

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
COMMISSION OF NEW MEXICO FOR
THE PURPOSE OF CONSIDERING:

CASE NO. 4578
Order No. R-4185

APPLICATION OF HARVEY E. YATES COMPANY
FOR APPROVAL OF THE EMPIRE SOUTH DEEP
UNIT AGREEMENT, EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m. on August 18, 1971, at Santa Fe, New Mexico, before Examiner Elvis A. Utz.

NOW, on this 25th day of August, 1971, the Commission, a quorum being present, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

FINDS:

(1) That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.

(2) That the applicant, Harvey E. Yates Company, seeks approval of the Empire South Deep Unit Agreement covering 4967.87 acres, more or less, of State, Federal, and Fee lands described as follows:

EDDY COUNTY, NEW MEXICO
TOWNSHIP 17 SOUTH, RANGE 28 EAST, NMPM
Section 36: E/2

TOWNSHIP 17 SOUTH, RANGE 29 EAST, NMPM
Section 30: All
Section 31: All
Section 32: All
Section 33: SW/4

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TOWNSHIP 18 SOUTH, RANGE 28 EAST, NMPM

Section 1: All
Section 12: NE/4

TOWNSHIP 18 SOUTH, RANGE 29 EAST, NMPM

Section 4: NW/4
Section 5: All
Section 6: All
Section 7: N/2
Section 8: NW/4

(3) That approval of the proposed unit agreement should promote the prevention of waste and the protection of correlative rights within the unit area.

IT IS THEREFORE ORDERED:

(1) That the Empire South Deep Unit Agreement is hereby approved.

(2) That the plan contained in said unit agreement for the development and operation of the unit area is hereby approved in principle as a proper conservation measure; provided, however, that notwithstanding any of the provisions contained in said unit agreement, this approval shall not be considered as waiving or relinquishing, in any manner, any right, duty, or obligation which is now, or may hereafter be, vested in the Commission to supervise and control operations for the exploration and development of any lands committed to the unit and production of oil or gas therefrom.

(3) That the unit operator shall file with the Commission an executed original or executed counterpart of the unit agreement within 30 days after the effective date thereof; that in the event of subsequent joinder by any party or expansion or contraction of the unit area, the unit operator shall file with the Commission within 30 days thereafter counterparts of the unit agreement reflecting the subscription of those interests having joined or ratified.

(4) That this order shall become effective upon the approval of said unit agreement by the Commissioner of Public Lands for the State of New Mexico and the Director of the United States Geological Survey; that this order shall terminate ipso facto upon the termination of said unit agreement; and

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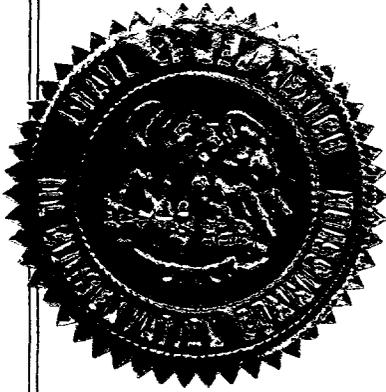
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that the last unit operator shall notify the Commission immediately in writing of such termination.

(5) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION



Bruce King

BRUCE KING, Chairman

Alex J. Armijo

ALEX J. ARMIJO, Member

A. L. Porter, Jr.

A. L. PORTER, Jr., Member & Secretary

S E A L

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