



**MONTGOMERY
& ANDREWS**

J. SCOTT HALL

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January 27, 2009

Hand Delivered

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

2009 JAN 27 PM 3 22
RECEIVED

**Re: New Mexico Oil Conservation Commission Case No. 14278 ;
Application of Approach Operating, LLC for Approval of Fourteen
Applications for Permits to Drill, Rio Arriba County, New Mexico**

Dear Ms. Davidson:

Enclosed for filing are the original and six copies of the Application in the above-referenced matter. We request that this matter be scheduled for hearing as requested in the application.

Also enclosed is a copy of a proposed advertisement for this matter.

Very truly yours,

J. Scott Hall

JSH:kw
Enclosures

cc: Adan Trujillo, Esq. via fax w/enclosure
Cheryl Bada, Esq. via fax w/enclosure

REPLY TO:

325 Paseo de Peralta
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STATE OF NEW MEXICO
DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES
OIL CONSERVATION COMMISSION

RECEIVED
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IN THE MATTER OF THE APPLICATION OF
APPROACH OPERATING, LLC FOR APPROVAL
OF FOURTEEN APPLICATIONS FOR PERMITS TO DRILL,
RIO ARRIBA COUNTY, NEW MEXICO

CASE NO. 14278

APPLICATION

APPROACH OPERATING, LLC by its undersigned attorneys, Montgomery and Andrews, P.A., (J. Scott Hall) hereby applies for an order approving applications for permits to drill ("APD's") for fourteen wells in Rio Arriba County, New Mexico. In support, Applicant states:

1. Applicant is the operator of the following wells, (the "Subject Wells"), in Rio Arriba County, New Mexico:

Rice Well No. 1

T28N R5E NMPM

Lat. 36°38'23.46" N (36.63985 N)
Long. 106°27'4.32" W (-106.45120 W)

Rice Well No. 2

T28N R5E NMPM

Lat. 36°38'8.3394" N (36.635650 N)
Long. 106°26'57.5406" W (-106.4493166 W)

Montano Well No. 1

T27N R4E NMPM

Lat. 36°36'4.2582" N (36.6011833 N)
Long. 106°30'38.6388" W (-106.5107333 W)

Montano Well No. 2

T27N R4E NMPM

Lat. 36°35'53.127" N (36.59809129 N)
Long. 106°30'47.7576" W (-106.5132664 W)

Dora Spill Well No. 1

T28N R4E NMPM

Lat. 36°37'34.9782" N (36.6263833 N)
Long. 106°32'2.997" W (-106.534166 W)

Dora Spill Well No. 2

T28N R4E NMPM

Lat. 36°37'37.2" N (36.627000 N)
Long. 106°32'30.4182" W (-106.5417833 W)

Dora Spill Well No. 3

T28N R4E NMPM

Lat. 36°37'10.437" N (36.619566 N)
Long. 106°32'17.9982" W (-106.5383333 W)

Jeffrey Spill Well No. 1

T27N R4E NMPM

Lat. 36°34'53.1228" N (36.58142256 N)
Long. 106°31'24.3402" W (-106.523428 W)

Jeffrey Spill Well No. 2

T27N R3E NMPM

Lat. 36°34'24.4776" N (36.573466 N)
Long. 106°33'49.68" W (-106.5638 W)

Jeffrey Spill Well No. 3

T27N R4E NMPM

Lat. 36°34'59.0514" N (36.58307 N)
Long. 106°32'20.0394" W (-106.5389 W)

Edward Spill Well No. 1

T27N R3E NMPM

Lat. 36°35'17.775" N (36.58827121 N)
Long. 106°34'22.7742" W (-106.5729933 W)

Edward Spill Well No. 2

T27N R3E NMPM

Lat. 36°35'47.76" N (36.5966 N)
Long. 106°34'46.3794" W (-106.57955 W)

Edward Spill Well No. 3

T27N R4E NMPM

Lat. 36°36'14.1012" N (36.60391705 N)
Long. 106°33'43.3074" W (-106.5620295 W)

Edward Spill Well No. 4
T28N R4E NMPM
Lat. 36°36'56.5194" N (36.61570 N)
Long. 106°33'42.7782" W (-106.561883 W)

2. Applicant proposes to drill each of the Subject Wells to a depth sufficient to test the Mancos formation.

3. Applicant owns or controls the leasehold operating rights in the lands described above and otherwise has the right to drill each of the Subject Wells.

4. The Oil Conservation Division has regulatory jurisdiction over the drilling and operation of oil and gas wells in this state, including the Subject Wells, pursuant to the New Mexico Oil and Gas Act, NMSA 1978 §§70-2-1, *et seq.*, and the regulations administered by the Division found at 19.15.2.1 NMAC, *et seq.* The Division has accordingly directed Applicant to obtain approval of its APD's by way of examiner hearing. Applicant requests that this Application be consolidated for hearing with the Applications in Case No. 14134 and Case No. 14141.

5. Applicant requests that the APD's for the Subject Wells be approved by the Commission on a timely basis.

WHEREFORE Applicant requests that this Application be set for hearing before the Oil Conservation Commission on February 24, 2009 and that after notice and hearing as required by law, the Commission enter its Order approving the relief requested herein and making such other and further provisions as the Commission determines appropriate.

Respectfully submitted,

MONTGOMERY & ANDREWS, P.A.

By: 

J. Scott Hall

Attorneys for Approach Operating, LLC

Post Office Box 2307

Santa Fe, New Mexico 87504-2307

(505) 982-3873

(505) 982-4289 (fax)

00043708

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was faxed to counsel of record on this 27th day of January, A2009 as follows:

Ted J. Trujillo, Esq.
Adan Trujillo, Esq.
P. O. Box 2185
Española, NM 87532-2185
(505) 753-4750 [facsimile]

Cheryl L. Bada, Esq.
NM Energy Minerals and Natural Resources
1220 S. St. Francis Drive
Santa Fe, NM 87505-4000
(505) 476-3220 [facsimile]



J. Scott Hall

Case No. 14278 : Application of Approach Operating, LLC for Approval of Fourteen Applications for Permits to Drill, Rio Arriba County, New Mexico. Applicant seeks an order approving applications for permits to drill ("APD's") for the following fourteen wells to be drilled to the Mancos formation, all in Rio Arriba County:

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Long. 106°27'4.32" W (-106.45120 W)

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T28N R4E NMPM

Lat. 36°36'56.5194" N (36.61570 N)

Long. 106°33'42.7782" W (-106.561883 W)

The subject lands and wells are located approximately three to six miles southeast of Tierra Amarilla, New Mexico.