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OGOMES -TPWQ
PAGE NO: 1

Sec : 02 Twp : 25S Rng : 29E Section Type : NORMAL

Section	Area	Value	Code	Description	Date
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39.64	39.72	39.80	39.88		
CS	CS	CS	CS		
V03361 0001	V03361 0001	V03361 0001	V03361 0001		
OXY USA WTP LIMIT					
08/01/95	08/01/95	08/01/95	08/01/95		
C A			C C		
E	F	G	H		
40.00	40.00	40.00	40.00		
CS	CS	CS	CS		
V03361 0001	V03361 0001	V03361 0001	V03361 0001		
OXY USA WTP LIMIT					
08/01/95	08/01/95	08/01/95	08/01/95		
L	K	J	I		
40.00	40.00	40.00	40.00		
CS	CS	CS	CS		
V03361 0001	V03361 0001	V03361 0001	V03361 0001		
OXY USA WTP LIMIT					
08/01/95	08/01/95	08/01/95	08/01/95		
M	N	O	P		
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CS	CS	CS	CS		
V03361 0001	V03361 0001	V03361 0001	V03361 0001		
OXY USA WTP LIMIT					
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STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

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

CASE NO. 11530
Order No. R-10591

THE APPLICATION OF THE OIL CONSERVATION
DIVISION UPON ITS OWN MOTION FOR AN
ORDER CREATING AND EXTENDING CERTAIN
POOLS IN CHAVES AND EDDY COUNTIES, NEW
MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on May 2, 1996, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this 8th day of May, 1996, the Division Director, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

FINDS THAT:

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

(2) There is need for the creation of a new pool in Eddy County, New Mexico, for the production of oil from the Delaware formation, said pool to bear the designation of Northwest Corral Canyon-Delaware Pool. Said Northwest Corral Canyon-Delaware Pool was discovered by the Santa Fe Energy Resources, Inc. Corral Fly Unit Well No. 1 located in Unit G of Section 2, Township 25 South, Range 29 East, NMPM. It was completed in the Delaware formation on February 23, 1996. The top of the perforations is at 5,341 feet.

(3) There is need for the creation of a new pool in Chaves County, New Mexico, for the production of gas from the Pennsylvanian formation, said pool to bear the designation

Case No. 11530
Order No. R-10591

-2-

of Elkins-Pennsylvanian Gas Pool. Said Elkins-Pennsylvanian Gas Pool was discovered by the Walter Exploration, Inc. J. G. O'Brien Well No. 4 located In Unit L of Section 31, Township 7 South, Range 29 East, NMPM. It was completed in the Pennsylvanian formation on August 31, 1987. The top of the perforations is at 6,761 feet.

(4) There is need for the creation of a new pool in Eddy County, New Mexico, for the production of oil from the Bone Spring formation, said pool to bear the designation of Happy Valley-Bone Spring Pool. Said Happy Valley-Bone Spring Pool was discovered by the Pennwell Energy, Inc. Rookie State Well No. 1 located in Unit B of Section 7, Township 22 South, Range 26 East, NMPM. It was completed in the Bone Spring formation on March 15, 1996. The top of the perforations is at 6,715 feet.

(5) There is need for certain extensions to the East Burton-Delaware Pool, the East Burton Flat-Strawn Gas Pool, the East Burton Flat-Wolfcamp Gas Pool, the South Carlsbad-Strawn Gas Pool, the Cedar Canyon-Delaware Pool, the Cedar Canyon-Morrow Gas Pool, the South Dagger Draw-Upper Pennsylvanian Associated Pool, the Happy Valley-Delaware Pool, the Loco Hills-Atoka Gas Pool, the Nash Draw-Brushy Canyon Pool, the West Parkway-Morrow Gas Pool, the Southeast Quahada Ridge-Delaware Pool, the Sand Tank-Morrow Gas Pool, and the Turkey Track-Atoka Gas Pool, all in Eddy County, New Mexico.

IT IS THEREFORE ORDERED THAT:

(a) A new pool in Eddy County, New Mexico, classified as an oil pool for Delaware production is hereby created and designated as the Northwest Corral Canyon-Delaware Pool, consisting of the following described area:

TOWNSHIP 25 SOUTH, RANGE 29 EAST, NMPM
Section 2: E/2
Section 11: NE/4

(b) A new pool in Chaves County, New Mexico, classified as a gas pool for Pennsylvanian production is hereby created and designated as the Elkins-Pennsylvanian Gas Pool, consisting of the following described area:

TOWNSHIP 7 SOUTH, RANGE 29 EAST, NMPM
Section 31: W/2

(c) A new pool in Eddy County, New Mexico, classified as an oil pool for Bone Spring production is hereby created and designated as the Happy Valley-Bone Spring Pool, consisting of the following described area:

Case No. 11530
Order No. R-10591

-3-

TOWNSHIP 22 SOUTH, RANGE 26 EAST, NMPM

Section 7: NE/4

(d) The East Burton-Delaware Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 20 SOUTH, RANGE 29 EAST, NMPM

Section 4: E/2

Section 9: E/2

(e) The East Burton Flat-Strawn Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 20 SOUTH, RANGE 29 EAST, NMPM

Section 22: S/2

Section 27: N/2

(f) The East Burton Flat-Wolfcamp Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 20 SOUTH, RANGE 29 EAST, NMPM

Section 27: N/2

Section 28: N/2

(g) The South Carlsbad-Strawn Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 22 SOUTH, RANGE 27 EAST, NMPM

Section 20: W/2

(h) The Cedar Canyon-Delaware Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 24 SOUTH, RANGE 29 EAST, NMPM

Section 21: SE/4

(i) The Cedar Canyon-Morrow Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 24 SOUTH, RANGE 29 EAST, NMPM

Section 11: W/2

Case No. 11530
Order No. R-10591

-4-

(j) The South Dagger Draw-Upper Pennsylvanian Associated Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 20 SOUTH, RANGE 24 EAST, NMPM

Section 34: W/2

(k) The Happy Valley-Delaware Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 22 SOUTH, RANGE 26 EAST, NMPM

Section 32: NE/4

(l) The Loco Hills-Atoka Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 17 SOUTH, RANGE 20 EAST, NMPM

Section 35: N/2

Section 36: N/2

(m) The Nash Draw-Brushy Canyon Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 23 SOUTH, RANGE 30 EAST, NMPM

Section 30: SW/4

(n) The West Parkway-Morrow Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 19 SOUTH, RANGE 29 EAST, NMPM

Section 30: S/2

(o) The Southeast Quahada Ridge-Delaware Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 22 SOUTH, RANGE 30 EAST, NMPM

Section 36: NE/4

(p) The Sand Tank-Morrow Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

Case No. 11530
Order No. R-10591

-5-

TOWNSHIP 18 SOUTH, RANGE 30 EAST, NMPM

Section 7: E/2

Section 8: W/2

(q) The Turkey Track-Atoka Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 19 SOUTH, RANGE 29 EAST, NMPM

Section 16: N/2

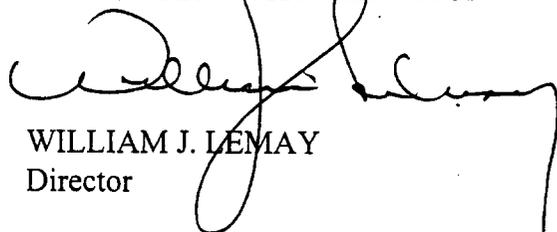
IT IS FURTHER ORDERED THAT:

(1) Pursuant to Section 70-2-18, NMSA 1978, contained in Chapter 271, Laws of 1969, any well which, by virtue of any of the above pool extensions, is subject to pool rules providing for spacing or proration units larger than the one which is presently dedicated thereto, shall have 60 days from the effective date of this order in which to file new Forms C-102 dedicating a standard unit for the pool to said well or to obtain a non-standard unit approved by the Division. Pending such compliance, the well shall receive a maximum allowable in the same proportion to a standard allowable for the pool that the acreage dedicated to the well bears to a standard unit for the pool. Failure to file Form C-102 dedicating a standard unit to the well or to obtain a non-standard unit approved by the Division within said 60-day period shall subject the well to cancellation of allowable.

(2) The effective date of this order and all creations and extensions included herein shall be June 1, 1996.

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

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION



WILLIAM J. LEMAY
Director

SEAL

fd/

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

CASE NO. 11530
Order No. R-10591-A

THE APPLICATION OF THE OIL CONSERVATION
DIVISION UPON ITS OWN MOTION FOR AN
ORDER CREATING AND EXTENDING CERTAIN
POOLS IN CHAVES AND EDDY COUNTIES, NEW
MEXICO.

NUNC PRO TUNC ORDER

BY THE DIVISION:

It appearing to the Division that Order No. R-10591 dated May 8, 1996, does not correctly state the intended order of the Division,

IT IS THEREFORE ORDERED THAT:

(1) Decretory Paragraph No. (1) on page 4 of said Division Order No. R-10591 be and the same is hereby amended to read as follows:

"(1) The Loco Hills-Atoka Gas Pool in Eddy County, New Mexico, as heretofore classified, defined, and described, is hereby extended to include therein:

TOWNSHIP 17 SOUTH, RANGE 30 EAST, NMPM

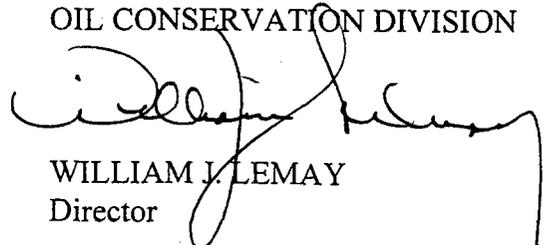
Section 35: N/2

Section 36: N/2"

(2) The corrections set forth in this order be entered nunc pro tunc as of May 8, 1996.

DONE at Santa Fe, New Mexico, on this 17th day of May, 1996.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION


WILLIAM J. LEMAY
Director

SEAL

DOCKET: EXAMINER HEARING - THURSDAY – SEPTEMBER 8, 2005

8:15 A.M. - 1220 South St. Francis
Santa Fe, New Mexico

Docket Nos. 30-05 and 31-05 are tentatively set for September 22, 2005 and October 6, 2005. Applications for hearing must be filed at least 23 days in advance of hearing date. OCD Rule 1208.B requires parties who intend to present evidence at an adjudicatory hearing to file a pre-hearing statement no later than the Friday before the hearing, and serve a copy on opposing counsel of record. If the OCD does not receive a pre-hearing statement from the applicant by the close of business on the Friday before the hearing, the hearing may be continued or dismissed by order of the examiner. If a protesting party fails to submit a timely pre-hearing statement, the hearing may be continued at the applicant's request. The following cases will be heard by an Examiner.

CASE 13536: *Continued from August 11, 2005, Examiner Hearing*

Application of Yates Petroleum Corporation for approval of a Unit Agreement, Lea County, New Mexico. Applicant seeks approval of the Wills State Exploratory Unit from the surface to the base of the Mississippian formation in an area comprising 9880.53 acres of State of New Mexico lands in Sections 11,14, 15, 16, 17, 19, 20, 21, 23, 26, 27, 28, 29, 30, 31, 34 and 35 and to depths below 9400 feet to the base of the Mississippian in Section 22 in Township 10 South, Range 33 East, which is located approximately 15 miles west of Crossroads, New Mexico.

CASE 13550: *Application of Yates Petroleum Corporation for approval of a Unit Agreement, Chaves County, New Mexico.* Applicant seeks approval of the Lacrosse State Exploratory Unit from the surface to the top of the PreCambrian formation in an area comprising 3800 acres of State of New Mexico and Fee lands in Sections 22, 27, 28, 32, 33 and 34 in Township 11 South, Range 27 East, which is located approximately 16 miles southeast of Roswell, New Mexico.

CASE 13527: *Continued from August 25, 2005, Examiner Hearing*

Readvertised. This Case will be Continued to the September 8, 2005, Examiner Hearing.

Application of NorthStar Operating Company for approval of a Unit Agreement, Lea County, New Mexico. Applicant seeks approval of the NorthStar Operating Company East Denton Unit from the surface to the base of the Wolfcamp formation in an area comprising 160 acres of fee lands in the E/2 NW/4 and W/2 NE/4 of Section 8 of Township 15 South, Range 38 East, which is located approximately 15 miles east of Lovington, New Mexico.

CASE 13528: *Continued from August 25, 2005, Examiner Hearing*

Readvertised. This Case will be Continued to the September 8, 2005, Examiner Hearing.

Amended Application of NorthStar Operating Company for an Unorthodox Gas Well Location, Lea County, New Mexico. Applicant seeks approval of an unorthodox well location in the Wolfcamp formations, for its Fort Well No. 1 to be drilled at an unorthodox well location 2100 feet from the North line and 2500 feet from the East line of Section 8, Township 15 South, Range 38 East. Said well is located approximately 15 miles east of Lovington, New Mexico.

CASE 13551: *Application of Latigo Petroleum, Inc. for Compulsory Pooling, Eddy County, New Mexico.*

Applicant seeks an order pooling all mineral interests from the top of the Wolfcamp formation to the base of the Atoka formation underlying the E/2 of Section 13, Township 23 South, Range 28 East, to form a standard 320-acre gas spacing and proration unit for any and all formations or pools developed on 320-acre spacing within that vertical extent, including the Undesignated South Culebra-Atoka Gas Pool or Undesignated Laguna Salado-Atoka Gas Pool. The unit is to be dedicated to the North Bank 13 Federal Well No. 1, to be located at an orthodox well location in the SW/4 SE/4 of Section 13. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 4 miles east-northeast of Loco Hills, New Mexico.

CASE 13495: *Reopened*

Application of JTD Resources, LLC to reopen Case No. 13,495 for Compulsory Pooling, Lea County, New Mexico.

Applicant seeks an order pooling all mineral interests from the surface to the base of the Abo formation underlying the NE/4 NE/4 of Section 3, Township 20 South, Range 38 East, to form a standard 40-acre oil spacing and proration unit for any and all formations or pools developed on 40-acre spacing within that vertical extent, including the Undesignated Nadine-San Andres Pool, Undesignated House-Blinebry Pool, Undesignated North House-Tubb Pool, Undesignated House (Drinkard) Pool, and Undesignated House-Abo Pool. The unit is to be dedicated to the Salem Well No. 1, to be located at an orthodox oil well location. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of Capataz Operating, Inc. as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 1 mile south of Nadine, New Mexico.

CASE 13552: *Application of Edge Petroleum Exploration Company for Compulsory Pooling, Eddy County, New*

Mexico. Applicant seeks an order pooling all mineral interests from the base of the Bone Spring formation to the base of the Morrow formation underlying the N/2 of Section 29, Township 20 South, Range 30 East, to form a 320-acre gas spacing and proration unit for all formations and/or pools developed on 320-acre spacing within that vertical extent, including the Undesignated Golden Lane-Strawn Gas Pool and Undesignated Dos Hermanos-Morrow Gas Pool. The unit is to be dedicated to a well to be drilled from a surface location 2520 feet from the North line and 1130 feet from the West line of Section 28, Township 20 South, Range 30 East, to an orthodox bottomhole location 710 feet from the North line and 1700 feet from the East line of Section 29. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of Edge Petroleum Operating Company as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 16-1/2 miles northeast of Carlsbad, New Mexico.

CASE 13553: *Application of Magnum Hunter Production, Inc. for Compulsory Pooling, Eddy County, New Mexico.* Applicant seeks an order pooling all mineral interests from a depth of approximately 11,700 feet subsurface to the base of the Morrow formation underlying Section 11, Township 25 South, Range 26 East, to form a standard 640-acre gas spacing and proration unit for any and all formations or pools developed on 640-acre spacing within that vertical extent, including the White City-Pennsylvanian Gas Pool. The unit is to be dedicated to the Grynberg 11 Fed. Com. Well No. 3, to be drilled at an orthodox gas well location in the NW/4 SW/4 of Section 11. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of Gruy Petroleum Management Company as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 6 miles east-southeast of Whites City, New Mexico.

CASE 13533: *Continued from August 11, 2005, Examiner Hearing*
Application of Energen Resources Corporation to Amend Compulsory Pooling Order No. R-10154 to Include Provisions for an Infill Well and to Address Excess Royalty Burdens, San Juan County, New Mexico. Applicant seeks an order amending Order No. R-10154 which pooled all interests in the Fruitland Coal formation, (Basin-Fruitland Coal Gas Pool) underlying the S/2 of Section 19, Township 30 North, Range 11 West, forming a standard 326.26 acre spacing and proration unit to allow the recovery of the costs of drilling, equipping and completing the Flora Vista "19" Well No. 3 Fruitland Coal formation infill well drilled at a standard location 675 feet from the south line and 1025 feet from the east line (Unit P) of said Section 19. Also to be considered will be the allocation of the costs of drilling, equipping and completing the infill well and Applicant's costs of supervision while drilling and after completion, including overhead charges and imposing a 200% risk charge for the risks assumed by the Applicant in drilling, completing and equipping the well. Applicant further seeks authorization for the recovery of costs and the risk charge out of the full working interest in the lease covering the SE/4 of said Section 19 without recognition of an overriding royalty interest claimed by the owners thereof. The well is located approximately 2 miles east of Flora Vista, New Mexico.

CASE 13549: *Application of the New Mexico Oil Conservation Division for a Compliance Order Against McDonnold Operating Inc.* The Applicant seeks an order requiring McDonnold Operating Inc. to bring fifteen wells into compliance with 19.15.4.201 NMAC; authorizing the Division to plug said wells in the event of noncompliance and forfeit the applicable financial assurance; imposing civil penalties, and for such other relief as the Director deems appropriate. The affected wells are the following:

Bay Federal #003, API 30-025-04408, UL D, S35, 20S, R36E, Lea County
Langlie Jack Unit #007, API 30-025-11172, UL F, S20, T24S, R37E, Lea County
Langlie Jack Unit #006, API 30-025-11173, UL D, 20, 24S, R37E, Lea County
Langlie Jack Unit #004, API 30-025-11174, UL B, S20, T24S, R37E, Lea County
Litie Woolworth, #004, API 30-025-11268, UL L, S20, T24S, R37E, Lea County
Jack A 29 #002, API 30-025-11277, UL I, S29, T24S, R37E, Lea County
Jack A 29 #004, API 30-025-11279, UL O, S29, T24S, R37E, Lea County
George L. Erwin #003, API 30-025-11361, UL K, S35, T24S, R37E, Lea County
Jack A 29 #008, API 30-025-24788, UL J, S29, T24S, R37E, Lea County
State A 16 #001, API 30-025-24814, UL M, S16, T24S, R37E, Lea County
Red Cloud #002, API 30-025-30870, UL M, S3, T25S, R37E, Lea County
Jack A 29 #009, API 30-025-32643, UL H, S29, T24S, R37E, Lea County
State Co #001, API 30-041-20325, UL L, S16, T8S, R38 E, Roosevelt County
Citgo State #001, API 30-041-20349, UL M, S16, T8S, R38E, Roosevelt County
Citgo State #002, API 30-041-20467, UL J, S16, T8S, R38E, Roosevelt County

The three wells in Roosevelt County are located approximately 15 miles east of Milnesand, New Mexico. The Bay Federal #003 is located approximately 5 miles south of Monument, New Mexico. The remaining wells are located approximately three to 10 miles north of Jal, New Mexico.

CASE 13543: *Continued from August 25, 2005, Examiner Hearing*

Application of Cimarex Energy Co. for Compulsory Pooling, Lea County, New Mexico. Cimarex Energy Co. seeks an order pooling all mineral interests from the surface to the base of the Morrow formation underlying the S/2 of Section 8, Township 15 South, Range 36 East, to form a standard 320-acre gas spacing and proration unit for any and all formations or pools developed on 320-acre spacing within that vertical extent, including the Undesignated Caudill-Atoka Gas Pool. The unit is to be dedicated to the Caudill West "8" Fee Well No. 1, to be located at an orthodox gas well location in the SE/4 SE/4 of Section 8. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 4 miles south-southwest of Hillburn City, New Mexico.

CASE 13531: *Continued from August 25, 2005, Examiner Hearing.*

Application of Yates Petroleum Corporation for an Order (1) directing Pride Energy Company to reimburse Yates for the well costs incurred by Yates in its attempt to re-enter the State "X" Well No. 1 (API No. 30-025-01838) located in Section 12, Township 12 South, Range 34 East, NMPM, prior to the time Pride Energy Company assumed operations of the well, (2) directing Pride Energy Company to account for and pay all sums it is now improperly holding pursuant to expired orders of the Division and Commission, and (3) requiring Pride Energy Company to plug and abandon the State "X" Well No. 1, Lea County, New Mexico. Applicant seeks (1) an order directing Pride Energy Company ("Pride") to reimburse Yates for the costs Yates incurred in its re-entry operations on the State "X" Well No. 1 (API No. 30-025-01838) located 1980 feet from the North line and 660 feet from the West line (Unit E) of Section 12, Township 12 South, Range 34 East, prior to the time Pride assumed operations of the well, (2) an order directing Pride to account to and refund to Yates all of the portion of the estimated share of well costs for the State "X" Well now improperly held by Pride pursuant to expired orders of the Division and Commission, and (3) an order directing Pride to plug and abandon the State "X" Well. Said well and spacing unit are located approximately 12 miles west northwest of Tatum, New Mexico.

CASE 13494: *Continued from August 25, 2005, Examiner Hearing.*

Application of Texland Petroleum, L.P. for a Compliance Order against Latigo Petroleum, Inc. voiding of Administrative Order DHC-3086, compulsory pooling, change of operator and other relief, Lea County, New Mexico. Applicant seeks a Compliance Order, including fines, against Latigo Petroleum, Inc. ("Latigo") including an order to void and revoke Administrative Order DHC-3086, and to require Latigo to immediately shut-in its Conoco State Well No. 3 (API No. 30-025-35961) located in Unit J of Section 33, Township 18 South, Range 38 East, until such time as: (i) a standard 160-acre gas spacing unit consisting of the SE/4 of this section, is dedicated to this well in the Tubb formation, Hobbs-Tubb Gas Pool, (ii) the production proceeds from this well in the Tubb and Drinkard formations are reallocated and paid to the owners in these spacing units from the date of first production, and (iii) paid the fines for violations of the Oil and Gas Act. Section 70-2-31 NMSA 1978. Further, applicant seeks a compulsory pooling order including provisions for designation of the applicant as the operator and the removal of Latigo as the operator. The well is located approximately 7 miles West of Hobbs, New Mexico.

CASE 13540: *Continued from August 11, 2005, Examiner Hearing*

In the matter of the hearing called by the Oil Conservation Division for an order creating and extending certain pools in Chaves and Eddy Counties, New Mexico.

(a) CREATE a new pool in Chaves County, New Mexico classified as a gas pool for Wolfcamp production and designated as the Alkali Draw-Wolfcamp Gas Pool (Pool Code 97461). The discovery well is the Yates Petroleum Corporation Willow Creek "BFI" State Well No. 6 (API No. 30-005-63691) located in Unit C of Section 30, Township 4 South, Range 25 East, NMPM. Said pool would comprise:

TOWNSHIP 4 SOUTH, RANGE 25 EAST, NMPM
Section 30: W/2

(b) CREATE a new pool in Eddy County, New Mexico classified as a gas pool for Wolfcamp production and designated as the East Black River-Wolfcamp Gas Pool (**Pool Code 97442**). The discovery well is the Mewbourne Oil Company State MS Gas Com. Well No. 1 (**API No. 30-015-24176**) located in Unit C of Section 12, Township 24 South, Range 27 East, NMPM. Said pool would comprise:

TOWNSHIP 24 SOUTH, RANGE 27 EAST, NMPM

Section 12: N/2

(c) CREATE a new pool in Chaves County, New Mexico classified as a gas pool for Wolfcamp production and designated as the West Comanche-Wolfcamp Gas Pool (**Pool Code 97465**). The discovery well is the Yates Petroleum Corporation Killer Bee State Com. Well No. 7 (**API No. 30-005-63704**) located in Unit M of Section 32, Township 10 South, Range 26 East, NMPM. Said pool would comprise:

TOWNSHIP 10 SOUTH, RANGE 26 EAST, NMPM

Section 32: S/2

(d) CREATE a new pool in Chaves County, New Mexico classified as an oil pool for Siluro Devonian production and designated as the Comanche Draw-Siluro-Devonian Pool (**Pool Code 97458**). The discovery well is the Elk Oil Company Cobra Federal Well No. 2 (**API No. 30-005-63735**) located in Unit L of Section 19, Township 11 South, Range 27 East, NMPM. Said pool would comprise:

TOWNSHIP 11 SOUTH, RANGE 27 EAST, NMPM

Section 19: SW/4

(e) CREATE a new pool in Chaves County, New Mexico classified as a gas pool for Strawn production and designated as the County Line-Strawn Gas Pool (**Pool Code 97448**). The discovery well is the Yates Petroleum Corporation Federal CL Well No. 5 (**API No. 30-005-00469**) located in Unit G of Section 34, Township 15 South, Range 29 East, NMPM. Said pool would comprise:

TOWNSHIP 15 SOUTH, RANGE 29 EAST, NMPM

Section 34: N/2

(f) CREATE a new pool in Eddy County, New Mexico classified as an oil pool for Bone Spring production and designated as the Deadman Draw-Bone Spring Pool (**Pool Code 97443**). The discovery well is the Marbob Energy Corporation Rio Siete Federal Well No. 1 (**API No. 30-015-33662**) located in Unit P of Section 1, Township 21 South, Range 24 East, NMPM. Said pool would comprise:

TOWNSHIP 21 SOUTH, RANGE 24 EAST, NMPM

Section 1: SE/4

(g) CREATE a new pool in Eddy County, New Mexico classified as an oil pool for Abo production and designated as the Hart Canyon-Abo Pool (**Pool Code 97450**). The discovery well is the Marbob Energy Corporation Federal CE Gas Com. Well No. 1 (**API No. 30-015-23891**) located in Unit G of Section 1, Township 17 South, Range 27 East, NMPM. Said pool would comprise:

TOWNSHIP 17 SOUTH, RANGE 27 EAST, NMPM

Section 1: SW/4

(h) CREATE a new pool in Eddy County, New Mexico classified as an oil pool for Wolfcamp production and designated as the Northwest Lake McMillan-Wolfcamp Pool (**Pool Code 97463**). The discovery well is the Pogo Producing Company Lake Wood 15 Well No. 1 (**API No. 30-015-33574**) located in Unit I of Section 15, Township 19 South, Range 26 East, NMPM. Said pool would comprise:

TOWNSHIP 19 SOUTH, RANGE 26 EAST, NMPM

Section 15: SE/4

(i) CREATE a new pool in Eddy County, New Mexico classified as an oil pool for Glorieta-Yeso production and

designated as the Long Draw-Glorieta-Yeso Pool (**Pool Code 97451**). The discovery well is the Yates Petroleum Corporation Prickly Pear "AIE" Federal Well No. 1 (**API No. 30-015-26738**) located in Unit F of Section 23, Township 20 South, Range 24 East, NMPM. Said pool would comprise:

TOWNSHIP 20 SOUTH, RANGE 24 EAST, NMPM
Section 23: SE/4

(j) CREATE a new pool in Eddy County, New Mexico classified as a gas pool for Upper Pennsylvanian production and designated as the Northeast Rio Penasco-Upper Pennsylvanian Gas Pool (**Pool Code 97459**). The discovery well is the David Arrington Oil & Gas, Inc. Gold Stonefly Federal 12 Com. Well No. 1 (**API No. 30-015-32260**) located in Unit M of Section 12, Township 18 South, Range 24 East, NMPM. Said pool would comprise:

TOWNSHIP 18 SOUTH, RANGE 24 EAST, NMPM
Section 12: W/2

(k) EXTEND the Antelope Sink-Upper Pennsylvanian Gas Pool (**Pool Code 70520**) in Eddy County, New Mexico to include:

TOWNSHIP 19 SOUTH, RANGE 23 EAST, NMPM
Section 23: W/2 and NE/4
Section 26: W/2
Section 27: S/2
Section 33: E/2
Section 34: W/2
Section 35: W/2

(l) EXTEND the Avalon-Delaware Pool (**Pool Code 3715**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 27 EAST, NMPM
Section 25: SW/4

(m) EXTEND the Broke Tank Lake-Atoka Gas Pool (**Pool Code 97166**) in Chaves County, New Mexico to include:

TOWNSHIP 9 SOUTH, RANGE 29 EAST, NMPM
Section 2: E/2
Section 11: NE/4
Section 12: N/2

(n) EXTEND the Buffalo Valley-Pennsylvanian Gas Pool (**Pool Code 73080**) in Chaves County, New Mexico to include:

TOWNSHIP 15 SOUTH, RANGE 27 EAST, NMPM
Section 27: E/2

(o) EXTEND the East Burton Flat-Atoka Gas Pool (**Pool Code 73200**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 29 EAST, NMPM
Section 6: S/2

(p) EXTEND the Burton Flat-Morrow Gas Pool (**Pool Code 73280**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 28 EAST, NMPM
Section 7: All

- (q) EXTEND the East Burton Flat-Morrow Gas Pool (**Pool Code 73320**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 29 EAST, NMPM
Section 6: N/2

- (r) EXTEND the South Carlsbad-Morrow Gas Pool (**Pool Code 73960**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 27 EAST, NMPM
Section 15: All

TOWNSHIP 23 SOUTH, RANGE 27 EAST, NMPM
Section 31: W/2

- (s) EXTEND the Cemetery-Morrow Gas Pool (**Pool Code 74640**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 25 EAST, NMPM
Section 16: E/2

- (t) EXTEND the Comanche-Wolfcamp Gas Pool (**Pool Code 97120**) in Chaves County, New Mexico to include:

TOWNSHIP 10 SOUTH, RANGE 26 EAST, NMPM
Section 24: All

-  (u) EXTEND the Northwest Corral Canyon-Delaware Pool (**Pool Code 96464**) in Eddy County, New Mexico to include:

TOWNSHIP 25 SOUTH, RANGE 29 EAST, NMPM
Section 11: W/2

- (v) EXTEND the Diamond Mound-Wolfcamp Gas Pool (**Pool Code 97243**) in Eddy County, New Mexico to include:

TOWNSHIP 16 SOUTH, RANGE 27 EAST, NMPM
Section 16: All

- (w) EXTEND the Eagle Creek-Strawn Gas Pool (**Pool Code 76320**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 26 EAST, NMPM
Section 29: NE/4

- (x) EXTEND the Empire-Abo Pool (**Pool Code 22040**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 28 EAST, NMPM
Section 28: SW/4

- (y) EXTEND the Northwest Empire-Wolfcamp Pool (**Pool Code 97286**) in Eddy County, New Mexico to include:

TOWNSHIP 16 SOUTH, RANGE 27 EAST, NMPM
Section 35: SE/4
Section 36: SW/4

TOWNSHIP 17 SOUTH, RANGE 27 EAST, NMPM
Section 1: W/2

(z) EXTEND the Foor Ranch-Pre-Permian Gas Pool (**Pool Code 76730**) in Chaves County, New Mexico to include:

TOWNSHIP 9 SOUTH, RANGE 26 EAST, NMPM

Section 1: W/2
Section 2: All
Section 9: W/2
Section 12: W/2

(aa) EXTEND the North Foor Ranch-Pre-Permian Gas Pool (**Pool Code 97094**) in Chaves County, New Mexico to include:

TOWNSHIP 8 SOUTH, RANGE 26 EAST, NMPM

Section 7: E/2
Section 8: All

(bb) EXTEND the Forty Niner Ridge-Delaware Pool (**Pool Code 24750**) in Eddy County, New Mexico to include:

TOWNSHIP 23 SOUTH, RANGE 30 EAST, NMPM

Section 21: E/2
Section 22: S/2

(cc) EXTEND the West Four Mile-Strawn Gas Pool (**Pool Code 77020**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 26 EAST, NMPM

Section 32: SE/4
Section 33: S/2

TOWNSHIP 19 SOUTH, RANGE 26 EAST, NMPM

Section 5: E/2

(dd) EXTEND the Grayburg-Upper Pennsylvanian Gas Pool (**Pool Code 29270**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 29 EAST, NMPM

Section 28: NE/4

(ee) EXTEND the Grayburg Jackson-Seven Rivers-Queen-Grayburg-San Andres Pool (**Pool Code 28509**) in Eddy County, New Mexico to include:

TOWNSHIP 16 SOUTH, RANGE 31 EAST, NMPM

Section 24: N/2 NE/4, SE/4 NE/4 and E/2 SE/4

(ff) EXTEND the HG-Morrow Gas Pool (**Pool Code 78400**) in Eddy County, New Mexico to include:

TOWNSHIP 19 SOUTH, RANGE 30 EAST, NMPM

Section 30: W/2

(gg) EXTEND the Northwest Hackberry-Bone Spring Pool (**Pool Code 97020**) in Eddy County, New Mexico to include:

TOWNSHIP 19 SOUTH, RANGE 31 EAST, NMPM

Section 17: S/2
Section 18: S/2

(hh) EXTEND the Hackberry-Wolfcamp Pool (**Pool Code 97081**) in Eddy County, New Mexico to include:

TOWNSHIP 19 SOUTH, RANGE 31 EAST, NMPM

Section 7: W/2

Section 18: W/2 and SE/4

(ii) EXTEND the Happy Valley-Morrow Gas Pool (**Pool Code 78060**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 26 EAST, NMPM

Section 3: N/2

Section 4: NE/4

(jj) EXTEND the Northeast Harroun Ranch-Delaware Pool (**Pool Code 96878**) in Eddy County, New Mexico to include:

TOWNSHIP 23 SOUTH, RANGE 29 EAST, NMPM

Section 16: E/2

Section 21: E/2

(kk) EXTEND the East Hess Hills-Upper Pennsylvanian Gas Pool (**Pool Code 97383**) in Eddy County, New Mexico to include:

TOWNSHIP 23 SOUTH, RANGE 23 EAST, NMPM

Section 35: W/2

(ll) EXTEND the North Illinois Camp-Morrow Gas Pool (**Pool Code 78890**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 28 EAST, NMPM

Section 19: W/2

(mm) EXTEND the Northwest Indian Basin-Morrow Gas Pool (**Pool Code 79000**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 23 EAST, NMPM

Section 16: W/2

Section 17: S/2

Section 21: W/2

(nn) EXTEND the Indian Basin-Upper Pennsylvanian Associated Pool (**Pool Code 33685**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 24 EAST, NMPM

Section 1: S/2

(oo) EXTEND the Southeast La Huerta-Atoka Gas Pool (**Pool Code**) in Eddy County, New Mexico to include:

TOWNSHIP 21 SOUTH, RANGE 27 EAST, NMPM

Section 24: W/2

Section 25: NW/4

Section 26: N/2

(pp) EXTEND the South Livingston Ridge-Delaware Pool (**Pool Code 96149**) in Eddy County, New Mexico to include:

TOWNSHIP 23 SOUTH, RANGE 31 EAST, NMPM
Section 1: NE/4

(qq) EXTEND the Northwest Loco Hills-Wolfcamp Pool (**Pool Code 97092**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 28 EAST, NMPM
Section 23: E/2
Section 26: NE/4

(rr) EXTEND the Logan Draw-Morrow Gas Pool (**Pool Code 80400**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 27 EAST, NMPM
Section 19: N/2

(ss) EXTEND the Lost Lake-Wolfcamp Gas Pool (**Pool Code 97281**) in Chaves County, New Mexico to include:

TOWNSHIP 9 SOUTH, RANGE 24 EAST, NMPM
Section 36: E/2

TOWNSHIP 10 SOUTH, RANGE 24 EAST, NMPM
Section 1: N/2

(tt) EXTEND the Malaga-Atoka Gas Pool (**Pool Code 80890**) in Eddy County, New Mexico to include:

TOWNSHIP 24 SOUTH, RANGE 28 EAST, NMPM
Section 23: N/2

(uu) EXTEND the South Millman-Morrow Gas Pool (**Pool Code 81365**) in Eddy County, New Mexico to include:

TOWNSHIP 19 SOUTH, RANGE 28 EAST, NMPM
Section 9: E/2

(vv) EXTEND the Nash Draw-Delaware Pool (**Pool Code 47545**) in Eddy County, New Mexico to include:

TOWNSHIP 24 SOUTH, RANGE 30 EAST, NMPM
Section 19: NE/4

(ww) EXTEND the Otis-Atoka Gas Pool (**Pool Code 96891**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 27 EAST, NMPM
Section 14: E/2
Section 23: E/2
Section 26: N/2

(xx) EXTEND the Penasco Draw-Permo Pennsylvanian Gas Pool (**Pool Code 82775**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 24 EAST, NMPM

Section 16: NE/4
Section 17: N/2
Section 18: E/2
Section 33: NE/4
Section 34: N/2

TOWNSHIP 19 SOUTH, RANGE 25 EAST, NMPM

Section 6: E/2

(yy) EXTEND the Southeast Quahada Ridge-Delaware Pool (**Pool Code 50443**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 30 EAST, NMPM

Section 25: NW/4

(zz) EXTEND the Red Lake-Atoka-Morrow Gas Pool (**Pool Code 83620**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 27 EAST, NMPM

Section 13: W/2
Section 14: E/2

(aaa) EXTEND the Northeast Red Lake-Glorieta-Yeso Pool (**Pool Code 96836**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 27 EAST, NMPM

Section 34: NW/4

TOWNSHIP 18 SOUTH, RANGE 27 EAST, NMPM

Section 2: E/2

(bbb) EXTEND the Red Lake Shores-Glorieta-Yeso Pool (**Pool Code 97130**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 28 EAST, NMPM

Section 16: N/2

(ccc) EXTEND the Robina Draw-Atoka Gas Pool (**Pool Code 83890**) in Eddy County, New Mexico to include:

TOWNSHIP 23 SOUTH, RANGE 24 EAST, NMPM

Section 9: W/2
Section 16: NW/4

(ddd) EXTEND the Sand Tank-Bone Spring Pool (**Pool Code 96832**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 30 EAST, NMPM

Section 7: N/2

(eee) EXTEND the Scanlon-Delaware Pool (**Pool Code 55500**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 28 EAST, NMPM

Section 26: SW/4
Section 27: SE/4

(fff) EXTEND the North Shugart-Bone Spring Pool (**Pool Code 56405**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 30 EAST, NMPM
Section 12: NE/4

(ggg) EXTEND the Tamano-Bone Spring Pool (**Pool Code 58040**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 31 EAST, NMPM
Section 10: NW/4

(hhh) EXTEND the Tansill Dam-Atoka Gas Pool (**Pool Code 85900**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 27 EAST, NMPM
Section 9: S/2

(iii) EXTEND the Winchester-Wolfcamp Gas Pool (**Pool Code 87760**) in Eddy County, New Mexico to include:

TOWNSHIP 19 SOUTH, RANGE 28 EAST, NMPM
Section 32: S/2

(jjj) EXTEND the North Winchester-Wolfcamp Pool (**Pool Code 65033**) in Eddy County, New Mexico to include:

TOWNSHIP 19 SOUTH, RANGE 28 EAST, NMPM
Section 15: All

(kkk) EXTEND the Wye-Delaware Pool (**Pool Code 96378**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 27 EAST, NMPM
Section 30: SE/4
Section 31: NE/4

IN THE ABSENCE OF OBJECTION, THIS CASE WILL BE TAKEN UNDER ADVISEMENT.

CASE 13554: In the matter of the hearing called by the Oil Conservation Division for an order creating and extending certain pools in Chaves and Eddy Counties, New Mexico.

(a) CREATE a new pool in Eddy County, New Mexico classified as a gas pool for Abo production and designated as the Fanning Draw-Abo Gas Pool (**Pool Code 97470**). The discovery well is the Yates Petroleum Corporation Duvel "BDC" State Well No. 1 (**API No. 30-015-32983**) located in Unit C of Section 36, Township 21 South, Range 21 East, NMPM. Said pool would comprise:

TOWNSHIP 21 SOUTH, RANGE 21 EAST, NMPM
Section 36: NW/4

(b) CREATE a new pool in Chaves County, New Mexico classified as an oil pool for Abo production and designated as the Jones Tank-Abo Pool (**Pool Code 97469**). The discovery well is the Yates Petroleum Corporation Federal "CL" Well No. 5 (**API No. 30-005-00469**) located in Unit G of Section 34, Township 15 South, Range 29 East, NMPM. Said pool would comprise:

TOWNSHIP 15 SOUTH, RANGE 29 EAST, NMPM
Section 34: NE/4

(c) EXTEND the Chalk Bluff-Wolfcamp Pool (**Pool Code 11960**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 27 EAST, NMPM

Section 33: SE/4

(d) EXTEND the Southeast Dagger Draw-Atoka Gas Pool (**Pool Code 97014**) in Eddy County, New Mexico to include:

TOWNSHIP 20 SOUTH, RANGE 25 EAST, NMPM

Section 7: E/2 and SW/4

(e) EXTEND the Diamond Mound-Morrow Gas Pool (**Pool Code 76079**) in Eddy County, New Mexico to include:

TOWNSHIP 16 SOUTH, RANGE 28 EAST, NMPM

Section 9: W/2

(f) EXTEND the Esperanza-Delaware Pool (**Pool Code 22640**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 27 EAST, NMPM

Section 9: SE/4

(g) EXTEND the Foor Ranch-Pre-Permian Gas Pool (**Pool Code 76730**) in Chaves County, New Mexico to include:

TOWNSHIP 9 SOUTH, RANGE 25 EAST, NMPM

Section 12: E/2

Section 13: NE/4

TOWNSHIP 9 SOUTH, RANGE 26 EAST, NMPM

Section 17: N/2

Section 18: N/2

(h) EXTEND the Happy Valley-Morrow Gas Pool (**Pool Code 78060**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 26 EAST, NMPM

Section 9: E/2

Section 10: All

(i) EXTEND the Northeast Harroun Ranch-Delaware Pool (**Pool Code 96878**) in Eddy County, New Mexico to include:

TOWNSHIP 23 SOUTH, RANGE 29 EAST, NMPM

Section 22: N/2

(j) EXTEND the Southeast Henshaw-Wolfcamp Pool (**Pool Code 96520**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 31 EAST, NMPM

Section 17: NW/4

Section 18: E/2

Section 19: NE/4

(k) EXTEND the Penasco Draw-Permo Pennsylvanian Gas Pool (**Pool Code 82775**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 24 EAST, NMPM

Section 9: E/2

(l) EXTEND the Southeast Quahada Ridge-Delaware Pool (**Pool Code 50443**) in Eddy County, New Mexico to include:

TOWNSHIP 22 SOUTH, RANGE 30 EAST, NMPM

Section 13: SW/4

Section 24: NW/4

(m) EXTEND the Northeast Red Lake-Glorieta-Yeso Pool (**Pool Code 96836**) in Eddy County, New Mexico to include:

TOWNSHIP 17 SOUTH, RANGE 27 EAST, NMPM

Section 26: SW/4

(n) EXTEND the Salt Draw-Atoka Gas Pool (**Pool Code 84415**) in Eddy County, New Mexico to include:

TOWNSHIP 24 SOUTH, RANGE 28 EAST, NMPM

Section 26: NE/4

(o) EXTEND the South Sand Dunes-Delaware Pool (**Pool Code 53818**) in Eddy County, New Mexico to include:

TOWNSHIP 24 SOUTH, RANGE 31 EAST, NMPM

Section 7: SW/4

(p) EXTEND the Springs-Morrow Gas Pool (**Pool Code 85635**) in Eddy County, New Mexico to include:

TOWNSHIP 21 SOUTH, RANGE 25 EAST, NMPM

Section 3: Lots 3, 4, 5, 6, 11, 12, 13 and 14

(q) EXTEND the North Turkey Track-Morrow Gas Pool (**Pool Code 86500**) in Eddy County, New Mexico to include:

TOWNSHIP 18 SOUTH, RANGE 28 EAST, NMPM

Section 28: S/2

IN THE ABSENCE OF OBJECTION, THIS CASE WILL BE TAKEN UNDER ADVISEMENT.