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KENNETH R BRANDT (1946 - 1981)

March 23, 1990

Mr. William J. LeMay, Director New Mexico Oil Conservation Division P. O. Box 2008 Santa Fe, New Mexico 87504

What is and sufficient of the Application of Mesa Operating Limited Partnership for Compulsory Pooling, San Juan County, New Mexico

Dear Mr. LeMay:

Enclosed is the Application of Mesa Operating Limited Partnership for Compulsory Pooling for a Fruitland well to be drilled at a standard location in the E/2 of Section 2, T-29 N, R-9 W, NMPM, San Juan County, New Mexico.

behalf of Applicant, Mesa Operating the Partnership, we ask that this matter be set for examiner hearing on April 18, 1990.

Very truly yours,

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

Attorneys for Mesa Operating Limited Partnership

Mr. Mark Seale, Mesa Operating Limited Partnership

#### BEFORE THE

### OIL CONSERVATION DIVISION

## ENERGY, MINERALS, AND NATURAL RESOURCES DEPARTMENT

IN THE MATTER OF THE APPLICATION OF MESA OPERATING LIMITED PARTNERSHIP FOR COMPULSORY POOLING, SAN JUAN COUNTY, NEW MEXICO.

case no. 9918

## **APPLICATION**

MESA OPERATING 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 Fruitland formation for development on 320-acre spacing in and under the E/2 of Section 2, Township 29 North, Range 9 West, N.M.P.M., San Juan County, New Mexico, and in support thereof would show the Division:

- 1. Applicant owns approximately  $12\frac{1}{2}$ % of the working interest in and under the E/2 of Section 2, and Applicant has the right to drill thereon.
- 2. Applicant proposes to dedicate the above-referenced pooled unit to its Mesa FC State Com #18 well to be located at a standard location in the E/2 of said Section 2.
- 3. Applicant has been unable to obtain voluntary agreement for pooling or farmout from all other interest owners in the E/2 of said Section 2.
- 4. Said pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

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

WHEREFORE, Applicant prays that this application be set for hearing before a duly appointed examiner of the Oil Conservation Division on April 18, 1990, 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.

Suite 303

125 Lincoln Avenue

Santa Fe, New Mexico 87501

Telephone: (505) 989-9614

ATTORNEYS FOR MESA OPERATING LIMITED PARTNERSHIP

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SECTION

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