

CASE 5549: YATES PETROLEUM CORP.
FOR COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO.

Dismiss

CASE NO.

5549

APPLICATION,
TRANSCRIPTS,
SMALL EXHIBITS,
ETC.

BEFORE THE
NEW MEXICO OIL CONSERVATION COMMISSION
Santa Fe, New Mexico
September 10, 1975

EXAMINER HEARING

IN THE MATTER OF:

Application of Yates Petroleum
Corporation for compulsory pooling,
Eddy County, New Mexico.

CASE
5549

BEFORE: Daniel S. Nutter, Examiner.

TRANSCRIPT OF HEARING

A P P E A R A N C E S

For the New Mexico Oil
Conservation Commission:

William F. Carr, Esq.
Legal Counsel for the Commission
State Land Office Building
Santa Fe, New Mexico

sid morrish reporting service
General Court Reporting Service
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501
Phone: (505) 982-9212

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MR. NUTTER: We will call the next Case, 5549.

MR. CARR: Case 5549, application of Yates Petroleum Corporation for compulsory pooling, Eddy County, New Mexico.

Mr. Examiner, we have received a letter from George H. Hunker representing the applicant asking that this case be dismissed.

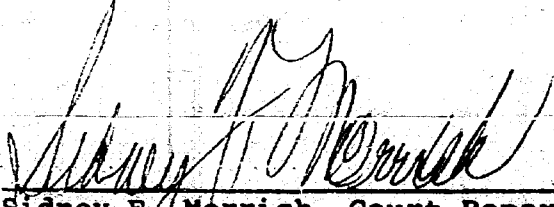
MR. NUTTER: Case 5549 will be dismissed.

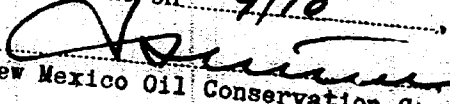
sid morrish reporting service
General Court Reporting Service
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501
Phone (505) 982-3212

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State of New Mexico)
) ss.
County of Santa Fe)

I, SIDNEY F. MORRISH, a court reporter, do hereby
certify that the foregoing and attached Transcript of Hearing
before the New Mexico Oil Conservation Commission was reported
by me, and the same is a true and correct record of the said
proceedings to the best of my knowledge, skill and ability.


Sidney F. Morrish, Court Reporter

I do hereby certify that the foregoing is
a complete record of the proceedings in
the Examiner hearing of Case No. 5549
heard by me on 9/10, 1975.

New Mexico Oil Conservation Commission Examiner

sid morrish reporting service
General Court Reporting Service
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501
Phone (505) 982-9212

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. 5549
Order No. R-5092

APPLICATION OF YATES PETROLEUM
CORPORATION FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on September 10, 1975, at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 16th day of September, 1975, the Commission, a quorum being present, having considered the record and the recommendations of the Examiner, and being fully advised in the premises,

FINDS:


That the applicant's request for dismissal should be granted.

IT IS THEREFORE ORDERED:

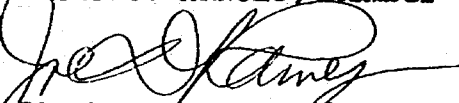
That Case No. 5549 is hereby dismissed.

DONE at Santa Fe, New Mexico, on the day and year herein-
above designated.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION


PHIL R. LUCERO, Chairman

EMERY C. ARNOLD, Member


JOE D. RAMEY, Member & Secretary

S E A L

jr/

RECEIVED
AUG 26 1975

LAW OFFICES OF
HUNKER, FEDRIC & HIGGINBOTHAM, P. A. OIL CONSERVATION COMM.
Santa Fe

210 HINKLE BUILDING

POST OFFICE BOX 1837

ROSWELL, NEW MEXICO 88201

TELEPHONE 622-2700
AREA CODE 505

GEORGE H. HUNKER, JR.
DON M. FEDRIC
RONALD M. HIGGINBOTHAM

August 25, 1975

J.D. Ramey, Executive Director
New Mexico Oil Conservation Commission
P.O. Box 2088
Santa Fe, New Mexico 87501

Case 5549

Re: Compulsory Pooling Application
Yates Petroleum Corporation
T. 17 S., R. 26 E.
Sec. 30: W $\frac{1}{2}$
Docket No. 21-75
Our File No. 75-8-12

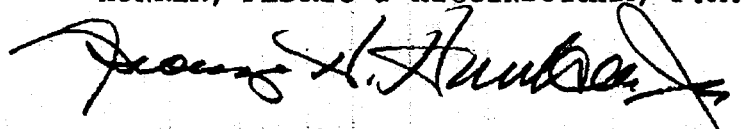
Dear Mr. Ramey:

In connection with the above matter, please be advised
that Yates Petroleum Corporation desires to withdraw its
Application to pool the W $\frac{1}{2}$ of Section 30, and the Withdrawal
in triplicate is enclosed herewith for appropriate filing.

We thank you very much for the consideration which you
have given this matter.

Sincerely yours,

HUNKER, FEDRIC & HIGGINBOTHAM, P.A.

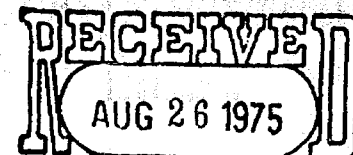


George H. Hunker, Jr.

GHH:dd
Enc.

cc: Mr. Jason W. Kellahin
Kellahin & Fox
P.O. Box 1769
Santa Fe, New Mexico 87501, w/enc.

cc: Mr. Jack McCaw
Yates Petroleum Corporation
207 South 4th St.
Artesia, New Mexico 88210, w/enc.



BEFORE THE OIL CONSERVATION COMMISSION OF THE STATE OF NEW MEXICO
OIL CONSERVATION COMM.
Santa Fe

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

CASE NO.
ORDER NO.
DOCKET NO. 21-75

APPLICATION OF YATES PETROLEUM
CORPORATION FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.

WITHDRAWAL OF APPLICATION


COMES NOW Yates Petroleum Corporation, by its Attorneys,
Hunker, Fedric & Higginbotham, P.A., and withdraws the
Application of Yates Petroleum Corporation to pool the W $\frac{1}{2}$ of
Section 30, Township 17 South, Range 26 East, N.M.P.M.,
West Atoka-Morrow Pool, Eddy County, New Mexico.

DATED AND SIGNED at Roswell, New Mexico, this 25th day
of August, 1975.

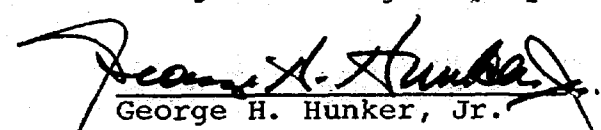
Respectfully submitted,

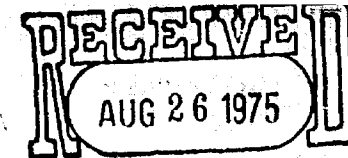
HUNKER, FEDRIC & HIGGINBOTHAM, P.A.

By


George H. Hunker, Jr.
Attorneys for Applicant
P.O. Box 1837
Roswell, New Mexico 88201

I certify that on this
25th day of August, 1975,
I mailed a true copy of
the foregoing Withdrawal
to Jason Kellahin, Esq.,
P.O. Box 1769, Santa Fe,
New Mexico, Attorney for
Navajo Refining Company.


George H. Hunker, Jr.



BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

Santa Fe

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

CASE NO.
ORDER NO.
DOCKET NO. 21-75

APPLICATION OF YATES PETROLEUM
CORPORATION FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.

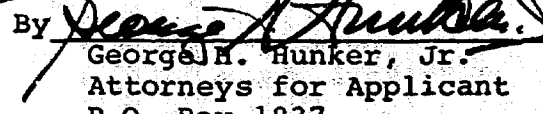
WITHDRAWAL OF APPLICATION

COMES NOW Yates Petroleum Corporation, by its Attorneys,
Hunker, Fedric & Higginbotham, P.A., and withdraws the
Application of Yates Petroleum Corporation to pool the W_{1/2} of
Section 30, Township 17 South, Range 26 East, N.M.P.M.,
West Atoka-Morrow Pool, Eddy County, New Mexico.

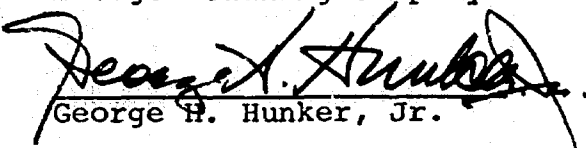
DATED AND SIGNED at Roswell, New Mexico, this 25th day
of August, 1975.

Respectfully submitted,

HUNKER, FEDRIC & HIGGINBOTHAM, P.A.

By 
George H. Hunker, Jr.
Attorneys for Applicant
P.O. Box 1837
Roswell, New Mexico 88201

I certify that on this
25th day of August, 1975,
I mailed a true copy of
the foregoing Withdrawal
to Jason Kellahin, Esq.,
P.O. Box 1769, Santa Fe,
New Mexico, Attorney for
Navajo Refining Company.


George H. Hunker, Jr.

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

RECEIVED
AUG 26 1975
OIL CONSERVATION COMM.
Santa Fe

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

CASE NO.
ORDER NO.
DOCKET NO. 21-75

APPLICATION OF YATES PETROLEUM
CORPORATION FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.


WITHDRAWAL OF APPLICATION

COMES NOW Yates Petroleum Corporation, by its Attorneys,
Hunker, Fedric & Higginbotham, P.A., and withdraws the
Application of Yates Petroleum Corporation to pool the W $\frac{1}{2}$ of
Section 30, Township 17 South, Range 26 East, N.M.P.M.,
West Atoka-Morrow Pool, Eddy County, New Mexico.

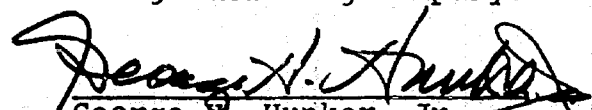
DATED AND SIGNED at Roswell, New Mexico, this 25th day
of August, 1975.

Respectfully submitted,

HUNKER, FEDRIC & HIGGINBOTHAM, P.A.

By 
George H. Hunker, Jr.
Attorneys for Applicant
P.O. Box 1837
Roswell, New Mexico 88201

I certify that on this
25th day of August, 1975,
I mailed a true copy of
the foregoing Withdrawal
to Jason Kellahin, Esq.,
P.O. Box 1769, Santa Fe,
New Mexico, Attorney for
Navajo Refining Company.


George H. Hunker, Jr.

Dockets Nos. 22-75 and 23-75 are tentatively set for hearing on September 24 and October 8, 1975. Applications for hearing must be filed at least 22 days in advance of hearing date.

DOCKET: EXAMINER HEARING - WEDNESDAY - SEPTEMBER 10, 1975

9 A.M. - OIL CONSERVATION COMMISSION CONFERENCE ROOM,
STATE LAND OFFICE BUILDING, SANTA FE, NEW MEXICO

The following cases will be heard before Daniel S. Nutter, Examiner, or Richard L. Stamets, Alternate Examiner:

- ALLOWABLE:
- (1) Consideration of the allowable production of gas from seventeen prorated pools in Lea, Eddy, Roosevelt, and Chaves Counties, New Mexico, for October, 1975.
 - (2) Consideration of the allowable production of gas from five prorated pools in San Juan, Rio Arriba, and Sandoval Counties, New Mexico, for October, 1975.

CASE 5548: Application of Tenneco Oil Company for an unorthodox gas well location, San Juan County, New Mexico. Applicant, in the above-styled cause, seeks approval for the unorthodox location of its Florence Well No. 38A, located 1622 feet from the North line and 2010 feet from the West line of Section 14, Township 30 North, Range 8 West, Undesignated Mesaverde Pool, San Juan County, New Mexico, the W/2 of said Section 14 to be dedicated to the well.

CASE 5549: Application of Yates Petroleum Corporation for compulsory pooling, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks an order pooling all mineral interests in the Pennsylvanian formation underlying the W/2 of Section 30, Township 17 South, Range 26 East, Eddy County, New Mexico, to be dedicated to a well to be drilled at a standard location for said unit. 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. Also to be considered will be the designation of the applicant as the operator of the well and a charge for the risk involved in drilling said well.

CASE 5550: Application of Yates Petroleum Corporation for two unorthodox gas well locations, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks approval for the unorthodox location of its Achen-Fry Deep Well No. 2 and its Arco EC Well No. 2 to be located, respectively, 660 feet from the South and East lines of Section 13 and 1980 feet from the South line and 660 feet from the East line of Section 36, the latter adjacent to the West Atoka-Morrow Gas Pool, both in Township 17 South, Range 25 East, Eddy County, New Mexico, the S/2 of said Sections 13 and 36 to be dedicated, respectively, to said wells.

Case 5549
AUG 19 1975
NEW MEXICO
L. CONSERVATION COMM.
SANTA FE
TELEPHONE 622-2700
AREA CODE 505

LAW OFFICES OF
HUNKER, FEDRIC & HIGGINBOTHAM, P. A.

210 HINKLE BUILDING

POST OFFICE BOX 1837

ROSWELL, NEW MEXICO 88201

GEORGE H. HUNKER, JR.
DON M. FEDRIC
RONALD M. HIGGINBOTHAM

August 18, 1975

J.D. Ramey, Executive Director
New Mexico Oil Conservation Commission
P.O. Box 2088
Santa Fe, New Mexico 87501

Re: Compulsory Pooling
Yates Petroleum Corporation
T. 17 S., R. 26 E.
Sec. 30: W $\frac{1}{2}$
Our File 75-8-12

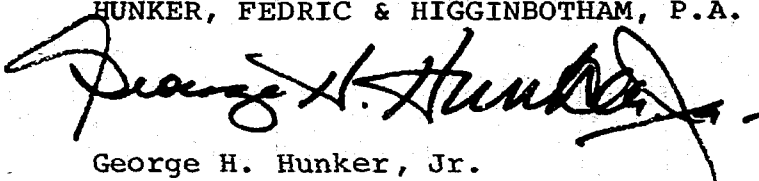
Dear Mr. Ramey:

We hand you herewith the original and two counterparts of an Application by Yates Petroleum Corporation to compulsorily pool the above described tract as to mineral interests in the Pennsylvanian formation or older. We would appreciate it if you would include this matter for hearing at your September 10, 1975, Examiner Hearing.

Thank you very much for your early consideration of this matter.

Sincerely yours,

HUNKER, FEDRIC & HIGGINBOTHAM, P.A.


George H. Hunker, Jr.

GHH:dd
Enc.

cc: Yates Petroleum Corporation
Yates Building
Artesia, New Mexico 88210
Attn: Mr. Jack McCaw

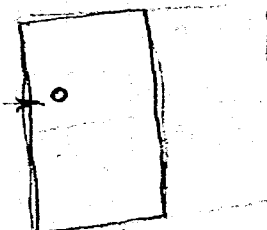
BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

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

CASE NO.
ORDER NO.

APPLICATION OF YATES PETROLEUM
CORPORATION FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.

1980 N
660'



A P P L I C A T I O N

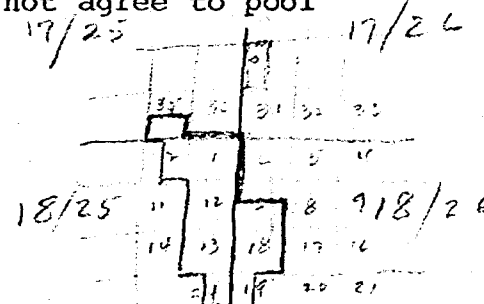
COMES NOW Yates Petroleum Corporation, by and through
its Attorneys, Hunker, Fedric & Higginbotham, P.A., P.O. Box
1837, Roswell, New Mexico 88201, and makes application to the
Commission for a hearing before the Examiner of the Commission
for an Order pooling all mineral interests in the Pennsylvanian
formation or older underlying the W $\frac{1}{2}$ Section 30, Township 17
South, Range 26 East, N.M.P.M., West Atoka-Morrow Pool, Eddy
County, New Mexico, and in support thereof, SHOWS:

nope -
not within
one mile

1. That the Applicant has the right to drill its Yates
Petroleum Corporation #1 Nellor "E.O." (an 8800' Morrow test)
at a standard location for a 320-acre spacing unit, 660' from
the West line and 1980' from the North line of Section 30,
Township 17 South, Range 26 East, N.M.P.M., Eddy County, New
Mexico, and proposes to complete said well in the Morrow
formation in the Pennsylvanian Age.

2. That a portion of the acreage to be dedicated to said
well is not pooled or communitized, consisting of the N $\frac{1}{2}$ SW $\frac{1}{4}$
Section 30, Township 17 South, Range 26 East, the leasehold
estate being claimed or owned by Navajo Refining Company.

That said party has not agreed to pool its interest,
and there may be other parties who will not agree to pool
their interests.



3. That in order to avoid the drilling of unnecessary wells, to protect correlative rights and to afford to the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense, his just and fair share of the gas in said pool, it is necessary and proper that an Order be entered herein pooling all mineral interests, whatever they may be, within said unit as to the Pennsylvanian formation or older formations underlying the W $\frac{1}{2}$ Section 30, Township 17 South, Range 26 East, N.M.P.M., Eddy County, New Mexico.

4. That Yates Petroleum Corporation should be designated the Operator of the unit.

5. That a hearing should be had for the purpose of determining and considering the cost of drilling and completing said test well and the allocation of such costs as well as the actual operating costs and charges for supervision. That Applicant will ask that a charge be made for the risk involved in drilling said well.

6. That the following named persons are believed to be interested parties:

Navajo Refining Company
Attention: Mr. Fred Hansen
P.O. Drawer 159
Artesia, New Mexico 88210

WHEREFORE, Applicant prays that an Order be entered herein pooling all mineral interests in the Pennsylvanian formation or older underlying the W $\frac{1}{2}$ Section 30, Township 17 South, Range 26 East, N.M.P.M., Eddy County, West Atoka-Morrow Gas Pool, naming Yates Petroleum Corporation as the Operator of the unit and providing for the allocation of costs of drilling and operating said well, together with a reasonable charge for the risk involved therein, together with such further Orders and Rules as may be appropriate in the premises.

Respectfully submitted,

HUNKER, FEDRIC & HIGGINBOTHAM, P.A.

By

George H. Hunker, Jr.
George H. Hunker, Jr.
Attorneys for Applicant
P.O. Box 1837
Roswell, New Mexico 88201

DOCKET MAILED

Date 8/29/75

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.
ORDER NO.

APPLICATION OF YATES PETROLEUM
CORPORATION FOR COMPULSORY
POOLING, EDDY COUNTY, NEW MEXICO.

A P P L I C A T I O N

COMES NOW Yates Petroleum Corporation, by and through its Attorneys, Hunker, Fedric & Higginbotham, P.A., P.O. Box 1837, Roswell, New Mexico 88201, and makes application to the Commission for a hearing before the Examiner of the Commission for an Order pooling all mineral interests in the Pennsylvanian formation or older underlying the W $\frac{1}{2}$ Section 30, Township 17 South, Range 26 East, N.M.P.M., West Atoka-Morrow Pool, Eddy County, New Mexico, and in support thereof, SHOWS:

1. That the Applicant has the right to drill its Yates Petroleum Corporation #1 Nellor "E.O." (an 8800' Morrow test) at a standard location for a 320-acre spacing unit, 660' from the West line and 1980' from the North line of Section 30, Township 17 South, Range 26 East, N.M.P.M., Eddy County, New Mexico, and proposes to complete said well in the Morrow formation in the Pennsylvanian Age.

2. That a portion of the acreage to be dedicated to said well is not pooled or communitized, consisting of the N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 30, Township 17 South, Range 26 East, the leasehold estate being claimed or owned by Navajo Refining Company.

That said party has not agreed to pool its interest, and there may be other parties who will not agree to pool their interests.

3. That in order to avoid the drilling of unnecessary wells, to protect correlative rights and to afford to the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense, his just and fair share of the gas in said pool, it is necessary and proper that an Order be entered herein pooling all mineral interests, whatever they may be, within said unit as to the Pennsylvanian formation or older formations underlying the W $\frac{1}{2}$ Section 30, Township 17 South, Range 26 East, N.M.P.M., Eddy County, New Mexico.

4. That Yates Petroleum Corporation should be designated the Operator of the unit.

5. That a hearing should be had for the purpose of determining and considering the cost of drilling and completing said test well and the allocation of such costs as well as the actual operating costs and charges for supervision. That Applicant will ask that a charge be made for the risk involved in drilling said well.

6. That the following named persons are believed to be interested parties:

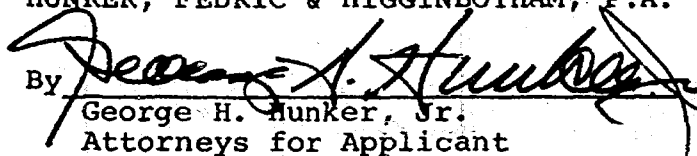
Navajo Refining Company
Attention: Mr. Fred Hansen
P.O. Drawer 159
Artesia, New Mexico 88210

WHEREFORE, Applicant prays that an Order be entered herein pooling all mineral interests in the Pennsylvanian formation or older underlying the W $\frac{1}{2}$ Section 30, Township 17 South, Range 26 East, N.M.P.M., Eddy County, West Atoka-Morrow Gas Pool, naming Yates Petroleum Corporation as the Operator of the unit and providing for the allocation of costs of drilling and operating said well, together with a reasonable charge for the risk involved therein, together with such further Orders and Rules as may be appropriate in the premises.

Respectfully submitted,

HUNKER, FEDRIC & HIGGINBOTHAM, P.A.

By


George H. Hunker, Jr.
Attorneys for Applicant
P.O. Box 1837
Roswell, New Mexico 88201

LAW OFFICES OF
HUNKER, FEDRIC & HIGGINBOTHAM, P. A.

210 HINKLE BUILDING

POST OFFICE BOX 1837

ROSWELL, NEW MEXICO 88201

GEORGE H. HUNKER JR
DON M. FEDRIC
RONALD M. HIGGINBOTHAM

TELEPHONE 622-2700
AREA CODE 505

August 22, 1975

AUG 25 1975
OIL CONSERVATION COMMISSION
Santa Fe

J.D. Ramey, Executive Director
New Mexico Oil Conservation Commission
P.O. Box 2088
Santa Fe, New Mexico 87501

Case 5549

Re: Compulsory Pooling Application
Yates Petroleum Corporation
T. 17 S., R. 26 E.
Sec. 30: W $\frac{1}{2}$
Our File No. 75-8-12

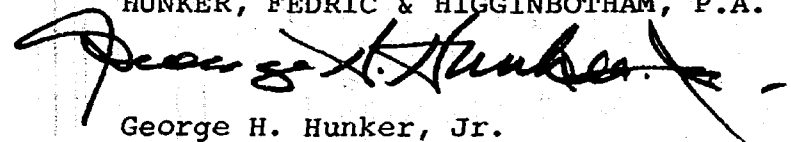
Dear Mr. Ramey:

We have been advised that the Navajo Refining Company Application in Case No. 5546, set for hearing on August 27, 1975, is being withdrawn. If such is the case, we would like to withdraw the Yates Petroleum Corporation Application filed by us on August 18, 1975, to pool the W $\frac{1}{2}$ of Section 30, Township 17 South, Range 26 East, N.M.P.M. The latter Application was to have been advertised for the September 10, 1975, Examiner Hearing.

If the Navajo Application is not withdrawn, it may be considered on September 10, 1975, with the Yates Application. Mr. Kellahin said he was not kindly disposed to a continuance of 5546, but indicated that he would abide by the decision of the Commission. We feel that this matter is being resolved by the interested parties.

Respectfully submitted,

HUNKER, FEDRIC & HIGGINBOTHAM, P.A.


George H. Hunker, Jr.

GHH:dd

cc: Mr. Jas W. Kellahin
Kellahin, Fox, Attys.
Santa Fe, New Mexico 87501
cc: Yates Petroleum Corporation
Attn: Mr. Jack McCaw
Artesia, New Mexico 88210

DRAFT

dr/

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. 5549

Order No. R- 5092

APPLICATION OF YATES PETROLEUM
CORPORATION FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

[Handwritten signatures]

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on September 10, 1975,
at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this _____ day of September, 1975, the Commission,
a quorum being present, having considered the record and the recom-
mendations of the Examiner, and being fully advised in the premises,

FINDS:

That the applicant's request for dismissal should be
granted.

IT IS THEREFORE ORDERED:

That Case No. 5549 is hereby dismissed.

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

Geo Hunker 11:00 am
8/18/75
~~6449~~

Yates Petr. Corp.

std loc 1980 FNL 660WNL
gas Pool.

W. Ataka-Morrow Eddy
min'l ints

force pooling all in Penn
or older

underlying W/2 30-175-26E