

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

IN THE MATTER OF: )  
 )  
APPLICATION OF RICHMOND PETROLEUM, )  
INC. FOR A HORIZONTAL DIRECTIONAL DRILLING ) CASE NO. 10198  
PILOT PROJECT, SPECIAL OPERATING RULES )  
THEREFOR, AN UNORTHODOX OIL WELL LOCATION, )  
AND A NONSTANDARD OIL PRORATION UNIT, )  
RIO ARriba COUNTY, NEW MEXICO. )  
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REPORTER'S TRANSCRIPT OF PROCEEDINGS

EXAMINER HEARING

BEFORE: DAVID R. CATANACH, Hearing Examiner

January 10, 1991  
8:35 a.m.  
Santa Fe, New Mexico

This matter came on for hearing before the Oil Conservation Division on January 10, 1991, at 8:35 a.m. at Oil Conservation Division Conference Room, State Land Office Building, 310 Old Santa Fe Trail, Santa Fe, New Mexico, before Deborah F. LaVine, RPR, Certified Court Reporter No. 252, in and for the County of Santa Fe, State of New Mexico.

FOR: OIL CONSERVATION  
DIVISION

BY: DEBORAH F. LAVINE, RPR  
Certified Court Reporter  
CSR No. 252

HUNNICUTT REPORTING  
1660 OLD PECOS TRAIL, SUITE F  
SANTA FE, NEW MEXICO 87501 (505) 982-9770

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## A P P E A R A N C E S

BEFORE: DAVID R. CATANACH, Hearing Examiner

FOR THE DIVISION: ROBERT G. STOVALL, ESQ.  
General Counsel  
Oil Conservation Commission  
State Land Office Building  
310 Old Santa Fe Trail  
Santa Fe, New Mexico 87501

FOR THE APPLICANT: KELLAHIN, KELLAHIN & AUBREY  
Attorneys at Law  
BY: W. THOMAS KELLAHIN, ESQ.  
117 North Guadalupe  
Santa Fe, New Mexico 87501

FOR AMOCO PRODUCTION  
COMPANY: CAMPBELL & BLACK, P.A.  
Attorneys at Law  
BY: WILLIAM F. CARR, ESQ.  
110 North Guadalupe  
Suite 1  
Santa Fe, New Mexico 87501

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1 EXAMINER CATANACH: We'll skip over case 10197, and we'll  
2 call 10198.

3 MR. STOVALL: Application of Richmond Petroleum, Inc. for  
4 a horizontal directional drilling pilot project, special  
5 operating rules therefor, an unorthodox oil well location, and  
6 a nonstandard oil proration unit, Rio Arriba County, New  
7 Mexico.

8 EXAMINER CATANACH: Are there appearances in this case?

9 MR. KELLAHIN: Mr. Examiner, I'm Tom Kellahin of the  
10 Santa Fe law firm of Kellahin, Kellahin & Aubrey appearing on  
11 behalf of the applicant, and I have three witnesses to be  
12 sworn.

13 MR. CARR: May it please the examiner, my name is William  
14 F. Carr with the law firm of Campbell & Black, P.A. of Santa  
15 Fe. I represent Amoco Production Company, and I do not intend  
16 to call a witness.

17 EXAMINER CATANACH: Are there any other appearances?  
18 Will the three witnesses please stand and be sworn in.

19 (Witnesses sworn.)

20 MR. KELLAHIN: Mr. Examiner, as a preliminary statement  
21 with the hopes that it might expedite the presentation, let me  
22 describe to you a couple of points with regards to the  
23 application of Richmond. First of all, our research causes us  
24 to believe that we will be subject to the Gavilan-Mancos pool  
25 rules for the well to be drilled in this Section 28. I've

1 confirmed that with the Aztec office of the division, and they  
2 say, yes, that we are within a mile of the northwest boundary  
3 of the Gavilan-Mancos. We therefore propose to dedicate  
4 Section 28 to the well. One of the items for you to attend to  
5 will be the fact that Section 28 is a nonstandard size section  
6 containing 430 plus acres. Offsetting us to the south is the  
7 Bear Canyon unit. That production is from the Niobrara  
8 section which is the Gavilan-Mancos pool. And Amoco is the  
9 operator of the Bear Canyon. After providing Amoco with  
10 notice, they were concerned about a couple of points. And we  
11 have reached agreement with Amoco on several items, one of  
12 which is that we will apply the Gavilan-Mancos allowable rules  
13 to Section 28 whereby the 800 barrel a day oil allowable  
14 assigned to 640 acres would be proportionately reduced to  
15 reflect the nonstandard size of the spacing unit. I think the  
16 net result is that the oil producing rate on a maximum daily  
17 basis averaged over a month is 537 barrels.

18 The other point that Amoco was concerned about is  
19 that the case is advertised whereby we are starting at a  
20 surface location that is unorthodox. Under the Gavilan-Mancos  
21 rules, those outer boundary setbacks are 790. And because of  
22 surface constraints and requirements of the Jicarilla tribe  
23 for use of the surface, we're proposing to start the well 500  
24 feet from the southeast corner of the section. But it will be  
25 our plan to intersect the Niobrara in the pool and to expose

1 that formation for production at a standard location so that  
2 we would be no closer than 790. That was the second point for  
3 which Amoco had some concern and for which we publicly want to  
4 express our intent to stay at a standard location. There were  
5 some additional matters between Amoco and Richmond with  
6 regards to exchange of information between the two properties,  
7 but those were the two items that we would ask that you  
8 integrate into the order.

9 MR. CARR: May it please the examiner, based on these  
10 matters which we have been able to reach agreement on, the  
11 record should reflect that Amoco is protesting the  
12 application.

13 MR. KELLAHIN: I have three witnesses to present today:  
14 First of all, a landman to talk about the surface use, the  
15 ownership that offsets the spacing unit; second of all, the  
16 geologist to describe his geologic concept for the horizontal  
17 well; and finally a horizontal well drilling expert, a  
18 petroleum engineer on a consulting basis that has designed the  
19 well profile for the horizontal well. I'd like to present Mr.  
20 Steve Roach first. He's a petroleum landman for Richmond.

21 EXAMINER CATANACH: All right.

22 STEVE ROACH

23 the Witness herein, having been first duly sworn, was examined  
24 and testified as follows:

25 DIRECT EXAMINATION

HUNNICUTT REPORTING  
DEBORAH F. LAVINE, CCR, RPR

1 BY MR. KELLAHIN:

2 Q. Mr. Roach, for the record, would you please state  
3 your name and occupation.

4 A. Steve Roach, I'm a consulting landman for Richmond  
5 Petroleum.

6 Q. Have you on prior occasions testified before the  
7 division as a petroleum landman?

8 A. Yes, I have.

9 Q. Pursuant to your employment by Richmond on a  
10 consulting basis, what were you asked to do?

11 A. Basically it was check title for the area and find  
12 an appropriate location for this particular well in working  
13 with the tribe, in working with all parties involved.

14 Q. When we look at the subject section, Section 28,  
15 what does your research show you is the size of that section?

16 A. The size of the section is, I believe, 430 acres,  
17 approximately. And the actual location in the southeast  
18 southeast is dictated by some surface problems that we had in  
19 working with the tribe.

20 Q. At this point, have you obtained on behalf of  
21 Richmond all the necessary approvals required for the  
22 commencement of this well with the exception of the approval  
23 of the Oil Conservation Division?

24 A. Yes, we have.

25 (Applicant's Exhibit No. 1 was

1 marked for identification.)

2 Q. Let me have you turn to Exhibit Number 1. Would  
3 you identify that for me.

4 A. This is a land ownership map for the area showing  
5 where our well is and the surrounding sections and some of the  
6 ownership there.

7 Q. When we look at the area north of the township line  
8 that divides the two townships --

9 A. Uh-huh.

10 Q. -- we're looking at an area the minerals of which  
11 are controlled by what parties?

12 A. The Jicarilla Apache tribe.

13 Q. When we look at Section 28 and the adjoining  
14 sections around that, excluding those to the south, those are  
15 all Jicarilla tribe minerals?

16 A. Yes, sir, everything above the pink line on the map  
17 is reservation, 100 percent.

18 Q. When we look south of that line, have you provided  
19 a tabulation to the best of your knowledge, information, and  
20 belief of the offsetting operators and owners?

21 A. Yes, I have.

22 (Applicant's Exhibit No. 2 was  
23 marked for identification.)

24 Q. Let me show you Exhibit Number 2 and ask you if  
25 that is an accurate compilation of that ownership.

1 A. Yes, it is.

2 Q. To help orient the examiner, identify for us, Mr.  
3 Roach, the Bear Canyon unit.

4 A. On your map there, the heavy dark line running down  
5 between Sections 3 and 4 and across the southern border of the  
6 reservation boundary which exists between the two townships is  
7 the boundary most close to us in the Bear Canyon unit.

8 Q. Other than contacts with Amoco in response to  
9 notice of the application by Richmond, have you had any other  
10 contacts from any of the other interest owners notified?

11 A. No, we haven't.

12 (Applicant's Exhibit No. 3 was  
13 marked for identification.)

14 Q. I'll direct your attention to Exhibit Number 3 and  
15 ask you to identify that exhibit.

16 A. This is a certificate of mailing that we did mail  
17 out all the notices to these particular people.

18 (Applicant's Exhibit No. 4 was  
19 marked for identification.)

20 MR. KELLAHIN: Let's go to Exhibit Number 4 now, Mr.  
21 Roach. And I apologize for having only one copy of that  
22 topomap, Mr. Examiner. But if you would unfold it in front of  
23 you, I'll ask Mr. Roach to describe his efforts to obtain a  
24 satisfactory surface location within Section 28 that met the  
25 requirements of the Jicarilla tribe.

1 Q. (By Mr. Kellahin:) Tell us what you did, Mr. Roach.

2 A. Basically, I'm sure as a lot of the people in this  
3 room know whenever you work with the Jicarilla Apache tribe,  
4 you have to deal on their playing field. So you have to  
5 adhere to a lot of things that you might not ordinarily have  
6 to. On the topomap, I think you can see that in the southeast  
7 southeast of 28, there's a meadow that comes up through there.  
8 And on the whole eastern side of Section 28, there is no other  
9 access except for in the green part of the map which is a  
10 total forestation type area. And so there's no way to get at  
11 a legal 790 without cutting a tremendous amount of trees, and  
12 that's kind of a no no in this area with the tribe because  
13 they're very concerned about tree cutting. They're very  
14 concerned about this area because it's a high wildlife area.  
15 There's a lot of elk and deer in this area, and they're pretty  
16 sensitive about that. So they would only allow us to get  
17 within the meadow areas or very near to the meadows so as to  
18 minimize tree cutting, minimize roads, minimize any kind of  
19 damage to the surface.

20 (Applicant's Exhibit No. 5 was  
21 marked for identification.)

22 Q. Let me direct your attention to the compilation of  
23 photographs labeled photograph 1 through 6 and shown as  
24 Exhibit Number 5. If you'll start with photograph number 1,  
25 describe approximately where you would be when you see that

1 view.

2 A. Okay. What we try to do with photographs, with all  
3 these photographs starting with number 1, is to show the  
4 examiner exactly the size of the some of the trees, the nature  
5 of the thickness of the trees at a legal location, and then as  
6 you go through the pictures down to 2, 3, 4, 5, and 6, 5 and 6  
7 represent showing what's left of the almost like an open area  
8 where we try to cut the location at. But if you compare 5 and  
9 6 with pictures 1 and 2 and 3, you can see how dense the trees  
10 really get at the edge of our location, which is in picture  
11 number 3, and then how big the trees get the further you move  
12 into the forest.

13 Q. If you were at the approximate standard location  
14 out of the southeast corner of the 790 setback, what would  
15 your view be?

16 A. Well, your view would be really picture number 3.  
17 It just starts getting to be solid trees from that point on.  
18 I mean, there's no open space whatsoever. There's no -- as  
19 represented on the topomap map, there's just nothing but  
20 trees. And you have to have a heck of a lot of tree cutting  
21 to go further than the 500 foot.

22 Q. Photograph number 4 shows the existing road that  
23 would be utilized for access into the drill site?

24 A. Yes. 4 is the road in from, that's reflected on  
25 that map in red, on the topomap in red, the actual turnoff

1 into the location.

2 Q. Are there any constraints with regards to the  
3 commencement of this well concerning weather conditions or  
4 hunting seasons or any of those kind of conditions?

5 A. There's not with relation to hunting, but there is  
6 a kind of a window here. On the Jicarilla, you have a pretty  
7 bad mud problem in the spring. And so we'd like to get in as  
8 soon as we could while everything is frozen. And there's been  
9 considerable snow up there, too, so we feel like this is kind  
10 of an ideal time to beat the mud in the spring.

11 Q. Were those photographs taken by you?

12 A. Yes, they were.

13 Q. And you've been on the site to compare the actual  
14 topography of the surface with the topomap?

15 A. Yes, I have.

16 Q. And do you find the topomap to be accurate with  
17 regards to its depiction of the area involved in Section 28?

18 A. Yes, I do.

19 MR. KELLAHIN: That concludes my examination of Mr.  
20 Roach. We move the introduction of Exhibits 1 through 5.

21 EXAMINER CATANACH: Exhibits 1 through 5 will be admitted  
22 into evidence.

23 (Applicant's Exhibits Nos. 1 through 5  
24 were admitted into evidence.)

25 EXAMINATION

1 BY MR. STOVALL:

2 Q. You have had discussions with the tribe; is that  
3 correct?

4 A. Uh-huh.

5 Q. Have you heard anything from them since you've  
6 given them notice of this hearing?

7 A. I talked to Thurman Velarde who heads the oil and  
8 gas division. He doesn't have a problem. In fact, I had to  
9 get approval of this location before we even made application  
10 to the State. The tribe recommends a development plan that's  
11 very extensive. And it took two or three months just to do  
12 that, and we had to meet with their natural resources people,  
13 their oil and gas people, the tribal council. There's been a  
14 lot of input by the tribe into this decision.

15 Q. You're drilling this under the Gavilan-Mancos rules  
16 because you're within a mile of that pool, and that puts it on  
17 640-acre spacing; is that --

18 A. Right.

19 Q. Has the tribe had any comment to you on that issue?

20 A. No, they have not.

21 MR. STOVALL: I don't have any further questions.

22 EXAMINATION

23 BY EXAMINER CATANACH:

24 Q. The location that you have right now, that has been  
25 approved by the tribe?

1 A. Uh-huh, yes, it is.

2 EXAMINER CATANACH: That's all we have of the witness.  
3 The witness can be excused.

4 MR. KELLAHIN: Mr. Examiner, my next witness is Mr.  
5 George Carlstrom, C-a-r-l-s-t-r-o-m.

6 GEORGE CARLSTROM

7 the Witness herein, having been first duly sworn, was examined  
8 and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. KELLAHIN:

11 Q. Mr. Carlstrom, would you please state your name and  
12 occupation.

13 A. George Carlstrom. I'm a consulting geologist for  
14 Richmond Petroleum.

15 Q. On prior occasions, have you testified before the  
16 division as a petroleum geologist?

17 A. No, I have not.

18 Q. Summarize for us your educational background.

19 A. I have a bachelor of science degree in geological  
20 engineering from the University of Missouri at Rolla. I  
21 received that in 1975. And from 1975 --

22 Q. Describe your employment experience.

23 A. From 1975 through 1989, I was employed by Quinoco  
24 Oil Company as a geological engineer.

25 Q. Where were you employed?

HUNNICUTT REPORTING  
DEBORAH F. LAVINE, CCR, RPR

1           A.     I spent four years in the Gulf Coast division in  
2 Houston, and from 1980 through '89, I worked the Rocky  
3 Mountain division out of Denver.

4           Q.     Did that area of the Rocky Mountains include the  
5 San Juan Basin?

6           A.     Yes, it did.

7           Q.     Describe generally for us what you did.

8           A.     My experience in the San Juan Basin as the division  
9 geological engineer with Quinoco, I supervised the development  
10 drilling program. Over a two-year period, we drilled  
11 approximately 90 wells in the central portion of the San Juan  
12 Basin. As a staff geological engineer, I worked on projects,  
13 evaluated potential in the Chakra in the central portion of  
14 the basin, worked the Dakota-Lindrith, and worked the  
15 fractured Mancos potential along the eastern flank of the  
16 basin.

17          Q.     Describe for us in a general way what you've done  
18 in this particular case.

19          A.     In this particular case, I have evaluated the  
20 Jicarilla-Richmond Joint Venture for its oil and gas potential  
21 and have recommended drilling, developing the Mancos as the  
22 highest potential on that property.

23          MR. KELLAHIN: We tender Mr. Carlstrom as an expert  
24 petroleum geologist.

25          EXAMINER CATANACH: He is so qualified.

1 Q. (By Mr. Kellahin:) Let me have you orient us to the  
2 geology by taking a type log that you have selected and  
3 describe for us the formation.

4 (Applicant's Exhibit No. 6 was  
5 marked for identification.)

6 A. Okay. Exhibit number 6 is a type log of the entire  
7 Mancos formation. The Mancos on the east flank on this type  
8 log or this is representative of the Mancos in the east flank  
9 of the basin. The Mancos is everywhere from the base of the  
10 Mesa Verde approximately 6500 feet down to the top of the  
11 Graneros at approximately 7350. Our interval of interest in  
12 this area is the Niobrara which on this exhibit is from 6400  
13 to about 6600 feet, approximately 300 feet. That is an  
14 interval of tight sand and silt stones that can be broken into  
15 three members, the A, B and the C.

16 Q. When we look at the Niobrara development in the  
17 Bear Canyon unit, Mr. Carlstrom, which of those Niobrara  
18 zones, A, B, or C, has been developed by Amoco in that unit?

19 A. They have all three been perforated and tested.  
20 The C has been individually tested in most of those wells and  
21 found to be productive. And in several of those, the A and  
22 the B has been added to that interval.

23 Q. When you examine the choices between drilling to  
24 test the Niobrara with a vertical well versus the horizontal  
25 well that's proposed, what criteria did you select in making

1 the choice and why did you ultimately decide on a horizontal  
2 well?

3 A. The production from this interval is from  
4 fractures. There is no reservoir quality to the sands and  
5 silts. The fracturing is not uniform in this area, and we  
6 felt with a horizontal well, we would statistically have more  
7 exposure to those fractures, from an expiration standpoint,  
8 more apt to get production and from a development standpoint,  
9 more apt to efficiently drain the section we're in.

10 Q. In establishing the geologic criteria for the  
11 drilling engineers to design the well program, what did you  
12 tell them with regards to which of the three Niobrara members  
13 to penetrate?

14 A. According to the current well plan -- well, I  
15 recommended going horizontal in the C because the C is  
16 productive. If we went horizontal in the A or the B, you  
17 would not have the C open to the wellbore. As the well is  
18 currently planned, we will be horizontal in the C. But the A  
19 and the B will be open in the high angle portion of the well.  
20 So we will potentially produce from all three members.

21 Q. As a geologist, describe your recommendations with  
22 regards to the program itself for the well. How will it be  
23 drilled through the Niobrara sections, and then how will you  
24 establish the horizontal section?

25 A. The well will be -- of course, it is being staked

1 in an unorthodox location, so we will be at some angle from  
2 vertical when we penetrate the formation. The current plans  
3 are to drill through the formation and make sure we know where  
4 the tops are, possibly log this well. Hopefully, we'll be  
5 able to log it and see what kind of fracturing and the  
6 orientation of the fracturing that we have. We will then plug  
7 back and drill horizontally out into the C.

8 Q. To aid the engineers in designing the well profile,  
9 have you prepared a structure map?

10 A. Yes, I have.

11 Q. Let's look at the structure map.

12 A. (Witness complies.)

13 Q. Before we talk about your interpretation and  
14 conclusions, identify the display for me.

15 A. What number is it?

16 Q. Do you have what I have?

17 (Applicant's Exhibit No. 7 was  
18 marked for identification.)

19 A. Exhibit Number 7 is a structure map on a marker in  
20 the Niobrara. It's a 1 to 2,000 scale. The contour interval  
21 is 50 feet. Elements on the map include the location in  
22 Section 28 of 27 North, 2 West. The current proposed  
23 direction of the horizontal portion of the whole, the colored  
24 blocks on the north half of the map show Richmond's acreage  
25 position at this time. The checkerboard, the different

1 colors, are because the terms are different on the different  
2 sections up in there.

3 Q. What's your marker for establishing the structure?

4 A. It is a marker in the Niobrara which on the type  
5 log is at the interval at 6540 on the type log. The reason I  
6 did that is that the sand tops vary across the area as to  
7 where you encounter the first sand in the top of the Niobrara.  
8 It's not a real good structural marker. And this particular  
9 interval correlates across the entire area very well.

10 Q. Having mapped the structure on top of the Niobrara,  
11 describe for us your conclusions.

12 A. My conclusions are in general in this particular  
13 area, bed dips are very gentle, but you do have a low relief  
14 structural anticline that's essentially north/south, a little  
15 bit west of north, bounded by a small normal fault.

16 Q. Why have you proposed a well in the approximate  
17 corner, southeast corner, of 28 moving then in a north or  
18 westerly direction?

19 A. The location was selected because it's on trend  
20 with good production in the Bear Canyon unit and along the  
21 crest of this anticline.

22 Q. Does the topographical constraints that the tribe  
23 has placed upon the drilling for Section 28, is that in any  
24 way inconsistent with your geologic conclusions about how best  
25 to develop Section 28?

1 A. Not really.

2 Q. Are they compatible?

3 A. Yes, they are.

4 Q. The plan then is to drill the well at some angle  
5 from the unorthodox location at the surface and intersect the  
6 Niobrara then at some point where you're at a standard  
7 location, 790?

8 A. That's correct.

9 Q. The horizontal section, I'm interested in that.  
10 Why have you chosen the horizontal section and the general  
11 direction?

12 A. Well, from a practical standpoint, essentially you  
13 have to go to the northwest to get legal. But that causes no  
14 problem with the development of the fractures in this area.  
15 Intuitively, I feel that the fracturing is probably northwest,  
16 north trending, northwest trending along the axis of this  
17 anticline and that this would be, considering the location,  
18 would be the most optimum direction to intersect many of those  
19 fractures.

20 Q. In order to give the operator the greatest  
21 flexibility of choice in the drilling of the well, are you  
22 asking that you be allowed to drill the well at any position  
23 in the formation so long as it's not closer than 790 to the  
24 outer boundaries of the section?

25 A. Yes. I have no hard evidence telling me exactly

1 what direction this fracturing goes. We would like the option  
2 to, after we've logged the well, to make minor adjustments in  
3 that direction according to what our logs tell us about that  
4 fracture direction.

5 Q. Your geologic plan, however, is one which you could  
6 stay 790 from the outer boundary with the actual perforations  
7 or the open hole interval that would be subject to  
8 contributing production from the formation?

9 A. Yes.

10 Q. In choosing the mud program, the drilling fluids  
11 that would be used for the well, do you want the option of  
12 choice to change fluids during the operation of the well?

13 A. Yes.

14 Q. Do you have any definitive evidence at this point  
15 as to what the mud program or the drilling fluid program  
16 should be from a geologic point of view?

17 A. No. Current plans are now, I believe, to just use  
18 water-based systems. But we are currently evaluating that.  
19 There is some evidence that this is water sensitive, and we  
20 would like the option to alter that program as we see fit.

21 (Applicant's Exhibit No. 8 was  
22 marked for identification.)

23 Q. Let's turn to Exhibit Number 8. Identify and  
24 describe that display for us.

25 A. Exhibit Number 8 is a unscaled diagram, a cartoon,

1 if you will, of our tentative plans for this well. On the  
2 left side of the exhibit is a trace of the gamma ray and  
3 resistivity logs of the Amoco-Simmons well in Section 3 to the  
4 south, which is the closest Niobrara producer. Marked on that  
5 are the A, B, and C benches. And in the depth track is my  
6 interpretation from the log curves of the lithology showing  
7 the silt or tight sand stringers within the Niobrara section.

8 The diagram itself shows us the vertical surface  
9 position of the well. And at some depth below the Mesa Verde,  
10 the well will be control drilled at some angle to get us to  
11 the top of the Niobrara within the legal constraints of this.  
12 We tentatively plan to drill at that angle straight through  
13 the entire section, log the well, and then plug back and kick  
14 the well and control drill it to the northwest in the Niobrara  
15 C.

16 Q. As a geologist, why would you propose that?

17 A. The vertical part of the hole will give us good  
18 control on where our tops are and more confidence in exactly  
19 what zone we should be in, whether we should be in the top of  
20 the C or the base of the C.

21 MR. KELLAHIN: That concludes my examination of Mr.  
22 Carlstrom. We move the introduction of his exhibits. I  
23 believe it's 6 through 8.

24 EXAMINER CATANACH: Exhibits 6 through 8 will be admitted  
25 into evidence.

1 (Applicant's Exhibits Nos. 6 through 8  
2 were admitted into evidence.)

3 EXAMINATION

4 BY EXAMINER CATANACH:

5 Q. Mr. Carlstrom, what effect does the fault running  
6 through Section 28 have on the Niobrara formation?

7 A. The fault was picked off small fault cuts mostly up  
8 in the Lewis shale. I made a fault plane map and then used  
9 that to project down for the fault. And it just basically  
10 bounds the western flank of that low relief anticline. It is  
11 an observation that as you step west across that fault, you  
12 rather abruptly get into dry holes and very poor production.  
13 I believe that bounds the western edge of this local producing  
14 area.

15 Q. So production in Section 28 may be limited to  
16 anything on the east side of that fault?

17 A. Possibly. This fault also is dying out as we go  
18 that far north. I'm not sure. At its maximum, the fault only  
19 has about 35 feet of throw, and it is dying out with depth and  
20 at the northern extent of this area. It does not continue on  
21 up across the township to the north.

22 Q. The well in the southwest corner of Section 28, is  
23 that a dry hole in the Gavilan?

24 A. That was drilled through the Mancos section and was  
25 tested, not productive in the Mancos or Niobrara, and was

1 subsequently completed as a Mesa Verde well.

2 Q. Do you have a general opinion as to the direction  
3 of the fractures in the Niobrara?

4 A. Locally in this area, I would guess that they trend  
5 north, northwestward along the axis of that low relief  
6 anticline. I have no hard evidence of that.

7 Q. The proposal is to drill the well through the  
8 Mancos vertically and log the well?

9 A. Well, drill the well at a high angle to the Mancos,  
10 log the well, and then plug back and drill horizontally in the  
11 C, yes, sir.

12 Q. At a high angle into the Mancos?

13 MR. STOVALL: At a high angle, you mean more towards the  
14 vertical than the horizontal; is that correct?

15 THE WITNESS: Yes, yes, more toward the -- we will drill  
16 at enough of an angle to make sure we are within legal limits  
17 when we penetrate the top, so we will be at 30 degrees or so  
18 at the time and then drill on through. To answer your  
19 question, yes, essentially vertical through there.

20 Q. (By Examiner Catanach:) And the reason you're going  
21 to log that, will that help you in determining the direction  
22 of the fractures?

23 A. That will give us additional evidence in  
24 determining the direction of the fractures. I have not seen  
25 any of the FMS logs which Slumber J run or Borehole

1 Televiewers in this area to know how definitive the  
2 information is from those. But it is our desire, our hope, to  
3 find that information out by logging the well.

4 Q. Is there any Niobrara production north of the Bear  
5 Canyon unit?

6 A. No, sir, not in this immediate area.

7 Q. The closest producing well would be in Section 3?

8 A. Yes, sir, the Amoco-Simmons Federal Com Number 1.

9 Q. Was that a pretty good well in the Niobrara?

10 A. That well has cumed almost 62,000 barrels of oil.  
11 It is an okay well, not a great well.

12 EXAMINER CATANACH: I believe that's all I have.

13 MR. STOVALL: I've just got a couple questions.

14 EXAMINATION

15 BY MR. STOVALL:

16 Q. It's identified as the Jicarilla-Richmond Joint  
17 Venture. Are the Jicarillas actually working participants in  
18 this area, or is that just a name that you came up with from a --

19 A. No, that is the name of the project, and it is.  
20 The deal with the Jicarillas is a joint venture rather than us  
21 simply taking a lease from them.

22 Q. I guess that was my -- and I certainly don't want  
23 you to reveal any proprietary business arrangements that  
24 you've got with the tribe. Are they actively participating in  
25 the planning as far as this drilling planning?

1           A.     Not really. We are making them aware, and they  
2 tentatively have to approve what we do. But, no, they don't  
3 have technical people working the project that I'm aware of.

4           EXAMINER CATANACH: Just a couple more.

5           Q.     (By Examiner Catanach:) Now the intent of drilling  
6 the horizontal well is to intercept the fractures  
7 perpendicular; is that right?

8           A.     Ideally, you would like to intercept them at a  
9 perpendicular.

10          Q.     Are there any contingency plans in case the  
11 fracture trend is running some other way than you have hoped?

12          A.     Not really. We're pretty much constrained by the  
13 location. But I don't believe we know enough about the actual  
14 fracture direction out here. And plus, I don't believe that  
15 we're dealing totally with a linear fracture set. I believe  
16 the stuff is pretty well broken up in most directions.

17          Q.     (By Mr. Stovall:) We don't have a wider area map,  
18 but the Quinoco Hitos unit is 1 West, is it not?

19          A.     Yes.

20          Q.     And it does extend up into 27 North?

21          A.     The northern end, yes, it does.

22          Q.     It does not or does it -- I don't remember.

23          A.     The gas maintenance unit does not. The overall  
24 unit boundaries do.

25          Q.     The unit does, but the pressure or maintenance

1 project area does not; is that what you're saying?

2 A. I don't believe it does. If it is, it's just the  
3 very northern tip of it.

4 Q. Are you familiar with the proceedings in the  
5 Gavilan-Mancos cases that took place a number of years ago,  
6 particularly from the geologist's perspective? I don't care  
7 about the rest of it, but from the geology aspect of it.

8 A. Casually, as an observer. I did not work that.

9 Q. The reason I ask that question is the next question  
10 I want to know is, Are you familiar with it enough to express  
11 an opinion as to any similarities or differences between the  
12 Mancos formation in this further north region compared to what  
13 it is, say, down in the southern portion of Township 26?

14 A. Stratigraphically, the Mancos changes very little  
15 over this entire area. The fracturing, the production has  
16 local sweet spots where it is more highly fractured than areas  
17 around it.

18 Q. Is that true up in this area as well? I know  
19 that's true down in 26, southern 26 and northern 25.

20 A. I believe as we develop this area, we will find  
21 that to be true, that there will be local areas of much better  
22 production than what offsets it.

23 Q. In taking my statement for what it's worth, it's  
24 not an actual statement of testimony, but there appear to be  
25 some extensive lengthy fractures down in the, as I say, the

1 sweet spot of the Gavilan-Mancos pool.

2 A. Yes, sir.

3 Q. With rather extensive and lengthy fractures, if you  
4 hit them, they evidence a communication over a wide area. Do  
5 you expect that to be potentially possible up in this?

6 A. I would hope that we would find production like  
7 that.

8 Q. And then the area you've identified as all in the  
9 Jicarilla and all the colored sections that you've talked  
10 about, you say, are all operated by Richmond and in some sort  
11 of agreement with the tribe; is that correct?

12 A. Yes, sir, that is correct.

13 Q. So is it under a common ownership, not necessarily  
14 the percentages, but the parties involved?

15 A. We're pushing my level of knowledge --

16 Q. Is that beyond your level of knowledge? I'm sorry.

17 A. -- on the deal with the Jicarillas.

18 Q. I guess what I'm saying is, Are there any other,  
19 any leases and overrides or other working interests? Could  
20 there be a disparity in ownership at all in there which could  
21 affect correlative rights is the issue, or do you know?

22 A. I don't know.

23 MR. STOVALL: We may want to call Mr. Roach back at some  
24 point and just see if he knows. I don't think it's critical  
25 to the case, but I think it's of interest in this development.

1 And I don't have any further questions.

2 EXAMINER CATANACH: That's all I have. He may be  
3 excused.

4 MR. KELLAHIN: At this time, Mr. Examiner, I would like  
5 to call Mr. Kent Myhre.

6 KENT MYHRE

7 the Witness herein, having been first duly sworn, was examined  
8 and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. KELLAHIN

11 Q. Mr. Myhre, for the record, would you please state  
12 your name and occupation.

13 A. My name is Kent Myhre. I'm a district drilling  
14 engineer for Eastman Christensen Company.

15 Q. Spell your last name for the record.

16 A. M-y-h-r-e.

17 Q. Mr. Myhre, describe for us your educational  
18 background.

19 A. I was awarded a bachelor of science in petroleum  
20 engineering from the University of Wyoming in 1987.

21 Q. Subsequent to graduation, summarize for us your  
22 employment experience.

23 A. Since my graduation, I have been in the employment  
24 of Eastman Christensen Company. My primary job  
25 responsibilities include directional and horizontal well

1 planning, job monitoring and optimization, and recommendations  
2 for drilling procedures and downhole tools to most efficiently  
3 drill the wells.

4 Q. Describe the type of services rendered by Eastman  
5 Christensen to Richmond Petroleum for this particular well.

6 A. Eastman Christensen is providing directional  
7 drilling and tools and services and related products and  
8 services to drill and provide drilling fluids, cement, and  
9 other services to drill this well.

10 Q. During the regular course of performing your duties  
11 for your company in a monthly period, how many horizontal  
12 wells would you be involved in?

13 A. In an average month over the past 12 months, I am  
14 typically involved in four to seven horizontal wells.

15 Q. Have you been responsible for designing the well  
16 profile for this well and integrating the information  
17 available to you from Richmond including their geologist who  
18 designed what you consider to be an optimum, efficient, safe  
19 horizontal procedure for this well?

20 A. Yes, I have.

21 MR. KELLAHIN: We tender Mr. Myhre as an expert  
22 horizontal drilling engineer.

23 EXAMINER CATANACH: He is so qualified.

24 Q. (By Mr. Kellahin:) Let me have you describe, before  
25 we look at the well profile itself, Mr. Myhre, the key

1 elements or the key ingredients that you as an engineer gather  
2 and make decisions on in trying to decide on how best to  
3 design a well profile for a well such as this.

4 A. Yes. Basically it's a two-dimensional problem.  
5 Given the section, dimensions, and the legal setbacks and a  
6 desired azimuth, direction of the wellbore, given to me by the  
7 operator, and also the vertical depths of the formation tops  
8 and the vertical depths of potential problematic zones and pay  
9 zones, I can design a well profile geometry to fit those  
10 parameters.

11 Q. And have you done so in this case?

12 A. I have.

13 Q. Is the end result of the well profile for this  
14 particular well one that is on the fringes of technology, if  
15 you will, for this type of operation, or is it what you would  
16 consider to be a typical, if not conventional, certainly not  
17 an unusual process? How would you characterize the well?

18 A. Well, this well would need to utilize horizontal  
19 drilling technology. Conventional directional drilling  
20 technology and tools would not achieve the goals of the well  
21 profile. Horizontal technology, drilling technology, and  
22 tools and services are in somewhat mature stages. It's no  
23 science project anymore.

24 Q. And this is not a side project?

25 A. No.

1 Q. What else do you need to integrate in order to make  
2 choices about the well profile? The client gives you and the  
3 regulators give you the constraints, a certain surface  
4 location, a certain bottom hole target. They give you the  
5 geology and tell you where they want to be?

6 A. Correct.

7 Q. What else goes into the design?

8 A. Basically, the operator must provide me with a  
9 surface hole location and a desired bottom hole location and  
10 the vertical depth of the pay zone. I'll design a well  
11 profile to fit that scenario, and then I will tweak that  
12 profile, if you will, to fit the different build radiuses to  
13 fit the capabilities of our downhole tools to achieve those  
14 radiuses.

15 (Applicant's Exhibit No. 9 was  
16 marked for identification.)

17 Q. Let's go through Exhibit Number 9 and have you  
18 describe then the recommendations you have made to Richmond  
19 with regards to the well profile for this well.

20 A. Exhibit Number 9 is a well profile schematic and  
21 profile data of my well profile to Richmond. What I have  
22 achieved in this well profile was, given a surface hole  
23 location of 500 feet from the south and from the east line and  
24 a stipulation that at the Niobrara entry point we must be  
25 legal, 790 foot from the south line and 790 feet from the east

1 line, to set intermediate casing, I have fit the profile to  
2 build at nine degrees per hundred feet, which is in the medium  
3 radius realm of build radiuses, to B. That's at the 790 foot  
4 setback at the top of the Niobrara A.

5 Given the vertical depth from that point to the  
6 desired horizontal point of the Niobrara C at approximately  
7 7430 feet TVD, 32 feet TVD, I have constructed a profile that  
8 would incorporate a tangent interval and, of course, another  
9 medium radius build rate curve to achieve horizontal.

10 I may point out here that our inclination at the  
11 top of the Niobrara A would be nearly 70 degrees, so we're at  
12 a very high angle there. Our vertical depth from that point  
13 to the Niobrara C is such that we have various options to get  
14 to horizontal, different build rate options, different tools.  
15 This profile was selected because it utilizes the least  
16 horizontal displacement from surface hole location providing  
17 the maximum horizontal displacement, lateral displacement from  
18 the end of curve.

19 Q. Describe for us what choices you have made and what  
20 options you had with regards to the hole size for the well.

21 A. The hole size and casing program is not the  
22 decision of Eastman Christensen Company, but we do make  
23 suggestions as to preferred hole sizes, given an option.

24 In this case, there is an intermediate casing point  
25 at the top of the Niobrara. We have a choice of hole sizes

1 and tools. We can go large hole and/or a smaller hole size.  
2 We prefer the casing program and hole sizes in this plan. It  
3 allows us to use more conventional and readily available  
4 tools, downhole tools, in the lateral interval below the nine  
5 and five-eighths casing point.

6 Q. When we look at Mr. Carlstrom's schematic on  
7 Exhibit 8, the well starts vertically to a certain point and  
8 then is directionally steered to a point where it encounters  
9 the top of the Niobrara at a standard setback and then  
10 continues using that angle through the base of the pool. And  
11 then the idea is to come back up and do a horizontal leg in  
12 the C section. Is that a design or is that a plan or a  
13 concept that you have integrated into your well profile?

14 A. Yes, I have. This is a somewhat standard procedure  
15 in many cases, and it has been accomplished many times.

16 Q. What options of choice do you recommend be retained  
17 by the operator with regards to the performance of certain  
18 activities? For example, the choice of a drilling fluid  
19 program, a mud program for the well, do you see any reason  
20 that the division should mandate or require a certain drilling  
21 fluid program?

22 A. I do not.

23 Q. Why not?

24 A. The hole must dictate what procedures and methods  
25 are used and what drilling fluid medium is used. Hole

1 problems may occur which would dictate needing to change  
2 drilling fluid mediums in order to accomplish the objective of  
3 drilling the horizontal. And this would be a function of  
4 sensitivity and competency of the formation.

5 Q. Should the examiner adopt the specific angle or  
6 turn that you had developed in the well to get it from the  
7 vertical to the horizontal, or does the operator need the  
8 flexibility of choice in the field during the operations in  
9 order to properly drill and complete the well?

10 A. The operator would absolutely need flexibility in  
11 the well design. For a number of reasons, different  
12 assemblies may not perform actual versus design. There may be  
13 differences. And as a previous witness stated, azimuth  
14 changes may be desired based on shows, et cetera. But actual  
15 build rates and downhole assemblies used to achieve the final  
16 goals of the well profile may change. And we do need the  
17 option to use different tools which may incorporate different  
18 build rates than the initial design.

19 Q. If the examiner were to require that the well be  
20 drilled from the unorthodox surface location to a standard  
21 bottom hole location in the top of the Niobrara and that you  
22 be provided a drilling window in the Niobrara that honors a  
23 790 setback, would that accomplish the drilling objectives as  
24 you see them?

25 A. Yes.

1 (Applicant's Exhibit No. 10 was  
2 marked for identification.)

3 Q. Let's talk about the horizontal leg, if you will.  
4 Let me ask you to turn your attention to Exhibit Number 10.  
5 Identify and describe that for us.

6 A. Exhibit Number 10 is a plan view of the section  
7 geometry showing the location of the horizontal well bore with  
8 points shown as the surface location, the casing point, the  
9 end of build, and the proposed bottom hole location.

10 Q. At the end of build, where would you be?

11 A. At the end of build, we would be at a point which  
12 is not specified on this plat. But in Exhibit 9, the well  
13 profile data, the end of build would be at a point from the  
14 surface hole location of 290 feet north and 290 feet west of  
15 the surface hole location.

16 Q. And that corresponds then to the 790 setbacks from  
17 the south and east lines of the section when we get to the top  
18 of the Niobrara?

19 A. Correct. I may point out that this is a two-curve  
20 profile. So end of build number 1, which would be casing  
21 point, would correspond to the 790 foot setback. End of build  
22 number 2, which would be at the horizontal point, would be at  
23 a point of 702 feet north and west of the surface hole  
24 location.

25 Q. The schematic that you have provided in 10 as well

1 as the diagram in 8 demonstrates a horizontal leg to it?

2 A. Yes, it does.

3 Q. But that doesn't necessarily represent where the  
4 well will actually go within the 790 window, does it?

5 A. I'm not sure if I understand your question.

6 Q. Well, my question is whether or not the operator is  
7 going to drill in the Niobrara formation, the exact location  
8 of that horizontal leg as depicted on the plane view?

9 A. Oh, certainly, that can vary somewhat.

10 Q. The well profile as designed, a horizontal leg of  
11 approximately how long?

12 A. 1,500 feet from the end of curve.

13 Q. How long could that horizontal leg be under this  
14 well profile and still honor the 790 setbacks as it approaches  
15 the west boundaries and the north boundaries of the section?

16 A. Given this well profile in Exhibit 9, the maximum  
17 amount of horizontal displacement at 90 degrees from the end  
18 of curve to the 790 foot setback from the north line would be  
19 approximately 2200 feet north and west giving a total of  
20 approximately 2300 feet from the end of curve.

21 Q. Are there any constraints on the length of this  
22 horizontal leg in terms of designing the well profile?

23 A. In terms of design, no.

24 Q. It'll simply be an operator's choice when he's  
25 drilling in the formation to determine how far he wants to go

1 and yet honor the 790 setbacks?

2 A. Right.

3 Q. The technology is there and presently available so  
4 he can drill that distance in this particular formation  
5 without difficulty?

6 A. We anticipate that he can without difficulty.  
7 Horizontal displacements of greater than 4,000 feet have been  
8 recorded in various formations.

9 MR. KELLAHIN: That concludes my examination, Mr. Myhre.  
10 We move the introduction of Exhibits 9 and 10.

11 EXAMINER CATANACH: Exhibits 9 and 10 will be admitted  
12 into evidence.

13 (Applicant's Exhibits Nos. 9 and 10  
14 were admitted into evidence.)

15 EXAMINATION

16 BY EXAMINER CATANACH:

17 Q. Mr. Myhre, has Eastman been involved in drilling  
18 the Niobrara either in this area or in Colorado?

19 A. Yes, we have. We have approximately six Niobrara  
20 wells that Eastman Christensen has contracted on.

21 Q. That have already been drilled?

22 A. That have already been drilled or are in the  
23 process of being drilled.

24 Q. Been successful at it?

25 A. Successful, yes, from a mechanical drilling

1 standpoint, yes.

2 Q. I guess I'm a little confused on the surface  
3 location down to the top of the Niobrara. The well will  
4 actually be potentially deviated from the surface location?

5 A. Correct. Given the vertical depth from the top of  
6 the Niobrara A to the proposed target interval in the Niobrara  
7 C and the surface location, it is necessary to directionally  
8 drill the well to that point at that particular inclination.

9 Q. Do you know what depth the surface casing will be  
10 set on this well?

11 A. I understand approximately 350 feet, but I'm not  
12 positively certain.

13 Q. What method does Eastman utilize in determining the  
14 correct direction for the horizontal section?

15 A. Well, the direction of the horizontal section is  
16 typically specified to us by the operator. It is generally a  
17 function of the proposed bottom hole location relative to the  
18 surface hole location.

19 Q. Let me go a little further than that. What I want  
20 to know is, How does Eastman determine -- actually when you  
21 know the direction the well is supposed to go in, how do you  
22 know or how do you determine actually using mechanical tools  
23 that direction?

24 A. During the drilling operation of the well, there  
25 are various bore hole surveying methods that are utilized,

1 both wire line and real time. In the drilling of a medium  
2 radius profile well, real time surveying methods must be used,  
3 both measurement while drilling tools and wire line steering  
4 tools.

5 Q. What method do you utilize to plug back to the  
6 kickoff point, or what tools do you use to do that?

7 A. Well, that, again, is not Eastman Christensen  
8 Company's area of expertise. I am familiar with plug back  
9 procedures, but I don't feel qualified to comment on the exact  
10 procedures used.

11 Q. So it's the operator's responsibility to plug back  
12 the well, and then you take it from there essentially?

13 A. Correct.

14 Q. The advertisement for this case actually showed a  
15 7100-foot kickoff point; that's not correct?

16 A. This particular well design that is presented in  
17 Exhibit 9 incorporates a kickoff point at 6,645 feet vertical  
18 depth.

19 Q. And the actual horizontal portion of the wellbore  
20 is projected to be 1,500 feet long at this time?

21 A. Correct.

22 MR. KELLAHIN: Mr. Examiner, I believe the operator  
23 wanted the flexibility to go farther than that so long as he  
24 honored the 790 setbacks. There is some difference in the  
25 profile and the actual distance that the operator may in fact

1 choose to drill it.

2 EXAMINER CATANACH: Okay.

3 Q. (By Examiner Catanach:) Mr. Myhre, during the  
4 actual horizontal drilling, have you previously utilized what  
5 type of drilling fluid while this is taking place?

6 A. We have utilized basically the whole spectrum of  
7 drilling fluids from oil base, water base, and various aerated  
8 and air systems. The most common utilized would be the fluid,  
9 water-base and oil-base systems.

10 Q. Were you given the dimensions of this section,  
11 Section 28?

12 A. Yes, I was.

13 Q. Do you have those anywhere?

14 A. The dimensions that were given to me are 352 feet  
15 north and south and 5280 east and west.

16 MR. KELLAHIN: Say that first number again.

17 THE WITNESS: 3,552.

18 MR. KELLAHIN: 3,552, north/south?

19 THE WITNESS: Correct, north/south.

20 MR. KELLAHIN: And the east/west dimension?

21 THE WITNESS: Is a standard 5,280.

22 EXAMINER CATANACH: I believe that's all I have of the  
23 witness.

24 MR. STOVALL: Let me just ask one thing just to make sure  
25 I understand where you're --

## EXAMINATION

1  
2 BY MR. STOVALL:

3 Q. Looking at your Exhibit 9 and Exhibit 8, is the  
4 kickoff point on your cross section schematic there on your 9?

5 A. Yes.

6 Q. And when you look at 8, they say start vertical and  
7 set up this 30 degrees off vertical through the formation, log  
8 it, and then come back. Is that kickoff point the same one  
9 that gets them onto that roughly 30 degree? Or are we talking  
10 two different things here? Are we talking strictly once you  
11 get to the point of trying to get to a horizontal well?

12 A. Correct. This would be to the discretion of the  
13 operator whether we stop the first curve short at some point  
14 and drill through the base of the Niobrara C at a lower angle  
15 or whether we finish building the entire curve to  
16 approximately 70 degrees at casing point and then drill a high  
17 angle traverse. I would suspect that the operator would  
18 choose to drill a lower angle, which would utilize less  
19 measured depth to drill through the Niobrara.

20 Q. And then the kickoff point that you're showing on  
21 Exhibit 9 would actually be further to the west, is that  
22 correct, or am I misunderstanding what's going on here?

23 A. If I understand what you're questioning here, of  
24 course, again you may understand, too, that as Mr. Carlstrom  
25 had indicated this Exhibit 8 is not to scale. It's showing

1 the conceptual idea here. But in the true sense of the word,  
2 yes, there may be two kickoff points, the initial deflection  
3 from vertical at 6,645 feet and at some point before the end  
4 of the first curve where the well is drilled to traverse  
5 through the Niobrara and then plugged back to some point in  
6 that curve and the wellbore rekicked off of that cement plug,  
7 if you will.

8 Q. Exhibit 8 and Exhibit 9 are not necessarily  
9 consistent. You've more shown now on Exhibit 9 the concept of  
10 what's going on, and there may be some changes in terms of  
11 where both vertically and horizontally these things take  
12 place; correct?

13 A. Correct. But actually Exhibit 9 shows a to-scale  
14 representation of the proposed well profile where Exhibit 8 is  
15 showing -- the conceptual point that they're making is that at  
16 some point in the first curve that the well will be drilled at  
17 a high angle traverse through the formation, then plugged back  
18 and the wellbore reinitiated off of that old hole and drilled  
19 to horizontal.

20 MR. STOVALL: As long as I know I don't have to try to  
21 figure out or reconcile the two exactly, then I'm comfortable  
22 with the thing. No further questions.

23 EXAMINER CATANACH: The witness may be excused.

24 MR. KELLAHIN: Mr. Examiner, you were asking some  
25 operational engineering questions of Mr. Myhre awhile ago for

1 which he did not have an answer. I do have an operating  
2 engineer available if you still have questions about the plug  
3 back procedure or any other aspect of the well plan that Mr.  
4 Myhre was unable to answer for you. I do have that witness.

5 EXAMINER CATANACH: I don't think it's critical, Mr.  
6 Kellahin, but what I would ask you to do is provide us with a  
7 detailed description of how the well will be drilled as we do  
8 in our standard, the ones we use in our standard orders.

9 MR. KELLAHIN: Okay.

10 EXAMINER CATANACH: Just the standard detail description  
11 of all the things we need to put in there just to make sure  
12 that we have everything correct.

13 MR. KELLAHIN: Perhaps you'll allow me to draft a sample  
14 order for you that will have those informations in it, and  
15 then you may edit it from there.

16 EXAMINER CATANACH: That would be great.

17 MR. KELLAHIN: All right, sir.

18 MR. STOVALL: I would like to talk to Mr. Roach again.

19 MR. KELLAHIN: One further issue. As you obviously are  
20 aware, there are some changes from the advertisement with  
21 regards to what was initially asked for and what we have  
22 presented today. The initial application was much more  
23 aggressive, if you will, in what it had sought for. And in  
24 response to Amoco's concern, we have redesigned the well  
25 profile and have stepped back to a more standard location. So

1 I can't imagine that there's any kind of defective notice here  
2 because the notice in the ad is much more aggressive than what  
3 we sought for today. And I wouldn't suggest that we would  
4 have to readvertise this for any purpose. It's certainly  
5 detailed enough that if anyone cared about the operation, they  
6 would have come. Mr. Carr, in fact, is here for his client,  
7 and we have in response to their desires redesigned the  
8 program. So there are some differences between the ad and  
9 what we've asked for.

10 EXAMINER CATANACH: Mr. Kellahin, are you talking about  
11 the horizontal distance of the well?

12 MR. KELLAHIN: I'm talking about the kickoff point and  
13 the fact that there is a difference in the point of kickoff  
14 and the fact that we've asked for in the application an  
15 unorthodox location, if you will, and in fact this will be  
16 standard at the bottom hole location.

17 EXAMINER CATANACH: I think that should be sufficient.

18 MR. KELLAHIN: Mr. Roach.

19 STEVE ROACH

20 the Witness herein, having been previously sworn, was examined  
21 and testified as follows:

22 FURTHER EXAMINATION

23 BY MR. STOVALL:

24 Q. Mr. Roach, I started to get into some areas with  
25 Mr. Carlstrom which he was not familiar with, and I think you

1 probably are more so. I'm talking about referring to his  
2 exhibit, where is that, 7? 6 or 7? 7, yeah. The structure  
3 map, and I'm looking at it from a land standpoint at this  
4 point.

5 As I understand from what he said that actually  
6 Richmond is not the lessee from the Jicarillas but are rather  
7 engaged in a joint venture with the Jicarilla tribe in  
8 drilling this well; is that correct?

9 A. That's correct. It's a joint venture that covers  
10 this whole township and some other lands. And I think what  
11 he's tried to do in this instance is reflect that there's a  
12 little bit different type of deal on the odd numbered sections  
13 than there are the even numbered section. And that's what  
14 he's trying to represent here by the different colors.

15 Q. And then one of the questions I had to him is,  
16 Looking at this area in general, are there any actual leases  
17 on any of these sections?

18 A. No, there's not. This is entirely reservation  
19 acreage, and it's unleased. There is a part of this that's  
20 held by a division of the tribe called Jicarilla Energy  
21 Company, but that's still 100 percent tribally owned. So it's  
22 not really any different.

23 Q. So with respect to particularly in the immediate  
24 vicinity of Section 28 but in the larger sense of the  
25 township, are you saying that while the interest may not be

1 the same uniform percentages, it is the same people involved  
2 throughout Richmond and the tribe and that's it?

3 A. Exactly, exactly.

4 Q. So the correlative rights issue is not a  
5 significant issue?

6 A. I don't see any problem with correlative rights  
7 because the only other entity in the whole township is the  
8 JECO, the Jicarilla Energy Company, and that's just the  
9 tribe's operating arm. And they have, oh, five or six wells  
10 off the west of here that were actually bought by the tribe  
11 years and years ago. And all the leases that at one time did  
12 exist on part of this township have all expired. And they've  
13 put it into the joint venture with Richmond.

14 Q. And have you negotiated directly with the tribe  
15 yourself? Have you been involved?

16 A. Yes, for about two and a half years it took to  
17 negotiate all the details and work with all the lawyers and  
18 work all these things out.

19 Q. And is there any sort of development plan? I don't  
20 need the details of it, just rather to know do you have a  
21 development plan?

22 A. Yes, there's a development plan and a continuing  
23 obligation to drill. And it's specifically for the Mancos,  
24 but it provides for other formations also.

25 Q. And as far as the spacing on wells, does the tribe

1 have any problem with using current spacing rules as they  
2 would apply under --

3 A. No. We discussed that with their attorneys and  
4 with Thurman Velarde, the head of the oil and gas  
5 administration for the tribe, and with the BIA. And I think  
6 they're willing to go along with the existing spacing rules  
7 that the State has adopted.

8 MR. STOVALL: I have no further questions of Mr. Roach.

9 EXAMINER CATANACH: Mr. Roach may be excused. Is there  
10 anything further in this case?

11 MR. KELLAHIN: No, sir.

12 EXAMINER CATANACH: Case 10198 will be taken under  
13 advisement, and we'll take a ten-minute break here.

14 (A discussion was held off the record.)

15 MR. STOVALL: I have no further questions of Mr. Roach.

16 EXAMINER CATANACH: Mr. Roach may be excused. Is there  
17 anything further in this case?

18 MR. KELLAHIN: No, sir.

19 EXAMINER CATANACH: Case 10198 will be taken under  
20 advisement, and we'll take a ten-minute break here.

21 (The foregoing hearing was adjourned at the approximate  
22 hour of 9:50 a.m.)

I do hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. 10198,  
heard by me on January 10 1991.

David R. Catanch, Examiner  
Oil Conservation Division

1 STATE OF NEW MEXICO )  
2 COUNTY OF SANTA FE ) ss.

3 REPORTER'S CERTIFICATE  
4

5  
6 I, DEBORAH F. LAVINE, RPR, a Certified Court  
7 Reporter and Notary Public, DO HEREBY CERTIFY that I  
8 stenographically reported these proceedings before the Oil  
9 Conservation Division; and that the foregoing is a true,  
10 complete and accurate transcript of the proceedings of said  
11 hearing as appears from my stenographic notes so taken and  
12 transcribed under my personal supervision.

13 I FURTHER CERTIFY that I am not related to nor  
14 employed by any of the parties hereto and have no interest in  
15 the outcome hereof.

16 DATED at Santa Fe, New Mexico, this 11th of  
17 February, 1991.

18  
19  
20  
21  
22 My Commission Expires:  
23 August 6th, 1993

  
DEBORAH F. LAVINE, RPR  
Certified Court Reporter  
CCR No. 252, Notary Public

24  
25  
HUNNICUTT REPORTING  
DEBORAH F. LAVINE, CCR, RPR

NEW MEXICO OIL CONSERVATION COMMISSION

EXAMINER HEARING

SANTA FE, NEW MEXICO

Hearing Date JANUARY 10, 1991 Time: 8:15 A.M.

NAME	REPRESENTING	LOCATION
Bill Seltzer	OXY USA	Midland
Paul Haden	MENBOURNE OIL	MIDLAND
A/Rector	Blackwood & Nichols	Durango Colo.
James Bruce	Hinkle Law Firm	Albuquerque
William L. Day	Campbell and Jack	Santa Fe
Dr. Bob Kenderich	El Paso Natural Gas	El Paso, Tx
Victor T. Lyon	pro se	Santa Fe
George F. Tcheault	BIA	ABQ
Daniel Roberts	SANTA FE ENERGY RESOURCES	MIDLAND
Ann Thoma	SANTA FE ENERGY RESOURCES	MIDLAND
George M. Carstern	Richmond	Denver
Karl Young	BIA	Jicarilla
JEFF KIRN	AMER HUNTER	DENVER
Frank Welker	CHACE OIL CO.	Albuquerque, N.M.
Carl Beach	Beach Exploration, Inc.	Midland TX

## NEW MEXICO OIL CONSERVATION COMMISSION

EXAMINER HEARINGSANTA FE, NEW MEXICOHearing Date JANUARY 10, 1991 Time: 8:15 A.M.

NAME	REPRESENTING	LOCATION
Mickey O'Hare	MaraTex Resources, Inc	DENVER
Harold Croston	Mewbourne Oil Co	Midland
David Shatzer	Mewbourne	Midland
DAMON RICHARDS	MEKAY OIL CO	RUSWELL
LARRY MURPHY	SANTA FE ENERGY Resources, Inc	Midland