

KELLAHIN AND KELLAHIN

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W. THOMAS KELLAHIN*

*NEW MEXICO BOARD OF LEGAL SPECIALIZATION
RECOGNIZED SPECIALIST IN THE AREA OF
NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

September 19, 1996

TO:

**ALL INTERESTED PARTIES ENTITLED TO NOTICE
OF THE HEARING OF THE FOLLOWING NEW MEXICO
OIL CONSERVATION DIVISION CASE:**

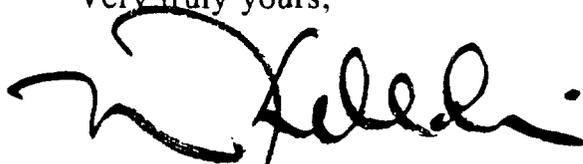
*Re: Application of Burlington Resources Oil & Gas Company
for a downhole commingling reference case for its San
Juan 28-5 Unit, Pursuant to Division Rule 303.E,
San Juan County, New Mexico*

On behalf of Burlington Resources Oil & Gas Company (formerly Meridian Oil Inc.), please find enclosed our application which has been set for hearing on the New Mexico Oil Conservation Division Examiner's docket now scheduled for October 17, 1996. The hearing will be held at the Division hearing room located at 2040 S. Pacheco, Santa Fe, New Mexico.

As an interest owner who may be affected by this application, we are notifying you of your right to appear at the hearing and participate in this case, including the right to present evidence either in support of or in opposition to the application. Failure to appear at the hearing may preclude you from any involvement in this case at a later date.

Pursuant to the Division's Memorandum 2-90, you are further notified that if you desire to appear in this case, then you are requested to file a Pre-Hearing Statement with the Division not later than 4:00 PM on Friday, October 11, 1996, with a copy delivered to the undersigned. Please direct any questions to Alan Alexander (505) 326-9757.

Very truly yours,



W. Thomas Kellahin

cc: Burlington Resources Oil & Gas Company
Attn: Alan Alexander

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September 19, 1996

HAND DELIVERED

Mr. William J. LeMay, Director
Oil Conservation Division
2040 South Pacheco
Santa Fe, New Mexico 87505

Re: San Juan 28-5 Unit
Application of Burlington Resources
Oil & Gas Company for the establishment
of a Downhole Commingling Reference Case
Pursuant to Division Rule 303.E
San Juan County, New Mexico

Dear Mr. LeMay:

On behalf of Burlington Resources Oil & Gas Company, please find enclosed our referenced application which we request be set for hearing on the next available Examiner's docket now scheduled for October 17, 1996.

Also enclosed is our proposed advertisement of this case for the NMOCD docket.

Very truly yours,



W. Thomas Kellahin

cc: Burlington Resources Oil & Gas Company
Attn: Mr. Alan Alexander

PROPOSED ADVERTISEMENT

Case _____: Application of Burlington Resources Oil & Gas Company for the establishment of a downhole commingling reference case for its San Juan 28-5 Unit pursuant to Division Rule 303.E and the adoption of special administrative rules therefore, San Juan County, New Mexico. Applicant, in the above-styled cause, in accordance with Division Rule 303.E seeks to establish a downhole commingling reference case to provide for (a) marginal economic criteria, (b) pressure criteria, (c) allocation formulas, and (d) modification of notification rules on an area-wide basis authorization for downhole commingling of Dakota, Mesaverde, Fruitland-Coal and Pictured Cliffs gas production in the wellbores of existing or future wells drilled anywhere within the San Juan 28-5 Unit located in Township 28 North, Range 5 West, NMPM, San Juan County, New Mexico.

The center of said area is located approximately 6 miles southeast from Gobernador Camp, New Mexico.

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

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

APPLICATION OF BURLINGTON RESOURCES CASE NO. _____
OIL & GAS COMPANY FOR DOWNHOLE
COMMINGLING REFERENCE CASE FOR ITS
SAN JUAN 28-5 UNIT
PURSUANT TO DIVISION RULE 303.E
SAN JUAN COUNTY, NEW MEXICO.

APPLICATION

Comes now BURLINGTON RESOURCES OIL & GAS COMPANY (formerly Meridian Oil Inc.), by and through its attorneys, Kellahin and Kellahin, and applies to the New Mexico Oil Conservation Division for the establishment of a downhole commingling reference case pursuant to Division Rule 303.E for its San Juan 28-5 Unit and the adoption of special administrative rules therefore, San Juan County, New Mexico. Applicant, in the above-styled cause, in accordance with Division Rule 303.E seeks to establish a downhole commingling reference case to provide for (a) marginal economic criteria, (b) pressure criteria, (c) allocation formulas, and (d) modification of notification rules on an area-wide basis authorization for downhole commingling of Dakota, Mesaverde, Fruitland-Coal and Pictured Cliffs gas production in the wellbores of existing or future wells drilled anywhere within the San Juan 28-5 Unit located in Township 28 North Range 5 West, NMPM, San Juan County, New Mexico.

In support of its application, Burlington Resources Oil & Gas Company ("Burlington"). states:

(1) Burlington is the operator of the San Juan 28-5 Unit which currently includes 67 Dakota wells, 71 Mesaverde wells, 19 Fruitland-Coal wells and 16 Pictured Cliffs wells all located within an area known as the "San Juan 28-5 Unit" consisting of 17,399 acres, more or less of acreage, as identified on Exhibit "A".

(2) In the absence of the establishment of a "reference case" as provided in Rule 303.E, Division general state-wide Rule 303.C requires that administrative applications for downhole commingling of gas production be submitted, processed and approved on a well by well basis including submittal of the following:

- (a) economic criteria to support that at least one zone to be commingled is marginal.
- (b) pressure criteria to demonstrate that the bottomhole pressure of all zones to be commingled is less than the original bottom hole pressure of the lowest pressures zone,
- (c) allocation formulas,
- (d) notification by certified mail return receipt to each interest owner where ownership is not common in the zones to be commingled, and
- (e) notification by certified mail return receipt to each offset operator

(3) Sufficient data is now available from existing wells in this unit to support the Division approving the downhole commingling of Dakota, Mesaverde, Fruitland-Coal and Pictured Cliffs gas production within this unit on an "area-wide" basis rather than on a "well-by-well basis."

(4) Sufficient data is now available from existing wells in this unit to support the Division adopting a "reference case" for the downhole commingling of Dakota, Mesaverde, Fruitland-Coal and Pictured Cliffs gas production within this unit as to the following criteria:

- (a) economic criteria to support that at least one zone to be commingled is marginal;
- (b) allocation formula:
- (c) notification by certified mail-return receipt to (a) each interest owner where ownership is not common in the zones to be commingled and to (b) each offset operator who is also an interest owner in this unit; and

- (d) notification by certified mail-return receipt to each offset operator, except as provided in paragraph (d) above will continue to be made provided those offset operators are operators other than applicant.

(5) Burlington seeks authorization pursuant to Division Rule 303.E that all administrative application for downhole commingling of Mesaverde, Dakota, Fruitland-Coal and Pictured Cliffs gas production within this unit submitted subsequent to the filing of this application in this case shall be authorized to refer to the order entered in this case and will not be required to submit evidence or data for the following criteria (a) marginal economic criteria, (b) pressure criteria, (c) allocation formulas, and (d) notice to owners of any production within spacing units where the ownership is no common and offset operators who also own an interest in this unit.

(6) Production from the Dakota and Pictured Cliffs polls is now either marginal or uneconomic from existing wells within this unit and the economic life of that production is extended if it is downhole commingled with Mesaverde or Fruitland-Coal production.

(7) The approval of downhole commingling of these formations within this unit will extend the economic life of the existing wells and thereby increase ultimate recovery from these formations.

(8) In addition, any new wells to be drilled or recompleted in this unit should be approved for downhole commingling because either the Dakota or the Pictured Cliffs zones is marginal based upon criteria which the applicant will submit at the hearing of this case.

(9) It is anticipated that new wells, recompleted wells or existing wellbores in this unit will be most economically completed if there is a summary administrative procedure by which those wells may be downhole commingled.

(10) The processing of downhole commingling application for this unit in the absence of adopting a reference case will be an administrative burden to the Division and to the operator.

(11) Approval of downhole commingling reference case for this unit on an area-wide basis is in the best interest of conservation, the prevention of waste and the protection of correlative rights.

(12) Burlington requests the adoption of a summary administrative procedure with the necessary exceptions to the Division Rule 303.C so that the Supervisor of the Aztec District Office of the Division shall approve the downhole commingling of said production on an area-wide basis for this unit.

(13) The ownership is not common among these four formations within this unit.

(14) In accordance with Division Rule 303.C(1)(b), the Applicant states and will demonstrate at hearing:

1. That the wells in this unit which are currently single completions in the Dakota formation or the Pictured Cliffs formation are now marginal and production cannot be economically continued nor further developed unless it is done so by downhole commingling that production.

2. That there will be no unrecovered production crossflowing between or among the zones commingled.

3. That the value of the commingled production will not be less than the sum of the values of the individual production.

(15) In order to salvage the remaining Dakota and Pictured Cliffs production from this unit, Burlington seeks approval to downhole commingle all Dakota, Mesaverde, Fruitland-Coal and Pictured Cliffs production from any existing wells where mechanically feasible and the adoption of a summary procedures for the downhole commingling of future wells to be drilled in the Unit.

(16) Burlington will submit at hearing proposed formulas for the allocation of production to each of the commingled zones and a description of the factors or data used in determining such formulas.

(17) Applicant requests that this matter be docketed for hearing on the Division's Examiner docket now scheduled for October 17, 1996.

(18) Notice of this application has been sent to all interest owners entitled to receive production within the unit.

WHEREFORE Applicant requests that this matter be set for hearing on October 17, 1996 before a duly appointed Examiner of the Oil Conservation Division and that after notice and hearing as required by law, the Division enter its order granting this application.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', written in a cursive style.

W. Thomas Kellahin
KELLAHIN and KELLAHIN
P. O. Box 2265
Santa Fe, New Mexico 87501
(505) 982-4285
Attorneys for Applicant

**San Juan 28-5 Unit
GWI/NWI/ORRI/RI Owners**

AGAPITA G ABEYTA	JOHN LEE TURNER
AMOCO PRODUCTION COMPANY	JOSE E GOMEZ
ANDREA T LUCERO	JOSE EUGENIO GOMEZ
ASCENSION WALKER	JUAN CRISTOBAL GOMEZ JR
BEATRICE GOMEZ RODRIGUEZ	KATHERINE K MCINTYRE
BEDROCK LIMITED PARTNERSHIP	KATHLEEN QUINN
BOLACK MINERALS COMPANY	KATHRIN BOND MALONE
BURLINGTON RESOURCES O&G CO	KATHRYN L CAMPBELL
CARL R MCELVAIN ESTATE	KERR-MCGEE CORPORATION
CARROLL D MYER	LALO & MARY C ENRIQUEZ
CATHERINE A HANSON	LANGDON C HARRISON
CELSO C GOMEZ	LANGDON D HARRISON
CORINNE MILLER GAY TRUST	LEOLA S LUCHETTI
CROSS TIMBERS OIL COMPANY	LORRINE G LUCERO
DELFINITA G CHAVEZ	M A R OIL & GAS CORP INC
DEREK PETER VENEZIA	MANUEL A FERRAN
DEVERE C MYER	MANUEL S GOMEZ
DONALD MANGUM	MARIA G JAQUEZ
E J E BROWN COMPANY	MARIA RUBEN GOMEZ JAQUEZ
EDNA E MORRELL LIVG TRUST	MARIE PEEK
ELIZABETH T CALLOWAY	MARTINEZ 1990 REVOCABLE TRUST
FRANCIS A SALAZAR	MAURICO E GOMEZ
FREDDY ARNOLD	MAYDELL MILLER MAST TRUST
FREDERICK EUGENE TURNER	MINERALS MANAGEMENT SERVICE
FRIEDA M HOLT	MOLLY A JACQUES TRUST
GENEVIEVE A RINERSON	NATHAN D MYER
GENEVIEVE CANDELARIA	PETCO LTD
GENEVIEVE M CARLE	PHILLIPS PETROLEUM COMPANY
GENOVEVA JUANITA CANDELARIA	RAFAELITA G GARCIA
GERALD & ALTA WILLIAMS TRUSTEE	REV MSGR LEOPOLDO L GOMEZ
GLADIOLA ELEANOR TRUJILLO	RICHARD ARNOLD
GLADYS M RIDDLE	ROBERT L BAYLESS
GREAT WESTERN ONSHORE INC	ROBERT P & ANNA D EARNEST TR
GREGORY F MYER	ROBERT P TINNIN
GUY R CAMPBELL JR CO	ROMERO FAMILY LTD PARTNERSHIP
HAROLD O POOL IRRV RESIDUAL TR	RUTH ZIMMERMAN TRUSTEE
HORACE & ELMYRA MCKAY TRUST	SAMUEL L & FRANCES DAZZO
I H STEWART	SCOTT ANTHONY VENEZIA
IRIS ANN DAHARSH	STANLEY R ARNOLD
ISAAC P GOMEZ	SUSAN LEE BOND GREEN
J GLENN TURNER JR	T H MCELVAIN OIL & GAS LTD PAR
JACK A KEMPER	THELMA POOL REV MARITAL TRUST
JAMES B & ELLEN M BATTLE JR	THOMAS A DUGAN & MARY E DUGAN
JAMES M RAYMOND	U/W FOSTER MORRELL DECD
JAMES R PAYNE & JEAN PAYNE	VAUGHAN MCELVAIN ENERGY INC
JANE ANN BOND WHEELER	VERDA L BOCCACIO
JEFF H CALLOW	W G PEAVY OIL COMPANY
JO ANN SCHMIDT	WALTER K HOWARD
JOAN E MYER	WILLIAM G WEBB
JOE & GREGORITA JAQUEZ TRSTES	WILLIAMS PRODUCTION COMPANY
JOE P TRUJILLO	