

BEFORE THE OIL CONSERVATION COMMISSION OF NEW MEXICO.

APPLICATION OF C. H. SWEET AND WIFE, )  
IMO SWEET, J. HIRAM MOORE AND WIFE, )  
BETTY JANE MOORE, MORRIS R. ANTWEIL )  
AND WIFE, ROSE S. ANTWEIL, FOR )  
AUTHORITY TO UNITIZE THE WEST 25 ACRES )  
OF THE NW $\frac{1}{4}$  NE $\frac{1}{4}$  OF SECTION 18 WITH THE )  
EAST 15 ACRES OF THE NW $\frac{1}{4}$  NE $\frac{1}{4}$  OF SECTION )  
18, ALL IN TOWNSHIP 20 SOUTH, RANGE 38 )  
EAST, N.M.P.M., LEA COUNTY, NEW MEXICO.)

CASE NO. 427

COME NOW the applicants herein through their attorneys, Neal & Girand of Hobbs, New Mexico, and petition this Commission for an order authorizing the unitization of the West 25 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18 with the East 15 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, all in Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico, and for cause would show:

1. That this application is brought under authority of Section 69-213 $\frac{1}{2}$  of the New Mexico Statutes 1941, as amended, and in accordance with Rule 104 of the adopted rules of the Oil Conservation Commission of the State of New Mexico.

2. Applicants are equal owners of the following described oil, gas and mining leases down to a total depth of 4,000 feet below the surface, to-wit:

- (a) Oil, Gas and Mining Lease, dated February 20, 1942, executed by W. T. Trickey and wife, Flora D. Trickey, as lessors, in favor of Tidewater Associated Oil Company, as lessee, filed for record March 25, 1942 at 4:20 P.M., recorded in Book 44, Page 359, Oil & Gas Lease Records, Lea County, New Mexico and covering the West 25 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico;
- (b) Oil, Gas and Mining Lease, dated May 25, 1945, executed by P. H. Stanford and wife, Lucy Stanford, as lessors, in favor of J. H. Moore, as lessee, recorded on June 14, 1945 at 11:20 A.M., Book 56, Page 604, Oil & Gas Lease Records of Lea County, New Mexico, covering  $\frac{4}{13}$  interest in the East 15 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico; said lease expressly granting to lessee the right to pool or combine his lease with other leases for development purposes and operation;

(c) Oil, Gas and Mining Lease, dated May 25, 1945 and executed by Walter Trickey and wife, Flora D. Trickey, as lessors, in favor of J. H. Moore, as lessee, recorded June 14, 1945 at 11:20 A.M., Book 56, Page 607, Oil & Gas Lease Records, Lea County, New Mexico, covering an undivided  $\frac{9}{13}$  interest in the East 15 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico, said lease expressly granting to lessee the right to pool or combine his lease with other leases for development purposes and operation.

3. That the applicants have heretofore entered into an agreement consenting to the unitization of the working interest conveyed under the above described oil and gas leases, a copy of the agreement is attached hereto and marked, Exhibit "A".

4. That there are numerous owners and holders of royalty interest and overriding royalty interest under the above described tracts of land, to-wit: Under the West 25 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico:

- ✓ Walter Trickey and wife, Flora D. Trickey, Pearsall, Texas;
- ✓ Frank Haynes, Individually and as Guardian of James R. Haynes, N.C.M., Grantville, Kansas;
- ✓ Margaret Wiggins, Houston, Texas;
- ✓ Mrs. Lela A. Gladish, Kansas City, Missouri;
- ✓ Mrs. Ella B. Gladish, Kansas City, Missouri;
- ✓ Frank E. Foulk, Des Moines, Iowa;
- ✓ J. L. Wood, Rialto, California;
- ✓ C. D. Calkins, San Diego, California;
- ✓ P. A. Greening, El Paso, Texas;
- ✓ W. J. Hoene, El Paso, Texas;
- ✓ B. L. McGee, Box 1292, Atlanta, Georgia;
- ✓ Don R. Sturgeon, Woodhill, Illinois;
- Tidewater Associated Oil Company, Houston, Texas;

and under the East 15 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico:

- ✓ J. Hiram Moore and wife, Betty Jane Moore, Hobbs, New Mexico;
- ✓ P. H. Stanford and wife, Lucy Stanford, Laredo, Texas;
- ✓ Walter Trickey and wife, Flora D. Trickey, Pearsall, Texas.

5. That applicants are at the present time in the process of circulating a unitization agreement among the several royalty and overriding royalty owners.

6. That it is not economical for the operators to drill more than one well on said forty acre subdivision to explore and produce oil and gas in zones encounterable above a total depth of 4,000 feet and in order to prevent waste and to protect the correlative rights of all parties owning interest



EXHIBIT "A"

A G R E E M E N T

KNOW ALL MEN BY THESE PRESENTS:

That this agreement, entered into by and among C. H. SWEET, and his wife, IMO E. SWEET; J. HIRAM MOORE and his wife, BETTY JANE MOORE; MORRIS R. ANTWEIL and his wife, ROSE S. ANTWEIL, all of Hobbs, Lea County, New Mexico, WITNESSETH:-

That all of the parties to this agreement are equal owners in the following described oil and gas leases, to-wit:

- (1) Oil, Gas and Mining Lease, dated February 20, 1942, executed by W. T. Trickey and wife, Flora D. Trickey, as lessors, in favor of Tidewater Associated Oil Company, as lessee, filed for record March 25, 1942 at 4:20 P.M., recorded in Book 44, Page 359, Oil & Gas Lease Records, Lea County, New Mexico and covering the West 25 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico.
- (2) Oil, Gas and Mining Lease, dated May 25, 1945, executed by P. H. Stanford and wife, Lucy Stanford, as lessors, in favor of J. H. Moore, as lessee, recorded on June 14, 1945 at 11:20 A.M., Book 56, Page 604, Oil & Gas Lease Records of Lea County, New Mexico, covering 4/13 interest in the East 15 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico; said lease expressly granting to lessee the right to pool or combine his lease with other leases for development purposes and operation;
- (3) Oil, Gas and Mining Lease, dated May 25, 1945 and executed by Walter Trickey and wife, Flora D. Trickey, as lessors, in favor of J. H. Moore, as lessee, recorded June 14, 1945 at 11:20 A.M., Book 56, Page 607, Oil & Gas Lease Records, Lea County, New Mexico, covering an undivided 9/13 interest in the East 15 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico, said lease expressly granting to lessee the right to pool or combine his lease with other leases for development purposes and operation.

That the three above-described leases cover in part a legal forty acre sub-division, being the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico.

That under Rule 104, adopted by the Oil Conservation Commission of the State of New Mexico, the well spacing authorized

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by said Commission is confined to forty acre tracts insofar as same is practicable.

That the undersigned, the present owners of the working interest covered by the above-described leases, have pooled the West 25 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, together with the East 15 acres of the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, all in Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico, in order to establish and create one full drilling unit on said tract so that any well drilled on said tract will be entitled to a full allowable, as defined under the rules of the Oil Conservation Commission of the State of New Mexico.

NOW, THEREFORE, we, the undersigned, owning all of the working interest under the above-described oil and gas leases, for and in consideration of the mutual benefits to be derived by the execution of this pooling agreement, and in order to operate the well to be drilled upon said forty acre pooled unit as a full drilling unit, do hereby agree, each with the other, that for the purpose of exploration and production of oil and gas that may be produced from the above-described forty acre sub-division covered by the leases hereinabove described to pool all property covered by said oil and gas leases into one drilling unit, to-wit: NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 18, Township 20 South, Range 38 East, and provide that all oil and gas produced from any well or wells located upon said forty acre sub-division shall be divided and apportioned to each lease as each lease relates to the entire forty acre sub-division, subject to reserved overriding royalties in favor of the Tidewater Associated Oil Company and J. Hiram Moore, and subject to approval of the Oil Conservation Commission of the State of New Mexico, and subject to approval of a unitization agreement to be executed by all royalty owners under all of said leases above-described.

