

CASE 5825: HARVEY E. YATES CO.
FOR COMPULSORY POOLING, EDDY
COUNTY, NEW MEXICO

ny

Amesbury
D

CASE NO.

5825

APPLICATION,
TRANSCRIPTS,
SMALL EXHIBITS,
ETC.

BEFORE THE
NEW MEXICO OIL CONSERVATION COMMISSION
Santa Fe, New Mexico
January 5, 1977

EXAMINER HEARING

IN THE MATTER OF:

Application of Harvey E. Yates Company) CASE
for compulsory pooling, Eddy County,) 5825
New Mexico.)

BEFORE: Daniel S. Nutter, Examiner

TRANSCRIPT OF HEARING

A P P E A R A N C E S

For the New Mexico Oil	Lynn Teschendorf, Esq.
Conservation Commission:	Legal Counsel for the Commission
	State Land Office Building
	Santa Fe, New Mexico

sid morrish reporting service
General Court Reporting Service
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501
Phone (505) 982-9212

1 MR. NUTTER: We will call next Case 5825.

2 MS. TESCHENDORF: Case 5825, application of Harvey
3 E. Yates Company for compulsory pooling, Eddy County, New Mexico.

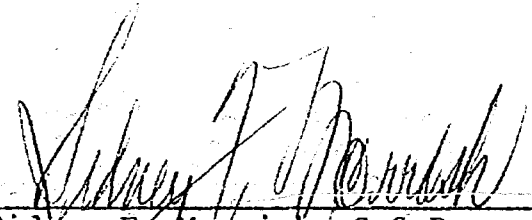
4 We have also heard from the applicant in this case
5 and they have requested that we dismiss the case.

6 MR. NUTTER: Case Number 5825 will be dismissed.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

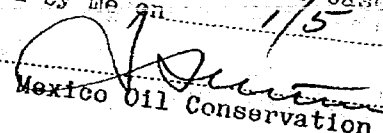
sid morrish reporting service
General Court Reporting Service
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501
Phone (505) 982-9212

REPORTER'S CERTIFICATE

I, SIDNEY F. MORRISH, a Certified Shorthand Reporter,
do hereby certify that the foregoing and attached Transcript
of Hearing before the New Mexico Oil Conservation Commission
was reported by me, and the same is a true and correct record
of the said proceedings to the best of my knowledge, skill and
ability.


Sidney F. Morrish, C.S.R.

sid morrish reporting service
General Court Reporting Service
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501
Phone (505) 982-9212

I do hereby certify that the foregoing is
a complete record of the proceedings in
the Examiner hearing of Case No. 5825
heard by me on 1/5, 1977.

Examiner
New Mexico Oil Conservation Commission

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
COMMISSION OF NEW MEXICO FOR
THE PURPOSE OF CONSIDERING:

CASE NO. 5825
Order No. R-5347

APPLICATION OF HARVEY E. YATES
COMPANY FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on January 5, 1977,
at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 17th day of January, 1977, the Commission,
a quorum being present, having considered the record and the
recommendations of the Examiner, and being fully advised in
the premises,

FINDS:

That the applicant's request for dismissal should be
granted.

IT IS THEREFORE ORDERED:

That Case No. 5825 is hereby dismissed.

DONE at Santa Fe, New Mexico, on the day and year herein-
above designated.

STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

Phil R. Lucero
PHIL R. LUCERO, Chairman

Emery C. Arnold
EMERY C. ARNOLD, Member

Joe D. Ramsey
JOE D. RAMSEY, Member & Secretary

S E A D

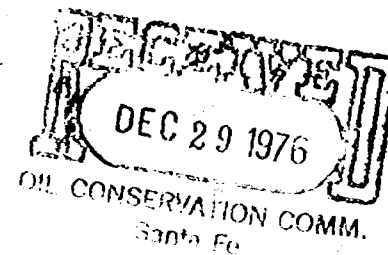
dr/

A.J. LOSEE
JOEL M. CARSON
CHAD DICKERSON

LAW OFFICES
LOSEE & CARSON, P.A.
300 AMERICAN HOME BUILDING
P. O. DRAWER 239
ARTESIA, NEW MEXICO 88210

AREA CODE 505
746-3508

December 21, 1976



New Mexico Oil Conservation Commission
P. O. Box 2088
Santa Fe, New Mexico 87501

Gentlemen:

Enclosed for filing, please find three copies of an application of Harvey E. Yates Company for compulsory pooling in Eddy County, New Mexico.

We ask that this case be set for hearing before an examiner and that you furnish us with a docket of the hearing.

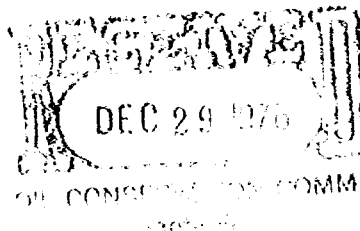
Yours truly,

LOSEE & CARSON, P.A.


Joel M. Carson

JMC:bjm
Enclosures

cc w/enclosure: Mr. George Yates



BEFORE THE OIL CONSERVATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF :
HARVEY E. YATES COMPANY FOR COMPULSORY : CASE NO. _____
POOLING IN EDDY COUNTY, NEW MEXICO :
:

APPLICATION

COMES NOW HARVEY E. YATES COMPANY, by its attorneys,
and in support hereof, respectfully states:

1. That except as hereinafter noted, applicant is
the owner or operator of the entire working interest from the
surface through the Pennsylvanian formation underlying the
S/2 of Section 36, Township 17 South, Range 26 East, N.M.P.M.,
to be dedicated to an orthodox well located 990 feet from
the South line and 1,650 feet from the East line of said spacing
unit, comprising the S/2 of said Section 36.

2. Harvey E. Yates Company, J. C. Barnes Oil Company,
Exxon Company U.S.A., Kilroy Oil Company of Texas, William B.
Barnhill, and Universal Resources are the owners of the oil and
gas leasehold estate comprising the S/2 of said Section 36, and
a portion of said owners have not agreed to pool their interests
with applicant.

3. To avoid the drilling of unnecessary wells, to
protect correlative rights, and to afford the owner of each
interest in the S/2 of said Section 36 the opportunity to re-
cover or receive without unnecessary expense a just and fair

share of the gas in said pool, all mineral interests, whatever they may be, from the surface through the Pennsylvanian formation underlying the S/2 of said Section 36, should be pooled.

4. That any non-consenting working interest owner that does not pay his share of the estimated well costs should have withheld from production his share of the reasonable well costs, plus an additional 200% thereof, as the reasonable charge for the risk involved in the drilling of the well.

5. That applicant be authorized to withhold from production the proportionate share of a reasonable supervision charge attributable to each non-consenting working interest.

WHEREFORE, applicant prays:

A. That this application be set for hearing before an examiner and that notice of said hearing be given as required by law.

B. That upon hearing the Commission enter its order pooling all mineral interests, whatever they may be, from the surface through the Pennsylvanian formation underlying the S/2 of Section 36, Township 17 South, Range 26 East, N.M.P.M., to form a 320-acre gas spacing unit to be dedicated to applicant's well.

C. And for such other and further relief as may be just in the premises.

HARVEY E. YATES COMPANY

By. 

LOSEE & CARSON, P.A.
P. O. Drawer 239
Artesia, New Mexico 88210

Attorneys for Applicant

DEC 29 1931
OIL CONSERVATION COMMISSION

BEFORE THE OIL CONSERVATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF
HARVEY E. YATES COMPANY FOR COMPULSORY
POOLING IN EDDY COUNTY, NEW MEXICO

CASE NO. _____

APPLICATION

COMES NOW HARVEY E. YATES COMPANY, by its attorneys,
and in support hereof, respectfully states:

1. That except as hereinafter noted, applicant is
the owner or operator of the entire working interest from the
surface through the Pennsylvanian formation underlying the
S/2 of Section 36, Township 17 South, Range 26 East, N.M.P.M.,
to be dedicated to an orthodox well located 990 feet from
the South line and 1,650 feet from the East line of said spacing
unit, comprising the S/2 of said Section 36.

2. Harvey E. Yates Company, J. C. Barnes Oil Company,
Exxon Company U.S.A., Kilroy Oil Company of Texas, William B.
Barnhill, and Universal Resources are the owners of the oil and
gas leasehold estate comprising the S/2 of said Section 36, and
a portion of said owners have not agreed to pool their interests
with applicant.

3. To avoid the drilling of unnecessary wells, to
protect correlative rights, and to afford the owner of each
interest in the S/2 of said Section 36 the opportunity to re-
cover or receive without unnecessary expense a just and fair

share of the gas in said pool, all mineral interests, whatever they may be, from the surface through the Pennsylvanian formation underlying the S/2 of said Section 36, should be pooled.

4. That any non-consenting working interest owner that does not pay his share of the estimated well costs should have withheld from production his share of the reasonable well costs, plus an additional 200% thereof, as the reasonable charge for the risk involved in the drilling of the well.

5. That applicant be authorized to withhold from production the proportionate share of a reasonable supervision charge attributable to each non-consenting working interest.

WHEREFORE, applicant prays:

A. That this application be set for hearing before an examiner and that notice of said hearing be given as required by law.

B. That upon hearing the Commission enter its order pooling all mineral interests, whatever they may be, from the surface through the Pennsylvanian formation underlying the S/2 of Section 36, Township 17 South, Range 26 East, N.M.P.M., to form a 320-acre gas spacing unit to be dedicated to applicant's well.

C. And for such other and further relief as may be just in the premises.

HARVEY E. YATES COMPANY

By: 

LOSEE & CARSON, P.A.
P. O. Drawer 239
Artesia, New Mexico 88210

Attorneys for Applicant

DEC 29 1954

BEFORE THE OIL CONSERVATION COMMISSION

STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF
HARVEY E. YATES COMPANY FOR COMPULSORY
POOLING IN EDDY COUNTY, NEW MEXICO

CASE NO. _____

APPLICATION

COMES NOW HARVEY E. YATES COMPANY, by its attorneys,
and in support hereof, respectfully states:

1. That except as hereinafter noted, applicant is
the owner or operator of the entire working interest from the
surface through the Pennsylvanian formation underlying the
S/2 of Section 36, Township 17 South, Range 26 East, N.M.P.M.,
to be dedicated to an orthodox well located 990 feet from
the South line and 1,650 feet from the East line of said spacing
unit, comprising the S/2 of said Section 36.

2. Harvey E. Yates Company, J. C. Barnes Oil Company,
Exxon Company U.S.A., Kilroy Oil Company of Texas, William B.
Barnhill, and Universal Resources are the owners of the oil and
gas leasehold estate comprising the S/2 of said Section 36, and
a portion of said owners have not agreed to pool their interests
with applicant.

3. To avoid the drilling of unnecessary wells, to
protect correlative rights, and to afford the owner of each
interest in the S/2 of said Section 36 the opportunity to re-
cover or receive without unnecessary expense a just and fair

share of the gas in said pool, all mineral interests, whatever they may be, from the surface through the Pennsylvanian formation underlying the S/2 of said Section 36, should be pooled.

4. That any non-consenting working interest owner that does not pay his share of the estimated well costs should have withheld from production his share of the reasonable well costs, plus an additional 200% thereof, as the reasonable charge for the risk involved in the drilling of the well.

5. That applicant be authorized to withhold from production the proportionate share of a reasonable supervision charge attributable to each non-consenting working interest.

WHEREFORE, applicant prays:

A. That this application be set for hearing before an examiner and that notice of said hearing be given as required by law.

B. That upon hearing the Commission enter its order pooling all mineral interests, whatever they may be, from the surface through the Pennsylvanian formation underlying the S/2 of Section 36, Township 17 South, Range 26 East, N.M.P.M., to form a 320-acre gas spacing unit to be dedicated to applicant's well.

C. And for such other and further relief as may be just in the premises.

HARVEY E. YATES COMPANY

By: 

LOSEE & CARSON, P.A.
P. O. Drawer 239
Artesia, New Mexico 88210

Attorneys for Applicant

Dockets Nos. 3-77 and 5-77 are tentatively set for hearing on January 19 and February 2, 1977. Applications for hearing must be filed at least 22 days in advance of hearing date.

DOCKET: COMMISSION HEARING - TUESDAY - JANUARY 4, 1977

OIL CONSERVATION COMMISSION - 9 A.M. - ROOM 205,
STATE LAND OFFICE BUILDING, SANTA FE, NEW MEXICO

CASE 5824: Application of Raymond Eaves for an exception to Order No. R-3221, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks, as an exception to the provisions of Commission Order No. R-3221, permission to construct and operate an earthen evaporation pit in the NE/4 SW/4 of Section 2, Township 20 South, Range 30 East, Eddy County, New Mexico, for the disposal of produced water from oil and gas wells in Eddy and Lea Counties, New Mexico.

Docket No. 2-77

DOCKET: EXAMINER HEARING - WEDNESDAY - JANUARY 5, 1977

9 A.M. - OIL CONSERVATION COMMISSION CONFERENCE ROOM,
STATE LAND OFFICE BUILDING, SANTA FE, NEW MEXICO

The following cases will be heard before Daniel S. Nutter, Examiner, or Richard L. Stamets, Alternate Examiner:

CASE 5820: (Continued & Readvertised)

Application of Texas Oil & Gas Corporation for compulsory pooling, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks an order pooling all mineral interests in the Wolfcamp and Pennsylvanian formations underlying the W/2 of Section 4, Township 22 South, Range 26 East, Eddy County, New Mexico, to be dedicated to a well to be drilled at a standard location thereon. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision. Also to be considered will be the designation of applicant as operator of the well and a charge for risk involved in drilling said well.

CASE 5825: Application of Harvey E. Yates Company for compulsory pooling, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks an order pooling all mineral interests in the Wolfcamp and Pennsylvanian formations underlying the S/2 of Section 36, Township 17 South, Range 26 East, Atoka-Pennsylvanian Gas Pool, Eddy County, New Mexico, to be dedicated to a well to be drilled at a standard location. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision. Also to be considered will be the designation of applicant as operator of the well and a charge for risk involved in drilling said well.

CASE 5826: Application of Atlantic Richfield Company for three unorthodox locations and simultaneous dedication, Lea County, New Mexico. Applicant, in the above-styled cause, seeks authority to simultaneously dedicate a previously approved 185-acre Eumont gas proration unit comprising the SW/4 and SW/4 NW/4 of Section 19, Township 21 South, Range 36 East, Eumont Gas Pool, Lea County, New Mexico, to its State "F" DE Wells Nos. 1, 3, and 4 located at unorthodox locations in Units E, K, and M, respectively, of said Section 19.

CASE 5827: Application of Atlantic Richfield Company for four unorthodox locations and simultaneous dedication, Lea County, New Mexico. Applicant, in the above-styled cause, seeks authority to simultaneously dedicate a previously approved 275-acre Eumont gas proration unit comprising the W/2 E/2, N/2 NW/4, and SE/4 NW/4 of Section 19, Township 21 South, Range 36 East, Eumont Gas Pool, Lea County, New Mexico, to its State 176 Wells Nos. 2, 3, 4, and 6 located at unorthodox locations in Units O, J, G, and C, respectively, of said Section 19.

CASE 5828: Application of Atlantic Richfield Company for an unorthodox gas well location, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks approval for the unorthodox gas well location of its Robinsor Gas Com Well No. 1 to be drilled 1850 feet from the North line and 660 feet from the West line of Section 27, Township 17 South, Range 29 East, Grayburg-Morrow Gas Pool, Eddy County, New Mexico, the N/2 of said Section 27 to be dedicated to the well.

January 19, 1977

CASE 5825 (Continued and Readvertised) Newspapers:
Santa Fe
Artesia

Application of Harvey E. Yates Company for compulsory pooling, Eddy County, New Mexico.

Applicant, in the above-styled cause, seeks an order pooling all mineral interests in the Wolfcamp and Pennsylvanian sylvanian formations underlying the S/2 of Section 36, Township 17 South, Range 26 East, Atoka-Pennsylvanian Gas Pool, Eddy County, New Mexico, to be dedicated to a well to be drilled at a standard location thereon. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision. Also to be considered will be the designation of applicant as operator of the well and a charge for risk involved in drilling said well.

Dismissed

12-14-76 RLS

Phoned in hearing application
Joel Carson

Application of Harvey E. Yates Company
for compulsory pooling, Eddy County,
New Mexico. Applicant in the above-
styled cause seeks an order pooling
all mineral interests in the Wolfcamp
and Pennsylvanian formations underlying
the S/2 of Section 36, ~~Q10~~ Township
17 South Range ~~Q~~ 26 East, Eddy
County, New Mexico, to be dedicated
to a well to be drilled at a standard
location.

plus standard provisions costs etc

DRAFT

dr/

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
COMMISSION OF NEW MEXICO FOR
THE PURPOSE OF CONSIDERING:

CASE NO. 5825

Order No. R- 5347

13 72
APPLICATION OF HARVEY E. YATES
COMPANY FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on January 5, 19 77,
at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this day of January, 19 77, the Commission,
a quorum being present, having considered the record and the recom-
mendations of the Examiner, and being fully advised in the premises,

FINDS:

That the applicant's request for dismissal should be
granted.

IT IS THEREFORE ORDERED:

That Case No. 5825 is hereby dismissed.

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