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MODRALL SPERLING

L A W Y E R S

Jennifer L. Bradfute
505.848.1845
Fax: 505.848.1882
jlb@modrall.com

January 23, 2018

Case 15985

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

**Re: APPLICATION OF MARATHON
OIL PERMIAN LLC FOR A NON-STANDARD
OIL SPACING AND PRORATION UNIT
AND COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

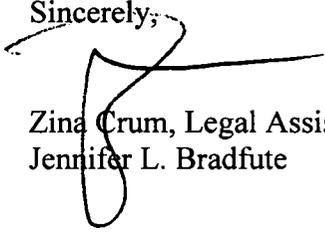
Dear Ms. Davidson:

Enclosed please find three copies of the following:

1. Marathon's Application - Gravel Grinder Fee 6H

Thank you for your assistance. Please contact me if you have any questions.

Sincerely,



Zina Crum, Legal Assistant to
Jennifer L. Bradfute

JLB/zc
Enclosure

Modrall Spierling
Roehi Harris & Sisk
P.A.

Bank of America
Centre
500 Fourth Street
NW
Suite 1000
Albuquerque,
New Mexico 87102

PO Box 2168
Albuquerque,
New Mexico
87103-2168

Tel: 505 848 1800

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

**APPLICATION OF MARATHON
OIL PERMIAN LLC FOR A NON-STANDARD
OIL SPACING AND PRORATION UNIT
AND COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO**

CASE NO. 15985

APPLICATION

Marathon Oil Permian LLC ("Marathon"), OGRID Number 372098, through its undersigned attorneys, hereby files this application with the Oil Conservation Division pursuant to the provisions of N.M. Stat. Ann. § 70-2-17, for an order: (1) creating a non-standard 160-acre oil spacing and proration unit in the Bone Spring formation, comprised of the E/2 W/2 of Section 18, Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico; and (2) pooling all mineral interests in the Bone Spring formation underlying this proposed non-standard spacing and proration unit. In support of this application, Marathon states:

1. Marathon is an interest owner in the subject lands and has a right to drill a well thereon.
2. Marathon requests the creation of a non-standard proration unit covering the Bone Springs formation underlying the E/2 W/2 of Section 18, Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico (the "project area"). Marathon plans to drill and complete the **Gravel Grinder Fee 28-28-18 TB 6H** well, which is a horizontal well that will develop the Malaga Bone Springs, North Pool (Pool Code 42800) underlying the project area.

3. The Malaga Bone Springs, North Pool (Pool Code 42800) is governed by the Division's statewide rule.

4. The Gravel Grinder Fee 28-28-18 TB 6H well will be drilled from Unit N of Section 18 to a bottom hole location in Unit C of Section 18. The perforations for the proposed well will be orthodox and comply with the Division's setback requirements.

5. Marathon sought, but has been unable to obtain a voluntary agreement from all interest owners in the Bone Spring formation underlying the proposed project area to participate in the drilling of the wells or to otherwise commit their interests to the wells.

6. The creation of a non-standard proration unit and the pooling of interests will avoid the drilling of unnecessary wells, will prevent waste, and will protect correlative rights.

7. In order to permit Marathon to obtain its just and fair share of the oil and gas underlying the subject lands, all interests in this non-standard spacing unit should be pooled and Marathon should be designated operator of the proposed horizontal wells and spacing unit.

8. Notice of this application is being given in accordance with Division rules.

WHEREFORE, Marathon requests that this application be set for hearing before an Examiner of the Oil Conservation Division on February 8, 2018, and, after notice and hearing as required by law, the Division enter an order:

A. Creating a 160-acre, more or less, non-standard spacing and proration unit in the Bone Spring formation, comprised of the E/2 W/2 of Section 18, Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico;

B. Pooling all mineral interests in the non-standard spacing and proration unit;

C. Designating Marathon Oil Permian LLC operator of this non-standard spacing unit and the horizontal wells to be drilled thereon;

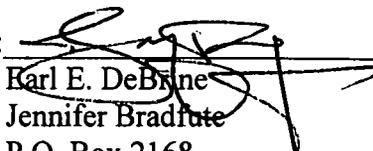
D. Authorizing Marathon to recover its costs of drilling, equipping and completing the wells;

E. Approving the actual operating charges and costs of supervision while drilling and after completion, together with a provision adjusting the rates pursuant to the COPAS accounting procedures; and

F. Imposing a 200% penalty for the risk assumed by Marathon in drilling, completing and equipping the wells against any working interest owner who does not voluntarily participate in the drilling of the well.

Respectfully submitted,

MODRALL, SPERLING, ROEHL, HARRIS
& SISK, P.A.

By: 
Karl E. DeByne
Jennifer Bradfute
P.O. Box 2168
500 Fourth Street NW, Suite 1000
Albuquerque, New Mexico 87103-2168
Telephone: 505.848.1800
Attorneys for Applicant

CASE NO. 15985 : Application of Marathon Oil Permian LLC for a non-standard spacing and proration unit and compulsory pooling, Eddy County, New Mexico. Applicant seeks an order (1) creating a non-standard 160-acre oil spacing and proration unit in the Bone Spring formation, comprised of the E/2 W/2 of Section 18, Township 23 South, Range 28 East, NMPM, Eddy County, New Mexico; and (2) pooling all mineral interests in the Bone Spring formation underlying this proposed non-standard spacing and proration unit. This proposed non-standard spacing and proration unit will be the project area for the **Gravel Grinder Fee 28-28-18 TB 6H**, to be horizontally drilled. The producing area for this well will be orthodox. Also to be considered will be the cost of drilling and completing said wells, the allocation of these costs as well as the actual operating costs and charges for supervision, designation of Marathon as operator of the well, and a 200% charge for risk involved in drilling said well. Said area is located approximately 2 miles northwest of Loving, New Mexico.