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BEFORE THE
OIL CONSERVATION DIVISION
ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT

IN THE MATTER OF THE APPLICATION OF
T.H. McELVAIN OIL AND GAS LIMITED
PARTNERSHIP

CASE NO. 11472

APPLICATION

T.H. McELVAIN OIL AND GAS LIMITED PARTNERSHIP, by its undersigned attorneys, Miller, Stratvert, Torgerson & Schlenker, P.A., hereby makes application pursuant to Section 70-2-17, N.M.S.A. (1978) for an order pooling all of the mineral interests in the Pictured Cliffs formation for development on standard 160-acre spacing in and under the NW/4 of Section 28 in Township 30 North, Range 4 West, N.M.P.M., Rio Arriba County, New Mexico, and in support thereof would show the Division:

1. Applicant owns certain working interests in and under the NW/4 of Section 28, and Applicant has the right to drill thereon.
2. Applicant proposes to dedicate the above-referenced pooled unit to its Simms Comm No. 1 well drilled at a standard gas well location 989 feet from the north line and 851 feet from the westline (Unit D) of said Section 28.
3. Applicant has been unable to obtain voluntary agreement for pooling from all interest owners in the NW/4 of said Section 28.
4. Said pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

5. In order to permit the Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, the mineral interests should be pooled and Applicant should be designated as operator of the well.

WHEREFORE, Applicant prays that this application be set for hearing before a duly appointed examiner of the Oil Conservation Division on February 22, 1996, and that after notice and hearing as required by law, the Division enter its order pooling the lands, including provisions for Applicant to recover its costs of drilling, equipping and completing the well, its costs of supervision while drilling and after completion, including overhead charges, and imposing a risk factor for the risk assumed by the Applicant in drilling, completing and equipping the well, and making such other and further provisions as may be proper in the premises.

MILLER, STRATVERT, TORGERSON &
SCHLENKER, P.A.

By



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ATTORNEYS FOR T.H. McELVAIN OIL AND
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