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April 29, 2003

**Via Fax and Hand Delivery**

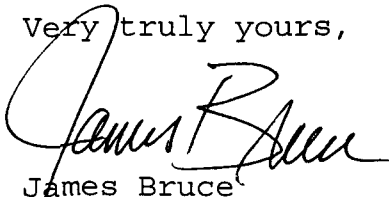
Florene Davidson  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Dear Florene:

Enclosed are an original and one copy of an application for compulsory pooling, together with a proposed advertisement, filed on behalf of Ricks Exploration Inc. Please set this matter for the May 22, 2003 Examiner hearing. Thank you.

The advertisement is also on the enclosed disk under "RICK."

Very truly yours,



James Bruce

Attorney for Ricks Exploration Inc.

**RECEIVED**

APR 29 2003

Oil Conservation Division

Case 13076

PARTIES BEING POOLED

Matrix Energy Holdings, LLC  
Suite 120  
1650 Highway 6 South  
Sugar Land, Texas 77478

The Betelgeuse Trust  
d/b/a Betelgeuse Production  
P.O. Box 1937  
Fredericksburg, Texas 78624

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

RECEIVED

APPLICATION OF RICKS EXPLORATION,  
INC. FOR COMPULSORY POOLING, LEA  
COUNTY, NEW MEXICO.

APR 29 2003 No. 13076

Oil Conservation Division

APPLICATION

Ricks Exploration, Inc. applies for an order pooling all mineral leasehold interests from the surface to the base of the Wolfcamp formation underlying the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35, Township 12 South, Range 38 East, N.M.P.M., Lea County, New Mexico, and in support thereof, states:

1. Applicant is a working interest owner in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35, and has the right to drill a well thereon.

2. Applicant proposes to drill its Harris "35" Well No. 1, at an orthodox oil well location, and seeks to dedicate the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35 to the well for all pools or formations developed on 40 acre spacing, including the Bronco-Wolfcamp Pool.

3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral leasehold interest owners in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35 for the purposes set forth herein.

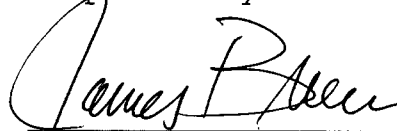
4. Although applicant attempted to obtain voluntary agreements from all mineral leasehold interest owners to participate in the drilling of the well or to otherwise commit their interests to the well, certain interest owners have failed or refused to join in dedicating their interests. Therefore, applicant seeks an order pooling all mineral leasehold interest owners in the NE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 35, pursuant to NMSA 1978 §70-2-17.

5. The pooling of all mineral leasehold interests underlying the NE¼SE¼ of Section 35 will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

**WHEREFORE**, Applicant requests that, after notice and hearing, the Division enter its order:

- A. Pooling all mineral leasehold interests in the NE¼SE¼ of Section 35, from the surface to the base of the Wolfcamp formation;
- B. Designating applicant as operator of the well;
- C. Considering the cost of drilling and completing the well, and allocating the cost thereof among the well's working interest owners;
- D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting those rates as provided in the COPAS accounting procedure;
- E. Setting a penalty for the risk involved in drilling and completing the well in the event a working interest owner elects not to participate in the well; and
- F. Granting such further relief as the Division deems proper.

Respectfully submitted,



James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attorney for Ricks Exploration, Inc.

## PROPOSED ADVERTISEMENT

Case 13076: Application of Ricks Exploration Inc. for compulsory pooling, Lea County, New Mexico. Applicant seeks an order pooling all mineral interests from the surface to the base of the Wolfcamp formation underlying the NE¼SE¼ of Section 35, Township 12 South, Range 38 East, NMPM, to form a standard 40-acre oil spacing and proration unit for any formations and/or pools developed on 40-acre spacing within that vertical extent, including the Bronco-Wolfcamp Pool. The unit is to be dedicated to the Harris 35 Well No. 1, to be drilled at an orthodox oil well location in the NE¼SE¼ of Section 35. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a charge for the risk involved in drilling and completing the well. The unit is located approximately 15 miles east of Tatum, New Mexico.