

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

**APPLICATION OF KAISER-FRANCIS OIL
COMPANY FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

Case No. _____

APPLICATION

Kaiser-Francis Oil Company applies for an order pooling all mineral interest owners in the Delaware formation underlying a horizontal spacing and unit comprised of the W/2SW/4 of Section 24 and the W/2W/2 of Section 25, Township 23 South, Range 28 East, N.M.P.M., Eddy County, New Mexico, and in support thereof, states:

1. Applicant is an interest owner in the W/2SW/4 of Section 24 and the W/2W/2 of Section 25, and has the right to drill a well thereon.
2. Applicant proposes to drill the Brantley Fee 2425 LBC Well No. 1H, with a first take point in the NW/4SW/4 of Section 24 and a final take point in the SW/4SW/4 of Section 25. Applicant seeks to dedicate the W/2SW/4 of Section 24 and the W/2W/2 of Section 25 to the well in the Delaware formation.
3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the W/2SW/4 of Section 24 and the W/2W/2 of Section 25 for the purposes set forth herein.
4. Although applicant attempted to obtain voluntary agreements from all mineral interest owners to participate in the drilling of the well or to otherwise commit their interests to the well, certain interest owners have failed or refused to join in dedicating their interests. Therefore, applicant seeks an order pooling all mineral interest owners in the Delaware

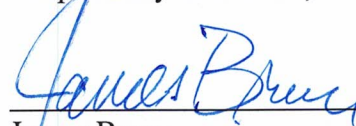
formation underlying the W/2SW/4 of Section 24 and the W/2W/2 of Section 25, pursuant to NMSA 1978 §70-2-17.

5. The pooling of all mineral interest owners in the Delaware formation underlying the W/2SW/4 of Section 24 and the W/2W/2 of Section 25 will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

WHEREFORE, applicant requests that, after notice and hearing, the Division enter its order:

- A. Pooling all mineral interest owners in the Delaware formation underlying the W/2SW/4 of Section 24 and the W/2W/2 of Section 25;
- B. Designating applicant as operator of the well;
- C. Considering the cost of drilling, completing, and equipping the well, and allocating the cost among the well's working interest owners;
- D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and
- E. Setting a 200% charge for the risk involved in drilling, completing, and equipping the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,



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