a participating area plat that such well meets the requirements of Rule 7 (a).

#### Rule 7 (b) ADMINISTRATIVE EXCEPTIONS:

The Division Director, in accordance with Division Rule 104, may administratively grant an exception to the well location requirements of Rule 7 upon application to the Division which includes notification by certified mail-return receipt requested to affected parties. [See Division Rule 1207.A(2)].

Rule 7 (c) Well Density in the "Low Productivity Area":

(i) No more than two (2) wells per GPU may be located in the "Low Productivity Area" of the pool

(ii) the FIRST WELL drilled on a GPU shall be located in the quarter section of the GPU not containing a Basin-Fruitland Coal Gas well;

(iii) the optional INFILL WELL drilled on a GPU shall be located in a quarter section of the GPU not containing Basin-Fruitland Coal Gas well;

Rule 7 (d) Well Density in the "High Productivity Area":

One optional infill well in the "High Productivity Area" may be drilled within a GPU in accordance with Rule 7(a) and 7(b) pursuant to the following procedures:

1. Operators of an existing GPU which contains an original coal gas well who desire to drill an optional infill well shall send a copy of its Application for Permit to Drill ("APD" including NMOCD form C-102 or Bureau of Land Management form 3160-3) to adjacent operators by certified mail-return receipt requested advising that they have twenty (20) days from receipt to file with the District Supervisor (OCD-Aztec) a written objection to the application.

2. An adjacent operator shall be any operator of a Basin-Fruitland Coal Gas GPU whose side boundary or corner adjoins the side boundary or corner of the quarter section in which the proposed optional infill well is to be located.

3. The District Supervisor may approve the APD, which has been filed upon expiration of the twenty (20) day notice period and certification by the applicant that all adjacent operators have received notification and no objections have been received within the twenty (20) day notice period.

4. In the event an objection is timely received, or upon the District Supervisor's own initiative, the application shall be set for a hearing before a Division Examiner.

(11) The need no longer exists to maintain a separate pool for the Cedar Hill-Fruitland Basal Coal Pool. This pool should be abolished and the horizontal and vertical limits of this pool should be included in the Basin-Fruitland Coal Gas Pool.

(12) Copies of this application have been sent to all appropriate parties as required by the Division notice rules (Rule 1207) and Rule 4 of the Basin-Fruitland Coal Gas Pool Rules.

(13) Approval of this application is in the best interests of conservation, the prevention of waste and the protection of correlative rights.

WHEREFORE Applicant requests that this matter be set for hearing on July 9, 2002 before a duly appointed Examiner of the Oil Conservation Division and that after notice and hearing as required by law, the Division enter its order granting this application.

Respectfully submitted

W. Thomas Kellahin, Esq. Attorney for Burlington Resources Oil & Gas Company LP Committee Member of Fruitland Coalbed Methane Committee

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#### NMOCD Application of the Fruitland Coalbed Committee Page 8

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#### Exhibit 1

#### Exhibit 2 High Productivity Area

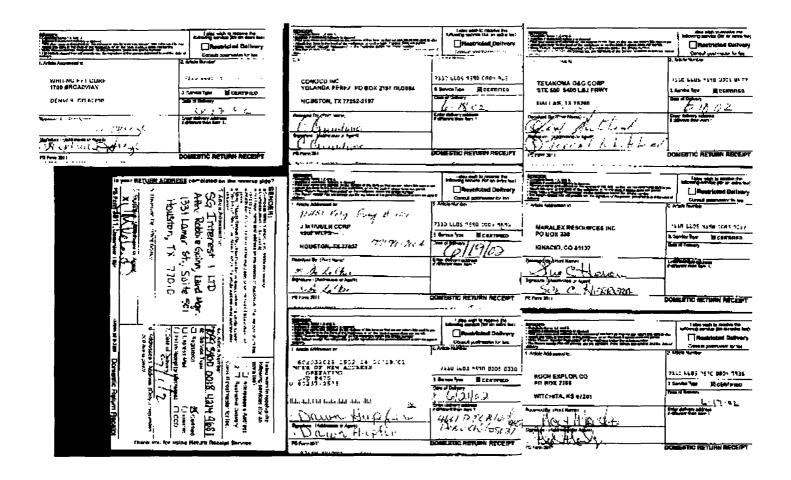
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| T30N, R6W  | Sections 5-35                     |
| T30N, R7W  | Sections 1-18, 22-26, 36          |
| T30N, R8W  | Sections 1-4,10-13                |
| T30N, R9W  | Sections 2                        |
| T31N, R6W  | Sections 6, 31                    |
| T31N, R7W  | Sections 1, 12-14, 19-36          |
| T31N, R8W  | Sections 4-10, 13-36              |
| T31N, R9W  | Sections 1-7, 11-14, 22-27, 34-36 |
| T32N, R6W  | Sections 19, 29-31                |
| T32N, R7W  | Sections 23-26, 36                |
| T32N, R8W  | Sections 19, 30-32                |
| T32N, R9W  | Sections 24-26, 30-32, 35-36      |
| T32N, R10W | Sections 7-12, 14-25, 28-30       |
| T32N, R11W | Sections 11-13, 24                |

### Application Notice Mailing List

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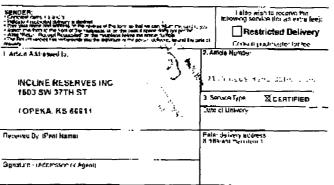
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