

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

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

Case No. _____

APPLICATION

Mewbourne Oil Company applies for an order pooling all uncommitted mineral interest owners in the Bone Spring formation underlying a horizontal spacing unit comprised of the E/2W/2 of Section 33, Township 23 South, Range 28 East, N.M.P.M., and Lot 3, SE/4NW/4, and E/2SW/4 (the E/2W/2) of Section 4, Township 24 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 E/2W/2 of Section 33 and the E/2W/2 of Section 4 (containing 320.05 acres), and has the right to drill a well thereon.
2. Applicant proposes to drill its Foreigner 33/4 Fed. Com. Well No. 524H to a depth sufficient to test the Bone Spring formation, with a first take point in the NE/4NW/4 of Section 33 and a last take point in the SE/4SW/4 of Section 4.
3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the E/2W/2 of Section 33 and the E/2W/2 of Section 4 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 uncommitted mineral interest owners in the Bone

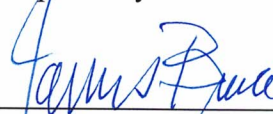
Spring formation underlying the E/2W/2 of Section 33 and the E/2W/2 of Section 4, pursuant to NMSA 1978 §70-2-17.

5. The pooling of all uncommitted mineral interest owners in the Bone Spring formation underlying the E/2W/2 of Section 33 and the E/2W/2 of Section 4 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 uncommitted mineral interest owners in the Bone Spring formation (Culebra Bluff; Bone Spring, South Pool/Pool Code 15011) underlying the E/2W/2 of Section 33 and the E/2W/2 of Section 4;
- B. Designating applicant as operator of the well;
- C. Considering the cost of drilling, completing, testing, 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, testing and equipping the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,



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