

American Exploration Company

March 4, 1992

J.H. Garner Marks-Garner Production Company P.O. Box 70 Lovington, NM 88260

Re: Baum No. 1
Unit Letter "A"
Lea County, New Mexico

Dear Mr. Garner:

Reference is made to your letter dated February 28, 1992, in which you requested our participation in communitizing the NE/4 of Section 2, Township 14 South, Range 32 East. American Exploration Company elects not to participate in the proposed Communitization, but has no objection to Marks-Garner Production Company filing for a 40 acre non-standard unit with the State of New Mexico Oil Conservation Commission.

If you have any questions, please contact me at (713) 756-6325.

Very truly yours,

Ronnie C. Van Winkle

Landman

RCVW/kl

. State Lease - 6 copies

CONDITIONS OF APPROVAL, IP ANY:

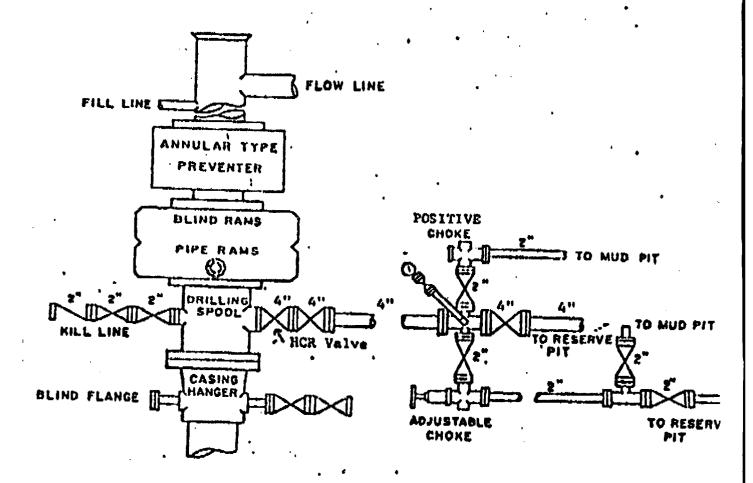
State of New Mexico Energy, Minerals and Natural Resources Department

Form C-101 Revised 1-1-89

DISTRICT I P.O. Box 1980, Hobbs, NM 88240 DISTRICT II P.O. Drawer DD, Artesia, NM 88210 OIL CONSERVATION DIVISION P.O. Box 2088 Santa Fe, New Mexico 87504-2088				API NO. (assigned by OCD on New Wells) 30-025-23524 5. Indicate Type of Lease STATE X FEE			_ _ 1
DISTRICT III 1000 Rio Brazos Rd., Az	tec, NM 87410			6. State Oil Z-85	& Gas Lease		٠.
APPLICA	TION FOR PERMIT	TO DRILL, DEEPEN, C	R PLUG BACK	minin			2
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DRI	LL RE-ENT	ER A DEBPEN	PLUG BACK	1	704-JD	-	
b. Type of Well: OR. GAS WELL X WELL	ОТНЕЖ	BINGE & BONE	MULTIPLE 20NS				
2 Name of Operator Marks & Garr	ner Production	Company		S. Wall No.	,		-
3. Address of Operator				9. Pool same	or Wildon		-
P O Box 70,	Lovington, NM	88260		Baum U	pper Per	nn	
4. Well Location Unit Letter	A : 660 Fee	From The North	Line and 51	O Post I	From The]	East Line	,
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		10. Proposed Depth 10, 100	11.	Pormation Penn		12 Rotary or C.T. Reverse Unit	4
13. Elevations (Show what 4303 KB	her DF, RT, GR, etc.)	14. Kind & Status Plug, Bond	15. Drilling Contracto	*	16. Approx. 1 3-02	Dete Work will start -92]
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SIZE OF HOLE	SIZE OF CASING		SETTING DEPTH	SACKS OF	CEMENT	EST. TOP	
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IN ABOVE SPACE *ESCRIBE PROPOSED PROGRAM: IF PROPOSAL IS TO DEEPEN OR PLUG BACK, DIVE DATA ON PRESENT PRODUCTIVE ZONE AND PROPOSED NEW PRODUCTIVE BYENTER PROGRAM, IP ANY, information above is true and complete to the best of my knowledge and ballet. 2-28-92 Office Manager SIONATURE. TYPE OF PRINT NAME TELEPHONE NO. (This apace for State Use) APPROVED BY

of the



OIL CONSERVATION DIVISION

P.O. Box 2088

Santa Pc, New Mexico 87504-2088

DISTRICT.II P.O. Drawer DD, Artesia, NM 88210

DISTRICT 1 P.O. Box 1980, Hobbs, NM 88240

DISTRICT III 1000 Rio Brezos Rd., Aztec, NM 87410

WELL LOCATION AND ACREAGE DEDICATION PLAT

All Distances must be from the outer boundaries of the section Connior Vall No. Marks & Garner Production Company Baum 704 JV-D Unit Letter Section Township Range County 145 32E Lea Actual Pootage Location of Well: NMPM feet from the NOLL...
Producing Formation 660 510 line and feet from the line
Dedicated Acreage: Ground level Elev. 43031 Penn Baum Upper Penn 40 1. Outline the acreage dedicated to the subject well by colored pencil or hackure marks on the plat below. Acres 2. If more than one lease is dedicated to the wall, outline each and identify the ownership thereof (both as to working interest and royalty). 3. If more than one ideas of different ownership is dedicated to the well, have the interest of all owners been consolidated by communitization, unitization, force-pooling, etc.? Yes ☐ No If answer is "yes" type of comolidation if enswer is "no" list the owners and tract descriptions which have actually been consolidated. (Use reverse side of this form if necessary. No allowable will be assigned to the well until all interests have been conscildated (by communitization, unitization, forced-pooling, or otherwise) or until a non-standard unit, eliminating such interest, has been approved by the Division. **OPERATOR CERTIFICATION** I hereby certify that the information 660' contained herein in true and complete to the best of 1934 knowledge and belief د '510 . . . rinted Name Debra M. Necaise Office Manager Company Marks & Garner Prod. February 28, 1992 SURVEYOR CERTIFICATION I hereby certify that the well location shown on this plat was ploused from field notes of actual surveys made by me or under my inspervision, and that the same is true and correct to the best of my knowledge and belief. Date Surveyed Signature & Scal of Professional Surveyor Ceruficate No. 330 660 990 1320 1650 1980 2310 2640 1500 1000 500

STATE OF NEW MEXICO



ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING GOVERNOR

March 10, 1992

POST OFFICE BOX 2088 STATE LAND OFFICE BUILDING SANTA FE, NEW MEXICO 87504 (505) 827-5800

Marks-Gardner Production Company P.O. Box 70 Lovington, NM 88260

Attention: Debra M. Necaise, Office Manager

RE: Application for an unorthodox 40.40-acre oil spacing and proration unit; Lot 1 (NE/4 NE/4 equivalent), Section 2, Township 14 South, Range 32 East, NMPM, Baum-Upper Pennsylvanian Pool, Lea County, New Mexico.

Dear Ms. Necaise:

Reference is made to your application dated and received March 9, 1992 for the subject application. So that I may proceed in processing your application in a timely manner, please submit the following information:

- 1) a written confirmation in the form of an affidavit stating that American Exploration Company owns 100% of the working interests in State Lease No. K-3643 standard comprising from the quarter-section spacing unit, the area comprising Lot 2 and the S/2 NE/4 of said Section 2 (General 104.D.(2)(a)(iii));
- 2) a plat showing either the operator of the offsetting Baum-Upper Pennsylvanian producing wells and/or owner of an undrilled tract, which adjoins or corners such quarter-section; and
- proof that all of the aforementioned offsetting parties were notified by registered or certified mail of this application (see General Rule 104.D.(2)(a)(iv) and Rule No. 3 of the Special Rules and Regulations for the Baum-Upper Pennsylvanian Pool as promulgated by Division Order No. R-3368-A).

With this information, I should be able to process this application administratively.

Marks-Gardner Production Company

Attention: Debra M. Necaise

March 10, 1992

Page 2

Should you have any questions, please contact me.

Sincerely,

Michael E. Stogner

Chief Hearing Officer/Engineer

MES/ag

American Exploration Company 1331 Lamar Street, Suite 900 cc:

Houston, TX 77010

OCD - Hobbs

- (i) The non-standard unit consists of quarter-quarter sections or lots that are contiquous by a common bordering side.
- (ii) The non-standard unit lies wholly within a single governmental quarter section if the well is completed in a pool or formation for which 160 acres is the standard unit size or wholly within a single governmental half section if the well is completed in a pool or formation for which 320 acres is the standard unit size.
- (iii) The applicant presents written consent in the form of waivers from all offset operators and from all operators owning interests in the quarter section (for 160-acre pools or formations) or the half section (for 320-acre pools or formations) in which the non-standard unit is situated and which acreage is not included in said non-standard unit.
- (iv) In lieu of paragraph (c) of this rule, the applicant may furnish proof of the fact that all of the aforesaid operators were notified by registered or certified mail of his intent to form such nonstandard unit. The Director may approve the application if no such operator has entered an objection to the formation of such nonstandard unit within 30 days after the Director has received the application.
- E. Form C-101, Application for Permit to Drill, Deepen, or Plug Back for any well shall designate the exact legal subdivision allotted to the well and no Form C-101 will be approved by the Division or any of its agents without such proper designation of acreage.

F. UNORTHODOX LOCATIONS

- (1) The Division Director shall have authority to grant an exception to the well location requirements of Sections B and C above without notice and hearing when the necessity for such unorthodox location is based upon topographical conditions, the recompletion of a well previously drilled to a deeper horizon, provided said well was drilled at an orthodox or approved unorthodox location for such original horizon, or to permit the completion of an efficient production and injection pattern within a secondary recovery or pressure maintenance project, provided that any such unorthodox location within such project is no closer than 330 feet to the outer boundary of the lease or the unitized area, nor closer than 10 feet to any quarter-quarter section line or subdivision inner boundary.
- (2) The Division Director shall have authority to grant an exception to the well location requirements of Rule 104 B.I.(a) and Rule 104 C.II.(a) without notice and hearing when the necessity for such unorthodox location is based upon geologic conditions provided that any such unorthodox location shall be no closer than 660 feet to the nearest side boundary nor closer than 990 feet to the nearest end boundary of the proration unit.
- (3) Applications for administrative approval of unorthodox locations shall be filed in TRIPLICATE and shall be accompanied by plats, showing the ownership of all leases offsetting the proration or spacing unit for which the unorthodox location is sought, and also all wells completed thereon. If the proposed unorthodox location is based upon topography, the plat shall also show and describe the existent topographical conditions. If the proposed unorthodox location is based upon completion of an efficient production and injection pattern, the plat shall also show the project outline identifying all producing and injection wells therein, and the applicant shall further include a statement setting forth the necessity for such location. If the proposed unorthodox location is based upon geology as provided in Paragraph (2) above, the application shall include appropriate geologic maps, cross-sections, and/or logs, and a discussion of the geologic conditions which result in the necessity for the unorthodox location.

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5 10

BAUM-UPPER PENNSYLVANIAN POOL (Formerly Baum-Wolfcamp Pool) Lea County, New Mexico

Order No. R-3368-A, Redesignating and Adopting Operating Rules for the Baum-Upper Pennsylvanian Pool, Lea County, New Mexico, June 1, 1968.

Order No. R-3368-A supersedes Order No. R-3368, adopting temporary operating rules for the Baum-Wolfcamp Pool, January 22, 1968.

Application of Coastal States Gas Producing Company for an Amendment to Order No. R-3368, Lea County, New Mexico.

> **CASE NO. 3701** Order No. R-3368-A

ORDER OF THE COMMISSION

BY THE COMMISSION: This cause came on for hearing at 8 a.m. on May 22, 1968, at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 29th day of May, 1968, the Commission, a quorum being present, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

- (1) That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.
- (2) That by Order No. R-3368, dated January 22, 1968 temporary Special Rules and Regulations were promulgated for the Baum-Wolfcamp Pool, Lea County, New Mexico, providing for 80-acre spacing units, limited well locations, and an 80-acre proportional factor of 4.77 for allowable purposes, and providing that said temporary rules be reconsidered at an examinar because in a proposed to the country of the examiner hearing in January, 1969.
- (3) That the applicant, Coastal States Gas Producing Compan seeks amendment of the temporary Special Rules and Regulations promulgated by Order No. R-3368 to provide for 160-acre spacing units with the assignment of 80-acre allowables.
- That the applicant also seeks to have said rules and regulations, as proposed, made permanent.
- (5) That a number of wells have been completed in the subject pool subsequent to the issuance of Order No. R-3368.

- (6) That the additional evidence concerning the characteristics of the subject reservoir gained as a result of said completions establishes that one well in the pool can efficiently and economically drain and develop 160 acres.
- That the additional evidence presented indicates that the establishment of 160-acre spacing units and an 80-acre proportional factor of 4.77 for allowable purposes is warranted.
- (8) That the Special Rules and Regulations promulgated by Order No. R-3368, as amended by this order, will afford to the owner of each property in the pool the opportunity to produce his just and equitable share of the oil in the pool.

 (9) That in order to prevent the economic loss caused by the
- (9) That in order to prevent the economic loss caused by the drilling of unnecessary wells, to avoid the augmentation of risk arising from the drilling of an excessive number of wells, to prevent reduced recovery which might result from the drilling of too few wells, and to otherwise prevent waste and protect correlative rights, the Special Rules and Regulations promulgated by Order No. R-3368, as amended by this order, should be continued in full force and effect until further order of the Commission.
- (10) That the aforementioned additional evidence also establishes that the subject pool is producing from the Upper Pennsylvanian formation rather than the Wolfcamp formation.
- (11) That the subject pool should be redesignated the Baum-Upper Pennsylvanian Pool.

- IT IS THEREFORE ORDERED:
 (1) That, effective June 1, 1968, Order (a) of Order No. R-675-A, Order (a) of Order No. R-914, Order (e) of Order No. R-3367, and Order (a) of Order No. R-3389 are hereby amended by deleting therefrom the word "Wolfcamp" wherever it appears and substituting in lieu thereof the words "Upper Pennsylvanian."
- That the Special Rules and Regulations governing the Baum-Wolfcamp Pool, Lea County, New Mexico, promulgated by Order No. R-3368, are hereby amended to read in their entirety as follows, effective June 1, 1968:

SPECIAL RULES AND REGULATIONS FOR THE BAUM-UPPER PENNSYLVANIAN POOL

- RULE 1. Each well completed or recompleted in the Baum-Upper Pennsylvanian Pool or in the Upper Pennsylvanian formation within one mile thereof, and not nearer to or within the limits of another designated Upper Pennsylvanian oil pool, shall be spaced, drilled, operated, and produced in accordance with the Special Rules and Regulations hereinafter set forth.
- RULE 2. Each well shall be located on a standard unit containing 160 acres, more or less, substantially in the form of a square, which is a quarter section being a legal subdivision of the United States Public Land Surveys.
- RULE 3. The Secretary-Director of the Commission may grant an exception to the requirements of Rule 2 without notice

(BAUM-UPPER PENNSYLVANIAN POOL - Cont'd.)

and hearing when an application has been filed for a non-standard unit consisting of less than 160 acres or the unorthodox size or shape of the tract is due to a variation in the legal subdivision of the United States Public Land Surveys. All operators offsetting the proposed non-standard unit shall be notified of the application by registered or certified mail, and the application shall state that such notice has been furnished. The Secretary-Director may approve the application upon receipt of written waivers from all offset operators or if no offset operator has entered an objection to the formation of the non-standard unit within 30 days after the Secretary-Director has received the application.

RULE 4. Each well shall be located within 150 feet of the center of a governmental quarter-quarter section or lot.

RULE 5. The Secretary-Director may grant an exception to the requirements of Rule 4 without notice and hearing when an application has been filed for an unorthodox location necessitated by topographical conditions or the recompletion of a well previously drilled to another horizon. All operators offsetting the proposed location shall be notified of the application by registered or certified mail, and the application shall state that such notice has been furnished. The Secretary-Director may approve the application upon receipt of written waivers from all operators offsetting the proposed location or if no objection to the unorthodox location has been entered within 20 days after the Secretary-Director has received the application.

RULE 6. A standard proration unit (158 through 162 acres) shall be assigned an 80-acre proportional factor of 4.77 for allowable purposes, and in the event there is more than one well on a 160-acre proration unit, the operator may produce the allowable assigned to the unit from the wells on the unit in any proportion.

The allowable assigned to a non-standard proration unit shall bear the same ratio to a standard allowable as the acreage in such non-standard unit bears to 160 acres.

IT IS FURTHER ORDERED:

- (1) That the locations of all wells presently drilling to or completed in the Baum-Upper Pennsylvanian Pool or in the Upper Pennsylvanian formation within one mile thereof are hereby approved; that the operator of any well having an unorthodox location shall notify the Hobbs District Office of the Commission in writing of the name and location of the well on or before June 1, 1968.
- (2) That each well presently drilling to or completed in the Baum-Upper Pennsylvanian Pool or in the Upper Pennsylvanian formation within one mile thereof shall, after June 1, 1968, receive an allowable in the same proportion to a standard 160-acre allowable for the pool as the acreage presently dedicated to the well bears to 160 acres, until Form C-102 dedicating 160 acres to the well has been filed with the Commission, or until a non-standard unit containing less than 160 acres has been approved.
- (3) That Order No. R-3368 entered by the Commission on January 22, 1968, is hereby superseded.
- (4) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

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

NORTH SHIPROCK-DAKOTA POOL San Juan County, New Mexico

Order No. R-3408, Adopting Operating Rules for the North Shiprock-Dakota Pool, San Juan County, New Mexico, April 29, 1968.

Application of Dugan Production Corporation for the Creation of an Oil Pool and for Special Pool Rules, San Juan County, New Mexico.

CASE NO. 3755 Order No. R-3408

ORDER OF THE COMMISSION

BY THE COMMISSION: This cause came on for hearing at 9 a.m. on April 24, 1968, at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 29th day of April, 1968, the Commission, a quorum being present, having considered the testimony, the record, and the recommendations of the Examiner, and being fully advised in the premises,

FINDS

- (1) That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.
- (2) That the applicant, Dugan Production Corporation, seeks the creation of a new oil pool for Dakota production in San Juan County, New Mexico, and the establishment of special pool rules therefor providing for development on 2-1/2-acre spacing with a provision that each 40-acre tract be subject to a single Northwest New Mexico normal unit allowable.
- (3) That the Thomas A. Dugan Shiprock Well No. 1, located in Unit B of Section 14, Township 30 North, Range 18 West, NMPM, San Juan County, New Mexico, has discovered a separate common source of supply which should be designated the North Shiprock-Dakota Oil Pool; that the vertical limits of said pool should be Dakota formation, and that the horizontal limits of said pool should be the NE/4 of said Section 14.

NEW MEXICO OIL CONSERVATION COMMISSION (1) WELL LOCATION AND ACREAGE DEDICATION PLAT

Form C+102 Superseden C+128 Effective 14-85

BAUM 704 JV-D COM **BTA OIL PRODUCERS** Unit Letter SLEA 14-5 32-E 660 feet from the NORTH EAST 4293 **BOUGH-PENNSYLVANIAN BAUM** Acres 1. Outline the acreage dedicated to the subject well by colored pencil or hachure marks on the plat below. 2. If more than one lease is dedicated to the well, outline each and identify the ownership thereof (both as to working interest and royalty). 3. If more than one lease of different ownership is dedicated to the well, have the interests of all owners been consolidated by communitization, unitization, force-pooling, etc? COMMUNITIZATION If answer is "yes," type of consolidation If answer is "no," list the owners and tract descriptions which have actually one consocidated. (Use reverse side of this form if necessary.). No allowable will be assigned to the well until all interests have been consolidated thy communitization, unitization, forced-pooling, or otherwise) or until a non-standard unit, eliminating such interests, has been approved by the Commis-CERTIFICATION I hereby certify that the information conbest of my knowledge and belief. Production Manager BTA Oil Producers 8-26-70 I herrby certify that the well location shown on this plat was platted from field ф-I. (BAM BOREN) my supervision, and that the same is true and correct to the best of my knowledge and belief. Date Surveyed , o MAY 28, 1970 1510-15 330 460 190 1320 1650 1980 2310 2040

NO. OF COPIES RECEIVED	•		Form C-103	
DISTRIBUTION			Supersedes Old C-102 and C-103	
SANTA FE	NEW MEXICO OIL CONS	ERVATION COMMISSION	Effective 1-1-65	
FILE U.S.G.S.			Sa. Institute Type of Leave	
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2. Name of Operator BTA OIL PRODUCERS			6. Form of Lease Name Baum 704 JV-D "Com"	
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104 South Pecos	land, Texas 79701		10. Field and Pool, or Wildcat	
UNIT LETTER	660 PEET FROM THE Nort	h LINE AND 510 PEET PROM	Raum Honor Ponn	
THE East LINE SECTION	2 TOWNSHIP 14-	S 32-E		
	15. Elevation (Show whether 4293 GR	DF, RT, GR, etc.)	12. County	
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SEC. WELL LOCATION: TERM OF COMMUNITIZATION: EFFECTIVE: COUNTY: INSTITUTION: DEDICATED TO: STATE ACREAGE: TAL ACREAGE: DATE APPROVED: OPERATOR: COMMUNITIZATION NAME: AMI. 14S 14S RGE. 32E 32E SUBDIVISION W/2NE/4, SE/4NE/4 NE/4NE/4 1 yr. NE/4NE/4 (A) Common Schools Lea Pennsylvanian Formation 6-1-70 9-8-70 BTA Oil Producers BTA Oil Producers-Daum 704 JV-D Com Well No. 1 160.00 160.00 LEASE NO. TERMINATED K-3643 L-2676 2-1-79 LESSEE Allied Chemical Corporation Pennzoil United Inc. NE/4, 2-14S-32E *Wede PAA OIL CONSERVATION DIVISION SANTA FE ECEIVED JUN5 - 1979 ACREACE 120.00 40.00 160.00

OFERATOR: COLPUNITIZATION NAME: BTA Oil Producers-Baum 704 JV-D Com Well No. 1 BYN Oil Producers

EFFECTIVE: DATE APPROVED: 6-1-70 9-8-70

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1115/4, 2-145-32E

Pennsylvanian Formation 160.00

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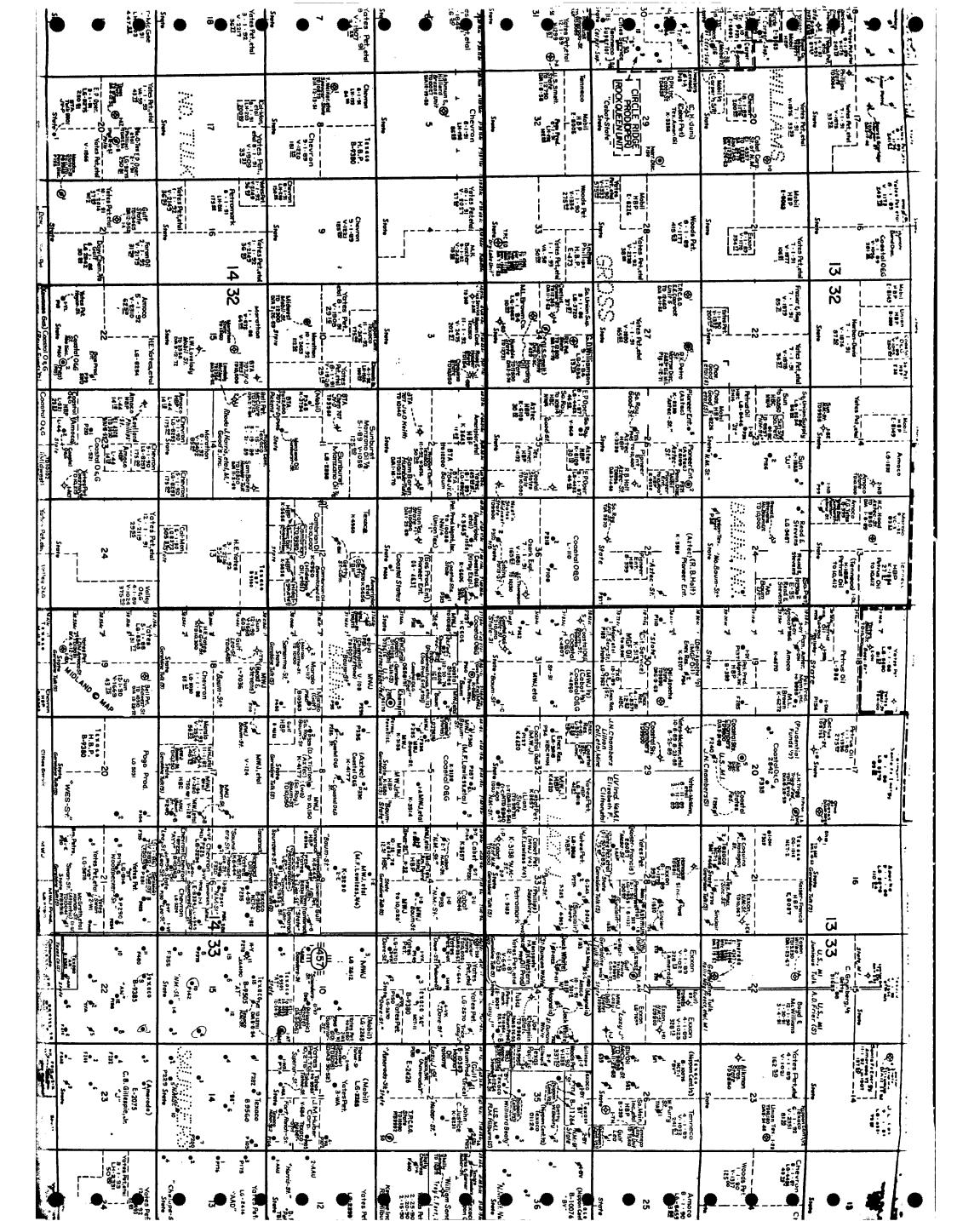
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MARKS-GARNER PRODUCTION CO.

THE CONSET OF PRODUCERS OF OIL & GAS

Phone (505) 396-5326 P.O. Box 70 - 1421 S. Love St. Lovington, New Mexico 88260 *92 四十 1 四 8 26

March 9, 1992

Oil Conservation Division P O Box 2088 Santa Fe, New Mexico 87504-2088

RE: Baum No. 1

Unit Letter "A"

ATTN: Mike Stogner

Lea County, New Mexico

Dear Mr. Stogner:

We are making application to a 40 acre non-standard unit allowable on the above reference lease. I have faxed you copies of the C-101, C-102, and a picture of the blowout preventer. I have also faxed you a copy of the letter from American Exploration Company stating they have no objections to Marks-Garner filing for this non-standard unit allowable.

If there is anything else we need to do to get this approved, please notify our office. Your assistance in getting this matter handled is greatly appreciated.

Thank you,

Debra M. Necaise Office Manager