

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

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

**CASE NO. 12871
ORDER NO. R-11825**

**APPLICATION OF MEWBOURNE OIL COMPANY FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.**

ORDER OF THE DIVISION

BY THE DIVISION:

This case came on for hearing at 8:15 a.m. on August 1, 2002, at Santa Fe, New Mexico, before Examiner David R. Catanach.

NOW, on this 3rd day of September, 2002, the Division Director, having considered the record and the recommendations of the Examiner,

FINDS THAT:

(1) Due public notice has been given, and the Division has jurisdiction of this case and its subject matter.

(2) The applicant, Mewbourne Oil Company ("Mewbourne"), seeks an order pooling all mineral interests from the base of the Bone Spring formation to the base of the Atoka formation underlying the W/2 of Section 26, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico, to form a standard 320-acre gas spacing and proration unit for any formation or pool spaced on 320 acres within this vertical extent. The unit is to be dedicated to the applicant's proposed Willow Lake "26" Fee Com Well No. 1 to be drilled at a standard location within the SW/4 SW/4 of Section 26.

(3) This application was originally received by the Division on May 8, 2002, and was subsequently set for hearing on May 30, 2002.

(4) At the request of Mewbourne, this case has been continued from the May 30, 2002 docket to the June 13, 2002 docket, from the June 13, 2002 docket to the June 27, 2002 docket, and from the June 27, 2002 docket to the August 1, 2002 docket.

(5) By letter to the Division dated July 30, 2002, Mewbourne requested that this case be continued a fourth time, from the August 1, 2002 docket to the September 5, 2002 docket.

(6) Current Division procedures preclude an applicant from obtaining four or more continuances for a docketed case unless there is compelling evidence to support the additional continuance(s).

(7) Mewbourne failed to present sufficient compelling evidence to support its request for a fourth continuance.

(8) Case No. 12871 should be dismissed.

IT IS THEREFORE ORDERED THAT:

(1) The application of Mewbourne Oil Company for an order pooling all mineral interests from the base of the Bone Spring formation to the base of the Atoka formation underlying the W/2 of Section 26, Township 24 South, Range 28 East, NMPM, Eddy County, New Mexico, to form a standard 320-acre gas spacing and proration unit for any formation or pool spaced on 320 acres within this vertical extent, said unit be dedicated to the applicant's proposed Willow Lake "26" Fee Com Well No. 1 to be drilled at a standard location in the SW/4 SW/4 of Section 26, is hereby dismissed.

(2) Jurisdiction is hereby retained for the entry of such further orders as the Division may deem necessary.

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

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

LORI WROTENBERY
Director

SEAL