

DOCKET: EXAMINER HEARING - THURSDAY - JULY 9, 2009

8:15 A.M. - 1220 South St. Francis
Santa Fe, New Mexico

Docket Nos. 25-09 and 26-09 are tentatively set for July 23, 2009 and August 6, 2009. Applications for hearing must be filed at least 30 days in advance of hearing date. OCD Rule 1211.B requires parties who intend to present evidence at an adjudicatory hearing to file a pre-hearing statement no later than the Thursday before the hearing, and serve a copy on opposing counsel of record. If the OCD does not receive a pre-hearing statement from the applicant by the close of business on the Thursday before the hearing, the hearing may be continued or dismissed by order of the examiner. If a protesting party fails to submit a timely pre-hearing statement, the hearing may be continued at the applicant's request. The following cases will be heard by an Examiner.

Locator Key for Cases

Case 13940 - No. 9
Case 14271 - No. 14
Case 14311 - No. 12
Case 14319 - No. 11
Case 14320 - No. 1
Case 14322 - No. 13
Case 14326 - No. 2
Case 14329 - No. 10
Case 14331 - No. 4
Case 14332 - No. 6
Case 14333 - No. 7
Case 14337 - No. 3
Case 14338 - No. 5
Case 14339 - No. 8

1. **CASE 14320:** (Continued from the June 25, 2009 Examiner Hearing.)
Application of the New Mexico Oil Conservation Division for a Compliance Order against John Cravey d/b/a JRC Petroleum. The Applicant seeks an order finding that the operator is in violation of 19.15.25 NMAC and 19.15.5.9 NMAC, revoking Administrative Order SWD-1141, requiring operator to plug and abandon all the wells he operates by a date certain, and authorizing the division to plug and abandon the wells if the operator does not comply. The affected wells are: Bradley Federal #001, 30-015-00391, D-13-24S-26E; Bradley Federal #002, 30-015-00387, P-11-24S-26E; Bradley Federal #005, 30-015, 00382, P-11-24S-26E; Bradley Federal #006, 30-015-00386, I-11-24S-26E; Bradley Federal #008, 30-015-00383, K-11-24S-26E. The wells are located near Black River Village in Eddy County, New Mexico.
2. **CASE 14326:** (Continued from the June 11, 2009 Examiner Hearing.)
Application of the New Mexico Oil Conservation Division for a Compliance Order against Nacogdoches Oil and Gas, Inc. ("NOG"). The Applicant seeks an Order finding that Operator NOG is in violation of OCD Rule 19.15.8.9 as to 39 wells and Rule 19.15.25.8 as to 121 wells, requiring Xeric to bring all such wells into full compliance with OCD Rules by a date certain. The Division further seeks authority to forfeit any associated financial assurances, and to plug and abandon the subject wells should the Operator fail to meet the deadline established by the Order. The subject wells are all located in McKinley County on eight (8) units. The Hospah Sand Unit is located approximately 20 mi. NE of Crownpoint, NM, 4 mi. S of junction of highways 197 and 509 on the E side of highway 509; the Santa Fe RR Unit is located approximately 23 mi. E of Crownpoint, NM, 6 mi. SE of junction of 197/509; the Lone Pine Dakota D Unit is located approximately 24 mi. E of Crownpoint, NM, 7 mi. S of junction 197/509; the Santa Fe Railroad A Unit is located directly adjacent to the Hospah Sand Unit to the southeast and is approximately 24 mi. E of Crownpoint, NM, 7 mi. SSE of junction 197/509, the

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Santa Fe Railroad B Unit is comprised of a small cluster of wells located approximately 26 mi. E of Crownpoint, NM, 8 mi. SE junction 197/509; the Santa Fe Pacific RR Unit is located approximately 21 mi. E of Crownpoint, 9 mi. S junction 197/509; the South Hospah Unit is located approximately 21 mi E of Crownpoint, NM, 7 mi SE of junction 197/509; and the Santa Fe Unit is directly adjacent to the SE of the Santa Fe Railroad Unit and is approximately 24 mi. E of Crownpoint, NM, 7 mi ESE of junction 197/509. The specific wells involved in this matter include the following:

30-031-05205	hospah sand unit #003	N-36-18N-09W 1650-W 330-S
30-031-05207	hospah sand unit #015	N-36-18N-09W 2590-W 330-S
30-031-05213	hospah sand unit #017	N-36-18N-09W 999-E 999-S
30-031-05203	hospah sand unit #019	O-36-18N-09W 2060-E 330-S
30-031-05212	hospah sand unit #025	O-36-18N-09W 999-E 999-S
30-031-05214	hospah sand unit #027	P-36-18N-09W 999-E 999-S
30-031-05216	hospah sand unit #028	J-36-18N-09W 550-W 550-S
30-031-05225	hospah sand unit #029	G-36-18N-09W 550-W 550-S
30-031-05224	hospah sand unit #032	I-36-18N-09W 999-E 999-S
30-031-05222	hospah sand unit #035	K-36-18N-09W 999-E 999-S
30-031-05219	hospah sand unit #037	I-36-18N-09W 990-E 990-S
30-031-05179	hospah sand unit #038	F-1 -17N-09W 1970-W 2030-N
30-031-05171	hospah sand unit #039	K-1 -17N-09W 1980-W 1980-S
30-031-05201	hospah sand unit #050	P-36-18N-09W 660-E 330-S
30-031-05194	hospah sand unit #051	3-1 -17N-09W 1980-E 660-N
30-031-05182	hospah sand unit #052	G-1 -17N-09W 2970-W 2310-N
30-031-20115	hospah sand unit #058	O-36-18N-09W 2350-E 30-S
30-031-20116	hospah sand unit #059	J-36-18N-09W 2625-E 1430-S
30-031-20248	hospah sand unit #084	F-1 -17N-09W 2600-W 1425-N
30-031-20613	hospah sand unit #092	O-36-18N-09W 1850-E 700-S
30-031-20611	hospah sand unit #093	4-1 -17N-09W 2010-W 770-N
30-031-20608	hospah sand unit #095	3-1 -17N-09W 2550-E 350-N
30-031-20831	hospah sand unit #100	H-36-18N-09W 1190-E 2505-N
30-031-20944	hospah sand unit #105	N-36-18N-09W 1750-W 70-S
30-031-20183	Lone pine dakota d unit#012	B-13-17N-09W 3500-W 800-N
30-031-20174	lone pine dakota d unit#014	3-13-17N-09W 4620-W 1980-N
30-031-20201	lone pine dakota d unit#023	K-13-17N-09W 2310-W 1650-S
30-031-20086	santa fe #016	C-7 -17N-08W 2310-W 330-N
30-031-20102	santa fe #017	F-7 -17N-08W 1950-W, 1950-N
30-031-20341	santa fe #029	B-7 -17N-08W 1680-E 990-N
30-031-20165	santa fe pacific RR #002	L-13-17N-09W 660-W 1980-S
30-031-20181	santa fe pacific RR #008	D-24-17N-09W 640-W 740-N
30-031-20182	santa fe pacific RR #009	F-13-17N-09W 2180-W 2180-N
30-031-05147	santa fe railroad #003	I-7 -17N-08W 660-W 660-N
30-031-05151	santa fe railroad #004	C-7 -17N-08W 1650-W 330-N
30-031-05141	santa fe railroad #007	2-7 -17N-08W 330-W 1650-N
30-031-05496	santa fe railroad #008	3-7 -17N-08W 330-W 2400-S
30-031-05531	santa fe railroad #009	F-7 -17N-08W 1650-W 1650-N
30-031-20032	santa fe railroad #012	I-7 -17N-08W 330-W 330-N
30-031-20038	santa fe railroad #013	I-7 -17N-08W 330-W 930-N
30-031-20037	santa fe railroad #014	I-7 -17N-08W 990-W 330-N

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30-031-20036	santa fe railroad #015	2-7 -17N-08W 990-W 1650-N
30-031-20138	santa fe railroad #018	1-7 -17N-08W 710-W 600-N
30-031-20139	santa fe railroad #019	2-7 -17N-08W 680-W 2090-N
30-031-20140	santa fe railroad #020	F-7 -17N-08W 2010-W 1800-N
30-031-20141	santa fe railroad #021	C-7 -17N-08W 1870-W 660-N
30-031-20150	santa fe railroad #023	C-7 -17N-08W 1330-W 5-N
30-031-20452	santa fe railroad #039	1-7 -17N-08W 330-W 700-N
30-031-20451	santa fe railroad #040	2-7 -17N-08W 420-W 1440-N
30-031-20594	santa fe railroad #041	1-7 -17N-08W 1000-W 1000-N
30-031-20745	santa fe railroad #042	F-7 -17N-08W 1650-W 2310-N
30-031-20712	santa fe railroad #043	C-7 -17N-08W 1725-W 1025-N
30-031-20713	santa fe railroad #044	C-7 -17N-08W 2300-W 1095-N
30-031-20804	santa fe railroad #045	F-7 -17N-08W 1330-W 1950-N
30-031-20836	santa fe railroad #047	1-7 -17N-08W 550-W 1200-N
30-031-20837	santa fe railroad #048	2-7 -17N-08W 410-W 2410-N
30-031-20838	santa fe railroad #049	2-7 -17N-08W 1100-W 2520-N
30-031-20854	santa fe railroad #050	2-7 -17N-08W 100-W 1980-N
30-031-20853	santa fe railroad #051	C-7 -17N-08W 1480-W 550-N
30-031-20021	santa fe railroad a #074	9-1 -17N-09W 330-E 1650-S
30-031-20147	santa fe railroad a #083	8-1 -17N-09W 15-E 1335-S
30-031-20372	santa fe railroad a #084	O-1 -17N-09W 2900-E 5-S
30-031-20413	santa fe railroad a #087	P-1 -17N-09W 50-E 5-S
30-031-20855	santa fe railroad a #097	O-1 -17N-09W 1655-E 240-S
30-031-20303	santa fe rr b #032	M-5 -17N-08W 330-W 990-S
30-031-20369	santa fe rr b #033	L-5 -17N-08W 330-W 2310-S
30-031-20390	santa fe rr b #034	M-5 -17N-08W 330-W 330-S
30-031-20391	santa fe rr b #035	E-5 -17N-08W 330-W 2310-S
30-031-20416	santa fe rr b #036	L-5 -17N-08W 330-W 1650-S
30-031-20415	santa fe rr b #037	M-5 -17N-08W 330-W 890-S
30-031-05142	south hospah unit #001	G-12-17N-09W 2062-E 1980-N
30-031-05139	south hospah unit #002	F-12-17N-09W 2310-W 2310-N
30-031-05140	south hospah unit #003	3-12-17N-09W 1392-E 1650-N
30-031-05145	south hospah unit #004	C-12-17N-09W 2310-W 990-N
30-031-05146	south hospah unit #005	B-12-17N-09W 2712-E 990-N
30-031-20009	south hospah unit #006	I-12-17N-09W 330-E 330-N
30-031-20012	south hospah unit #007	4-12-17N-09W 330-E 1650-N
30-031-20015	south hospah unit #008	G-12-17N-09W 2051-E 1650-N
30-031-20013	south hospah unit #009	B-12-17N-09W 2051-E 330-N
30-031-60017	south hospah unit #010	C-12-17N-09W 2300-W 990-N
30-031-20016	south hospah unit #011	F-12-17N-09W 2310-W 1650-N
30-031-20020	south hospah unit #012	E-12-17N-09W 990-W 2160-N
30-031-20054	south hospah unit #013	F-12-17N-09W 1620-W 2280-N
30-031-20053	south hospah unit #014	E-12-17N-09W 1300-W 1700-N
30-031-20055	south hospah unit #015	E-12-17N-09W 330-W 2500-N
30-031-20056	south hospah unit #016	F-12-17N-09W 2330-W 1755-N
30-031-20057	south hospah unit #017	G-12-17N-09W 3000-W 2250-N
30-031-05134	south hospah unit #021	K-12-17N-09W 2310-W 2310-S

30-031-05498	south hospah unit #022	L-12-17N-09W 990-W 2210-S
30-031-20091	south hospah unit #024	B-12-17N-09W 2650-E 330-N
30-031-20092	south hospah unit #025	2-12-17N-09W 1505-E 330-N
30-031-20093	south hospah unit #026	1-12-17N-09W 380-E 330-N
30-031-20094	south hospah unit #027	4-12-17N-09W 330-E 1570-N
30-031-20095	south hospah unit #028	2-12-17N-09W 1485-E 933-N
30-031-20120	south hospah unit #029	B-12-17N-09W 1870-E 410-N
30-031-20121	south hospah unit #030	B-12-17N-09W 1980-E 950-N
30-031-20122	south hospah unit #031	B-12-17N-09W 2800-E 330-N
30-031-20125	south hospah unit #032	C-12-17N-09W 2370-W 550-N
30-031-20124	south hospah unit #033	F-12-17N-09W 1710-W 1340-N
30-031-20119	south hospah unit #035	2-12-17N-09W 850-E 330-N
30-031-20118	south hospah unit #036	B-12-17N-09W 2630-E 900-N
30-031-20135	south hospah unit #037x	D-12-17N-09W 1280-W 1280-N
30-031-20151	south hospah unit #038	2-12-17N-09W 660-E 660-N
30-031-20152	south hospah unit #039	3-12-17N-09W 660-E 2180-N
30-031-20360	south hospah unit #046	E-12-17N-09W 700-W 1700-N
30-031-20361	south hospah unit #047	3-12-17N-09W 1775-W 785-N
30-031-20362	south hospah unit #048	G-12-17N-09W 2817-E 1485-N
30-031-20363	south hospah unit #049	B-12-17N-09W 2117-E 885-N
30-031-20364	south hospah unit #050	2-12-17N-09W 900-E 950-N
30-031-20242	south hospah unit #051	E-12-17N-09W 620-W 1775-N
30-031-20243	south hospah unit #052	C-12-17N-09W 1850-W 720-N
30-031-20278	south hospah unit #053	1-12-17N-09W 330-E 950-N
30-031-20407	south hospah unit #054	1-12-17N-09W 5-E 1319-N
30-031-20408	south hospah unit #057	E-12-17N-09W 110-W 2290-N
30-031-20409	south hospah unit #058	F-12-17N-09W 1640-W 2580-N
30-031-20410	south hospah unit #059	G-12-17N-09W 2500-E 2340-N
30-031-20411	south hospah unit #060	8-12-17N-09W 1300-E 2210-N
30-031-20546	south hospah unit #061	B-12-17N-09W 2510-E 1120-N
30-031-20545	south hospah unit #062	B-12-17N-09W 1770-E 650-N
30-031-20544	south hospah unit #063	1-12-17N-09W 1325-E 710-N
30-031-20547	south hospah unit #064	3-12-17N-09W 900-E 1360-N

3. CASE 14337: Revised

Application of Nacogdoches Oil and Gas, Inc. for approval of a water disposal well, McKinley County, New Mexico. Applicant seeks an order approving water disposal into the Entrada formation in the South Hospah Unit Well No. 9, located 330 feet from the North line and 2051 feet from the East line of Section 12, Township 17 North, Range 9 West, NMPM. The well is located approximately 30 miles Northeast of Thoreau, New Mexico.

4. CASE 14331: (Continued from the June 25, 2009 Examiner Hearing.)

Application of XTO Energy, Inc. for compulsory pooling, San Juan County, New Mexico. Applicant seeks an order pooling all mineral interests in the Pictured Cliffs/Charca formations underlying the NE/4 of Section 24, T29N, R10W, NMPM, San Juan County, New Mexico, forming a standard 160-acre gas spacing and proration unit for any production from the Pictured Cliffs/Charca formations, including but not limited to the Aztec-Pictured Cliffs Gas Pool. This unit is to be dedicated to its Martinez Gas Com D Well No. 001R (API# 30-045-34063) to be drilled at a standard location in Unit B of this section. Also to be considered will be the costs of drilling and completion this well and the allocation of the costs thereof as well as actual operating costs and