

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

**APPLICATION OF ENCANA OIL AND GAS (USA), INC. FOR APPROVAL OF  
THE BETONIE TSOSIE WASH UNIT; CREATION OF A NEW POOL FOR  
HORIZONTAL DEVELOPMENT WITHIN THE UNIT AREA; AND FOR  
ALLOWANCE OF 330-FOOT SETBACKS FROM THE EXTERIOR OF THE  
PROPOSED UNIT, SAN JUAN COUNTY, NEW MEXICO.**

**CASE NO. 15211  
Order No. R-13930**

**ORDER OF THE DIVISION**

**BY THE DIVISION:**

This case came on for hearing at 8:15 a.m. on October 2, 2014, at Santa Fe, New Mexico, before Examiner Scott Dawson and legal counsel Gabriel Wade.

NOW, on this 10<sup>th</sup> day of November, 2014, the Division Director, having considered the testimony, the record and the recommendations of the Examiner,

**FINDS THAT:**

1. Due public notice has been given, and the Division has jurisdiction of the subject matter of this case.
2. Encana Oil and Gas (USA), Inc. ("Applicant") seeks:
  - a. Approval of the Betonie Tsosie Wash Unit ("the Unit") pursuant to 19.15.20.14 NMAC comprising 5,757 acres, more or less, of Federal and Allotted Indian lands in San Juan County, New Mexico; and
  - b. Creation of a new pool for horizontal oil wells in the Unitized Interval within the Unit; and
  - c. Allowing the completed interval of horizontal oil wells in the Unit to be located no closer than 330 feet to the outer boundary of the Unit.
3. The Unit is composed of the following acreage located in San Juan County, New Mexico:

**TOWNSHIP 23 NORTH, RANGE 8 WEST, NMPM**

Section 21: All  
Section 22: All  
Section 23: All  
Section 26: All  
Section 27: All  
Section 28: All  
Section 33: All  
Section 34: All  
Section 35: All

4. The Unitized Interval includes all formations from 100 feet below the stratigraphic equivalent of the top of the Mancos Shale (base of the Mesa Verde Group) to the stratigraphic equivalent of the base of the Greenhorn (top of Graneros Shale), as shown in the AH DES PI AH-NAVAJO #1 Well (API No. 30-045-20994) in Section 12, Township 23 North, Range 9 West, San Juan County, New Mexico, NMPM.

5. A Federal/Allotted Indian Exploratory Unit will be developed and operated as a single Participating Area and will therefore constitute a single Project Area in accordance with 19.15.16.7(L) NMAC.

6. The Unit is currently subject to the Alamito-Gallup Oil Pool (01039) and the Special Rules and Regulations for the Basin Mancos Gas Pool (97232) adopted under Order No. R-12984. The Alamito-Gallup Oil Pool is subject to Statewide Rule 19.15.15.9 which requires wells to be located no closer than 330 feet to the outer boundary of a spacing unit. Rule C of the Special Rules for the Basin Mancos Gas Pool require wells to be located no closer than 660 feet to the outer boundary of a spacing unit or, in this case, the outer boundary of the project area.

7. Applicant appeared at the hearing through counsel and presented an expert in petroleum land matters and petroleum geology who provided testimony and evidence that:

a. The Unit is comprised of six separate leases on Federal land and ten separate leases on Allotted Indian lands.

b. All interests in the Unit are expected to be committed to the Unit.

c. The Federal/Allotted Indian Exploratory Unit Agreement was prepared on the form prescribed by the Bureau of Land Management (BLM), but has been modified in two significant respects:

i. It applies only to horizontal oil wells in the unitized interval; and

- ii. The entire Federal/Allotted Indian Exploratory Unit is established as a single Participating Area.
  
- d. The Federal/Allotted Indian Exploratory Unit Agreement will be executed by the BLM and the Federal Indian Minerals Office on behalf of the interest owners in the Allotted Indian lands comprising the Unit.
  
- e. Applicant has discussed the Federal/Allotted Indian Exploratory Unit and the Federal/Allotted Indian Exploratory Unit development plans with the BLM and the Federal Indian Minerals Office on behalf of the interest owners in the Allotted Indian lands comprising the Unit. Following these discussions, the BLM issued a letter to the Applicant and copied the Federal Indian Minerals Office, providing preliminary approval of the Federal/Allotted Indian Exploratory Unit. *See* Encana Oil and Gas, (USA) Inc. Ex. 3.
  
- f. Records at the Federal Indian Minerals Office indicate there are over 418 interest owners in the Allotted Indian lands within the Unit. Applicant has provided notice of this application and hearing by certified mail to these interest owners with addresses of record.
  
- g. Applicant has published notice of this application and hearing in The Farmington Daily Times, a newspaper of general circulation in San Juan County, for the interest owners of record in the Allotted Indian lands for which no address could be found following diligent efforts.
  
- h. In addition to the newspaper notice referenced above, Applicant has provided notice of this application and hearing by certified mail to all interest owners within the Unit, operators and lessees in the offsetting Basin Mancos spacing units surrounding the Unit and all affected Indian Allottees.
  
- i. The Unit is located within both the Basin Mancos Gas Pool and the Alamito-Gallup Oil Pool. An analysis of the existing pools demonstrates that the technical and reservoir characteristics of the hydrocarbons in each of the existing pools are identical in all respects. The pressure gradients for these pools are generally the same, the fluids are compatible, and the oil API gravity is consistent. Therefore, any well drilled within the Unit will produce from a common source of supply and is essentially one oil pool.
  
- j. There are no fluid-sensitivity issues, no loss of reserves due to cross-flow and the value of the total remaining reserves from these pools will not be reduced by combining the pools into one pool within the Unit.
  
- k. The Unit will be developed to produce oil from the Mancos formation. As a result, Applicant seeks an exception to the Special Rules for the Basin Mancos Gas Pool to allow horizontal oil wells to be located no closer than 330 feet to the

outer boundary of the spacing unit, which is the standard setback requirement for oil wells under the Division's statewide rules.

l. No faults, pinch-outs or other geologic impediments exist to prevent the Unitized Interval from being developed by horizontal oil wells.

m. The available well control in the area demonstrates the Unitized Interval identified in the type log is laterally contiguous across the entire Unit.

n. Applicant, therefore, requests the creation of a new pool for horizontal oil wells within the Unit subject to the following:

i. This new oil pool should apply to existing and future horizontal oil wells in the Unitized Interval underlying the Unit.

ii. This new oil pool should be subject to the Division's statewide rules for oil wells.

iii. Horizontal oil wells in the Unitized Interval may be located anywhere within the Unit, so long as no portion of the completed interval is closer than 330 feet to the outer boundary of the Unit.

8. Since the Federal/Allotted Indian Exploratory Unit Agreement provides that the entire Unit shall comprise a single Participating Area, the Unit constitutes a single Project Area for horizontal oil wells under OCD Rule 19.15.16.7.L(2) NMAC. Accordingly, internal setbacks requirements within the Unit do not apply to unit wells under the Division's rules.

9. Applicant presented evidence that the proposed Unit is logically subject to exploration and development under a unit plan and that an exception to the well location requirements of the Special Rules for the Basin Mancos Gas Pool is warranted for horizontal oil wells within the Unit.

10. A new oil pool for horizontal oil wells in the Unitized Interval underlying the Unit should be created to resolve administrative and reporting issues.

11. Applicant does not oppose operators in offsetting spacing and proration units locating horizontal oil wells in the Unitized Interval no closer than 330 feet to the exterior boundary of the Unit.

12. No party appeared in opposition to the application.

13. The proposed Unit and the request for authority to locate horizontal oil wells within the Unit no closer than 330 feet to the outer boundary of the Unit should be approved.

14. This application will prevent waste and protect correlative rights and should be granted.

**IT IS THEREFORE ORDERED THAT:**

(1) The unitization of the Betonie Tsosie Wash Federal Exploratory Unit consisting of 5,757 acres, more or less, of Federal and Indian Allotted lands in San Juan County, New Mexico, is hereby approved pursuant to 19.15.20.14 NMAC.

(2) The Unit consists of the following lands in San Juan County, New Mexico:

**TOWNSHIP 23 NORTH, RANGE 8 WEST, NMPM**

Section 21: All

Section 22: All

Section 23: All

Section 26: All

Section 27: All

Section 28: All

Section 33: All

Section 34: All

Section 35: All

(3) The Unitized Interval includes all formations from 100 feet below the stratigraphic equivalent of the top of the Mancos Shale (base of the Mesa Verde Group) to the stratigraphic equivalent of the base of the Greenhorn (top of Graneros Shale), as shown in the AH DES PI AH-NAVAJO #1 Well (API No. 30-045-20994) in Section 12, Township 23 North, Range 9 West, NMPM.

(4) A new oil pool for horizontal oil wells in the Unitized Interval within the Unit is hereby created and named the Betonie Tsosie Wash Unit Hz Oil Pool.

(5) This oil pool shall be limited to the areal extent of the Betonie Tsosie Wash Federal Exploratory Unit as specifically described in Ordering Paragraph 2 of this Order, and shall not be extended beyond the Unit boundaries.

(6) This new oil pool shall apply to existing and future horizontal oil wells in the Unitized Interval within the Unit.

(7) This new oil pool shall be subject to the Division's statewide rules for oil wells.

(8) Horizontal oil wells can be located anywhere within the Unit, so long as no portion of the completed interval is closer than 330 feet to the outer boundary of the Unit.

(9) All interests in the Unit will be committed to the Unit.

(10) All existing and future vertical wells in the Mancos formation within the Unit shall remain dedicated and subject to the requirements for the existing Alamito-Gallup Oil Pool and the Basin Mancos Gas Pool, respectively.

(11) The Unit constitutes a single Project Area for horizontal oil well development pursuant to 19.15.16.7(L)(2) NMAC and, accordingly, unit wells may be drilled anywhere within the Unit so long as no portion of the completed interval is closer than 330 feet to the outer boundary of the Unit unless otherwise approved by the Division pursuant to 19.15.15.13 NMAC.

(12) Encana Oil and Gas (USA), Inc. is designated operator of the Unit and the Project Area.

(13) Applicant will not oppose operators in offsetting spacing and proration units requesting to locate horizontal or vertical oil wells in the Unitized Interval as close as 330 feet to the exterior boundary of the Unit.

(14) If a new pool for horizontal oil well development is formed that encompasses this Betonie Tsosie Wash Unit Hz Oil Pool for horizontal oil well development, the Betonie Tsosie Wash Canyon Unit Hz Oil Pool will be incorporated into that new pool and the operator of the Unit and Project Area shall be required to file the necessary forms with the Division to dedicate those wells to the new pool.

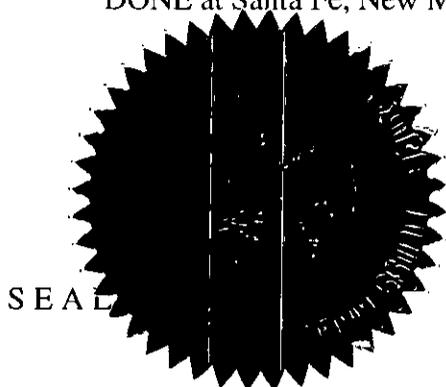
(15) All data regarding well interference concerning setbacks and internal well spacing shall be made available to the Division as soon as available.

(16) This Order shall become effective upon final approval of the proposed Unit Agreement by the BLM and the Federal Indians Minerals Office. A copy of the executed Unit Agreement shall be provided to the OCD upon final approval.

(17) This Order is binding on all current and future operators of the Project Area and associated Federal/Allotted Indian Exploratory Unitization Agreement.

(18) Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.

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



STATE OF NEW MEXICO  
OIL CONSERVATION DIVISION

JAMI BAILEY  
Director