

**ROBERT G. ELLIOTT**

Attorney at Law

P.O. Box 5  
Midland, Texas 79702  
(915) 687-6750

RECEIVED  
MARCH 10 1992

March 6, 1992

Mr. Michael Stogner  
Oil Conservation Division  
P.O. Box 2088  
Santa Fe, NM 87501

Re: Case 10445  
Application for Compulsory Pooling  
Western Reserves Oil Company, Inc.  
NE NE Sec. 9, T-9-S, R-34-E  
Lea County, New Mexico

*M.S.*

Dear Mr. Stogner:

Please dismiss Amoco Production Company from this case. We have come to an agreement with them. I have not yet found C.D. Sands. I did trace him to Hailey, Idaho in 1969 and to Tecumseh, Missouri in 1973. I believe that he has died. At this point please leave us on the docket for March 19, 1992 for pooling his .08 net acres. I sure would like to do this administratively.

Very truly yours,



Robert G. Elliott  
Attorney for Applicant  
Western Reserves Oil Company, Inc.

**ROBERT G. ELLIOTT**  
Attorney at Law

P.O. Box 5  
Midland, Texas 79702  
(915) 687-6750

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OIL CONSERVATION DIVISION  
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February 21, 1992

Mr. Michael Stogner  
Oil Conservation Division  
P.O. Box 2088  
Santa Fe, NM 87501

Re: Case 10445  
Application for Compulsory Pooling *AAAS.*  
Western Reserves Oil Company, Inc.  
NE NE Sec. 9, T-9-S, R-34-E  
Lea County, New Mexico

Dear Mr. Stogner:

This is to confirm my request for a continuance until March 19, 1992 for the captioned case. In addition, please dismiss James Petroleum Trust from this case. We have come to an agreement with them. I have yet to make a deal with Amoco and have not yet found C.D. Sands.

Very truly yours,



Robert G. Elliott  
Attorney for Applicant  
Western Reserves Oil Company, Inc.

FRANK M. BOND

ATTORNEY AT LAW  
121 EAST PALACE AVENUE  
SANTA FE

11 01 31  
E  
192 155  
DIVISION  
10 19

MAILING ADDRESS  
POST OFFICE BOX 2476  
SANTA FE, NEW MEXICO 87504-2476  
(505) 988-2841

March 10, 1992

Mr. Michael E. Stogner  
Oil Conservation Division  
Post Office Box 2088  
Santa Fe, New Mexico 87501

RE: Case No. 10445, Application for Compulsory Pooling  
Western Reserves Oil Company, Inc.  
NE NE Sec. 9, T-9-S, R-34-E, Lea County, New Mexico

Dear Mr. Stogner:

I have been asked by Robert G. Elliott, Attorney for Applicant Western Reserves Oil Company, Inc. to join him as co-counsel in this case.

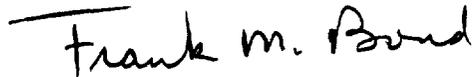
I do appreciate the time you gave me to meet this afternoon regarding this case. By this letter I wish to confirm what you decided during our meeting.

1. You will continue the case until April 2, at which time it will be called and subsequently taken under advisement;
2. This will be handled administratively and neither Mr. Elliott nor I will need to be present to present the case with witnesses;
3. Under these circumstances a 200% risk penalty will be attached; and,
4. Mr. Elliott will prepare an affidavit briefly discussing the steps he has taken to locate with Mr. C.D. Sands. Further he will describe the type of agreements reached with the James Petroleum Trust and Amoco, and whether they have been signed by the parties. This will be sent to you directly to be made part of the application file.

Mr. Michael E. Stogner  
March 10, 1992  
page 2

Further, Mr. Elliott will continue to pursue the whereabouts of Mr. C.D. Sands with due diligence. If I can assist you with any additional information to conclude this application, please call me.

Sincerely yours,

A handwritten signature in cursive script that reads "Frank M. Bond". The signature is written in dark ink and is positioned above the typed name.

FRANK M. BOND

FMB:bc

cc: Robert G. Elliott, Esq.

OIL CONSERVATION DIVISION  
RECEIVED

**ROBERT G. ELLIOTT**

'92 MAR 30 AM 8 54

Attorney at Law

P.O. Box 5  
Midland, Texas 79702  
(915) 687-6750

March 27, 1992

Mr. Michael Stogner  
Oil Conservation Division  
P.O. Box 2088  
Santa Fe, NM 87501

Re: Case 10445 (Readvertised)  
Application for Compulsory Pooling  
Western Reserves Oil Company, Inc.  
NE NE Sec. 9, T-9-S, R-34-E  
Lea County, New Mexico

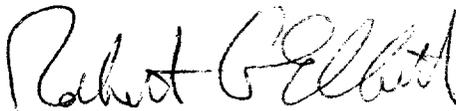
Dear Mr. Stogner:

Please dismiss this application. I found and made a lease with C.D. Sands and his wife Jane B. Sands. They are alive and well living in Elephant Butte, New Mexico. After living in Missouri they moved to Mexico and then to Elephant Butte. I found him by asking about him with everyone that I was corresponding with concernin obtaining title documents to clear up a variety of routine title questions.

For your information I leased both Sands and James Petroleum Trust for \$25 per acre, 1/6th royalty and 3 years. This is the same we have paid everyone else in the last 9 months except for the sealed bid tracts from the State in December 1991 at about \$32 per acre and 1/8th. Amoco gave us a free, 1 year, 1/4th royalty lease.

Thank you for your cooperation and understanding concerning this matter.

Very truly yours,



Robert G. Elliott  
Attorney for Applicant  
Western Reserves Oil Company, Inc.

pc: Frank Bond  
Attorney at Law  
P.O. Box 2476  
Santa Fe, NM 87504-2476

STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING  
GOVERNOR



POST OFFICE BOX 2088  
STATE LAND OFFICE BUILDING  
SANTA FE, NEW MEXICO 87504  
(505) 827-5800

March 11, 1992

Western Reserves Oil Company  
c/o Frank Bond  
P.O. Box 2476  
Santa Fe, NM 87504

**RE: Case 10445 - Application of Western Reserves Oil Company Inc. for compulsory pooling, Lea County, New Mexico.**

Dear Mr. Bond:

I am writing you in reference to our meeting yesterday concerning the subject application and your request to reconsider this matter under the provisions of General Rule 1207.A.(2), "Procedures for Unopposed Compulsory Pooling Applications."

It is my understanding that several developments have occurred since my letter of January 30, 1992, whereby Western Reserve's request to consider this application "administratively" was denied and a hearing with testimony and evidence would be required. These developments are as follows:

- 1) The 0.2083% interest of C.D. Sands is at this time outstanding; however, it appears that Western Reserves has made a due diligent effort to locate this interest and continues to do so; and,
- 2) Both the James Petroleum Trust and Amoco Production interests, 12.5% and 0.2083%, respectively, have agreed to participate.

After re-evaluation, it is my opinion that sufficient information is available for the NMOCD to consider this application pursuant to Rule 1207.A.(2). As requested, however, the following additional data must be submitted:

- 1) an affidavit confirming Amoco's and James Petroleum Trust's participation; and,
- 2) a brief discussion of Western's attempts to date in locating C.D. Sands.

Western Reserves Oil Company  
c/o Frank Bond  
March 11, 1992  
Page 2

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At this time, a re-advertisement of this matter is necessary to include certain items not in the original notice. Said re-advertisement will be for the April 2, 1992 examiner hearing and will include a stipulation stating that this matter will be taken under advisement if no objections are presented.

Should additional information be required, I will contact you as soon as possible.

If you have any questions or comments, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael E. Stogner", written over a horizontal line.

Michael E. Stogner  
Chief Hearing Officer/Engineer

MES/ag

cc: William J. LeMay - OCD Director  
Robert G. Stovall - OCD, Santa Fe

State of New Mexico  
**ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT**  
Santa Fe, New Mexico 87505



**BRUCE KING**  
GOVERNOR

ANITA LOCKWOOD  
CABINET SECRETARY

MATTHEW BACA  
DEPUTY SECRETARY

April 7, 1992

Mr. Robert G. Elliott  
Attorney At Law  
P. O. Box 5  
Midland, Texas 79702

RE: CASE NO. 10445  
ORDER NO. R-9657

Dear Sir:

Enclosed herewith are two copies of the above-referenced Division order recently entered in the subject case.

Sincerely,

*Florene Davidson*

Florene Davidson  
OC Staff Specialist

FD/sl

cc: BLM Carlsbad Office  
Frank M. Bond

**VILLAGRA BUILDING - 408 Galisteo**

Forestry and Resources Conservation Division  
P.O. Box 1948 87504-1948  
827-5830

Park and Recreation Division  
P.O. Box 1147 87504-1147  
827-7465

**2040 South Pacheco**

Office of the Secretary  
827-5950

Administrative Services  
827-5925

Energy Conservation & Management  
827-5900

Mining and Minerals  
827-5970

**LAND OFFICE BUILDING - 310 Old Santa Fe Trail**

Oil Conservation Division  
P.O. Box 2088 87504-2088  
827-5800