



# INKLE SHANOR LLP

ATTORNEYS AT LAW

PO BOX 2068

SANTA FE, NEW MEXICO 87504

505-982-4554 (FAX) 505-982-8623

RECEIVED  
WRITER:

2017 MAR 10 P

Gary W. Larson,  
Partner  
glarson@hinklelawfirm.com

March 10, 2017

VIA HAND DELIVERY

Florene Davidson  
Oil Conservation Division  
1220 S. St. Francis Drive  
Santa Fe, NM 87505

*Case 15670*

Re: Steward Energy II, LLC Application

Dear Florene:

Enclosed please find: (i) for filing, the original and one (1) copy of an application by Steward Energy II, LLC ("Steward") for approval of a 240-acre, non-standard oil spacing and proration unit to be dedicated to Steward's Pollo Hermanos #5H well; and (ii) a proposed hearing notice. I will email the proposed hearing notice to you in Word format.

As stated in the application, Steward requests that the application be placed on the Division's April 13, 2017 hearing docket.

Thank you for your assistance.

Very truly yours,

Gary W. Larson

GWL:jwl  
Enclosures

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

RECEIVED OIL  
2017 MAR 10 PM 2:21

**APPLICATION OF STEWARD ENERGY II,  
LLC FOR A NON-STANDARD  
SPACING AND PRORATION UNIT  
AND COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO**

Case No. 15670

**APPLICATION**

Pursuant to NMSA § 70-2-17, Steward Energy II, LLC ("Steward") applies for an order (i) approving a 240-acre, non-standard spacing and proration unit in the E/2 SW/4 of Section 3 and the E/2 W/2 of Section 10, Township 14 South, Range 38 East, Lea County, New Mexico, and (ii) pooling all uncommitted mineral interests in the San Andres formation. In support of its Application, Steward states:

1. Steward (OGRID No. 371682) is a working interest owner in the E/2 SW/4 of Section 3 and the E/2 W/2 of Section 10 and has the right to drill a well thereon.
2. Steward proposes to dedicate the above-referenced non-standard spacing and proration unit as the project area for its Pollo Hermanos State #5H well, which will be horizontally drilled from a surface location in Unit N of Section 10 to a bottom hole location in Unit K of Section 3, Township 14 South, Range 38 East.
3. Steward has undertaken diligent, good-faith efforts to obtain voluntary agreements from all mineral interest owners in the proposed project area to participate in the drilling of the well, but has been unable to obtain voluntary agreements from all of the mineral interest owners.
4. The pooling of those uncommitted mineral interests will avoid the drilling of unnecessary wells, prevent waste, and protect correlative rights.

5. In order to allow Steward to obtain its just and fair share of the oil and gas underlying the subject lands, all uncommitted mineral interest owners in the non-standard spacing and proration unit should be pooled and Steward should be designated the operator of the proposed horizontal well and project area.

WHEREFORE, Steward requests that this application be set for hearing on April 13, 2017 and that, after notice and hearing, the Division enter an order:

A. Approving a 240-acre non-standard spacing and proration unit (project area) in the San Andres formation in the E/2 SW/4 of Section 3 and the E/2 W/2 of Section 10, Township 14 South, Range 38 East, in Lea County;

B. Pooling all uncommitted mineral interests in the proposed project area;

C. Designating Steward as the operator of the project area and the Pollo Hermanos State #5H well;

D. Authorizing Steward to recover its costs of drilling, equipping, and completing the well;

E. Considering the cost of drilling and completing the Pollo Harmanos State #5H well and allocating the cost among the uncommitted mineral interest owners;

F. Approving the actual operating charges and costs of supervision during drilling and after completion, together with a provision for adjusting the rates pursuant to the COPAS accounting procedure; and

G. Imposing a 200% penalty for the risk assumed by Steward in drilling and completing the Pollo Hermanos State #5H well against any mineral interest owner who does not voluntarily participate in the drilling of the well.

HINKLE SHANOR LLP

A handwritten signature in black ink, appearing to read "Gary W. Larson", is written over a horizontal line.

Gary W. Larson

P.O. Box 2068

Santa Fe, NM 87504-2068

Phone: (505) 982-4554

Facsimile: (505) 982-8623

glarson@hinklelawfirm.com

*Counsel for Steward Energy II, LLC*

## **PROPOSED NOTICE**

Case No. 15670: Application of Steward Energy II, LLC for a non-standard oil spacing and proration unit and compulsory pooling, Lea County, New Mexico. Applicant seeks an order (i) creating a 240-acre, non-standard oil spacing and proration unit (project area) comprised of the E/2 SW/4 of Section 3 and the E/2 W/2 of Section 10, Township 14 South, Range 38 East, NMPM, in Lea County, and (ii) pooling all mineral interests in the San Andres formation underlying this acreage. The project area is to be dedicated to applicant's Pollo Hermanos State #5H well, which will be horizontally drilled from a surface location in Unit N of Section 10, Township 14 South, Range 38 East to a bottom hole location in Unit K of Section 3, Township 14 South, Range 38 East. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost, the designation of Steward Energy II, LLC as the operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The proposed project area is located approximately 16.5 miles northwest of Tatum, New Mexico.

RECEIVED OCT  
2017 MAR 10 P 2:30