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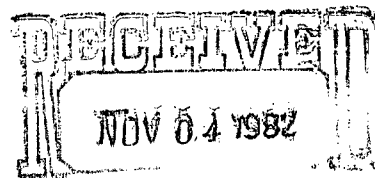
JAMES T. JENNINGS
SIM B. CHRISTY IV
K. DOUGLAS PERRIN
PHIL T. BREWER
DAMON RICHARDS

TELEPHONE 622-8432
AREA CODE 505

November 1, 1982

Ms. Florene Davidson
Oil Conservation Division
P. O. Box 2088
Santa Fe, NM 87501

Re: James C. Whitten
Application for Unorthodox Location
Application for Compulsory Pooling
E $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 2, T17S, R38E, Lea Co.



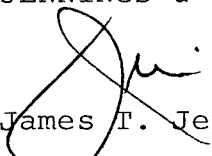
Case 7743

Dear Florene:

Enclosed herewith you will find two applications which we are filing on behalf of James C. Whitten which are described above. I discussed these with you last week and I assume that you will be able to put them on the docket for Tuesday, November 23. If there is any question, please call me.

Yours very truly,

JENNINGS & CHRISTY


James T. Jennings
JTJ/jb

Encl.

STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION
OF JAMES C. WHITTEN FOR COMPULSORY
POOLING, LEA COUNTY, NEW MEXICO

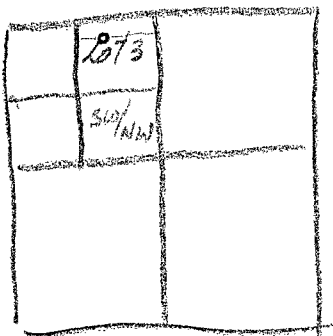
Case No. 7743

APPLICATION

COMES NOW James C. Whitten and hereby makes application for compulsory pooling of all mineral interests in the Devonian Formation underlying Lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 2, Township 17 South, Range 38 East, N.M.P.M., Lea County, New Mexico, containing 76.19 acres, more or less, and as grounds therefor states:

1. Applicant has made diligent effort and is continuing in its effort to form a proration unit for the drilling of its No. 1 Luther Cooper Estate well to be located 330 FNL and 1,680 FWL of Section 2, Township 17 South, Range 38 East, which Applicant has the right to drill, but there remain non-consenting interest owners in the proration unit who have not agreed to the pooling of their interests.

2. That to avoid the drilling of unnecessary wells to protect correlative rights and to afford the owner of each interest in said proration unit the opportunity to recover or receive without unnecessary expense his just and fair share of the oil and associated hydrocarbons producible from the Devonian Formation, this regulatory body should approve the pooling of all mineral interests, whatever they may be, within said unit. Applicant proposes to dedicate the proration unit comprising Lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (E $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 2, Township 17 South, Range 38 East, containing 76.19 acres, more or less, to the well to be located thereon.



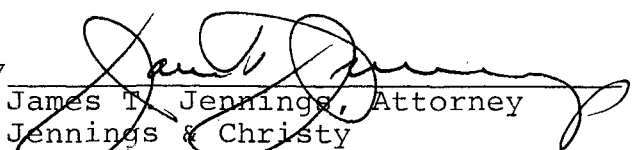
3. Applicant seeks permission to withhold the proceeds from production attributable to each non-consenting working interest until such time as each interest's share of the cost of said well has been recovered plus 200% thereof as a charge for the risk involved in the drilling of the well.

4. That after due public notice, this regulatory body should enter its order granting compulsory pooling in accordance with this Application, fixing a charge for risk, fixing a per month cost for operating the well, and granting to each non-consenting working interest owner the privilege to join in the payment of drilling the well in accordance with law. That such order should further provide that Applicant be appointed as operator of the well.

Respectfully submitted,

JAMES C. WHITTEN

By


James T. Jennings, Attorney
Jennings & Christy

P. O. Box 1180
Roswell, New Mexico 88202-1180

STATE OF NEW MEXICO
ENERGY AND MINERALS DEPARTMENT
OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION
OF JAMES C. WHITTEN FOR UNORTHODOX
WELL LOCATION, KNOWLES POOL, LEA
COUNTY, NEW MEXICO

Case No. 7743

APPLICATION

COMES NOW James C. Whitten and hereby makes application for an unorthodox well location for a projected test to the Devonian Formation in Lot 3 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (E $\frac{1}{2}$ NW $\frac{1}{4}$) Section 2, Township 17 South, Range 38 East, N.M.P.M., Lea County, New Mexico, and as grounds therefor states:

1. For geological reason Applicant seeks an unorthodox location in the Knowles Pool for a Devonian test well to be known as the No. 1 Luther Cooper Estate to be located 330 FNL and 1,680 FWL of Section 2, Township 17 South, Range 38 East.

2. In the opinion of Applicant the granting of this application would avoid waste and still protect the correlative rights of all interested parties.

3. That after notice as required by law this regulatory body should enter its order granting permission for Applicant to drill its Luther Cooper Estate No. 1 well on an unorthodox well location located 330 FNL and 1,680 FWL of Section 2, Township 17 South, Range 38 East, projected to a total depth of 12,600 feet to test the Devonian Formation; and for all appropriate relief.

Respectfully submitted,

JAMES C. WHITTEN

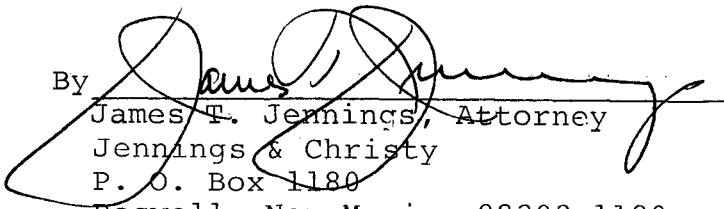
Carbon Copy by Certified
Mail to:

Amerada Hess Corporation
P. O. Box 2040
Tulsa, Oklahoma 74102

TXO Production Corporation
(Texas Oil & Gas Corporation)
Fidelity Union Tower
Dallas, Texas 75201

cc: Mr. James C. Whitten

By


James T. Jennings, Attorney
Jennings & Christy

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