

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

CASE NO. 14163 (De Novo)
Order No. R-13000-A

APPLICATION OF MERRION OIL & GAS
CORPORATION FOR COMPULSORY
POOLING, SAN JUAN COUNTY, NEW
MEXICO.

ORDER OF THE COMMISSION

(1) On August 21 and September 18, 2007, Case No. 14163 was heard by examiners and Order No. R-13000 was entered on October 2, 2008 approving the compulsory pooling of all uncommitted interests in the oil and gas from the surface to the base of the Fruitland Coal formation in the N/2 equivalent of irregular Section 18, Township 29 North, Range 13 West, NMPM, in San Juan County, New Mexico to form a non-standard 250-acre, more or less, gas spacing unit for all formations or pools spaced on 40 acres within this vertical extent.

(2) On October 31, 2008, Western Refining Southwest, Inc. (Western), a party of record in Case No. 14163, through its counsel filed a timely application for de novo hearing, and the de novo application was set for hearing before the Oil Conservation Commission on December 11, 2008 and continued to February 24, 2009.

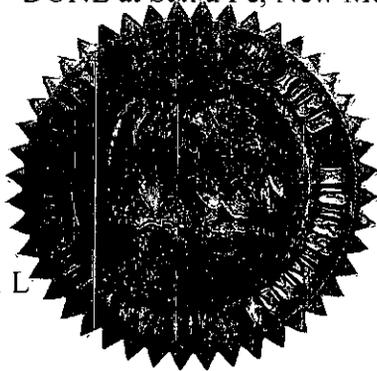
(3) On February 20, 2009, Western, through its counsel, requested that the de novo hearing of Case No. 14163 be dismissed.

(4) De novo Case No. 14163 should be dismissed.

IT IS THEREFORE ORDERED THAT:

De novo Case No. 14163 is hereby dismissed and Order No. R-13000 is hereby continued in full force and effect until further notice.

DONE at Santa Fe, New Mexico on this 23rd day of February, 2009.



SEAL

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

A handwritten signature in black ink, appearing to read "Mark E. Fesmire".

MARK E. FESMIRE, P.E., Chair