

## LAW OFFICES

## LOSEE, CARSON, HAAS &amp; CARROLL, P. A.

ERNEST L. CARROLL  
 JOEL M. CARSON  
 DEAN B. CROSS  
 JAMES E. HAAS  
 A. J. LOSEE  
 MARY LYNN BOGLE

300 YATES PETROLEUM BUILDING  
 P. O. DRAWER 239  
 ARTESIA, NEW MEXICO 88211-0239

TELEPHONE  
 (505) 748-3505  
 TELECOPY  
 (505) 748-8316

September 14, 1993

10840

**VIA FACSIMILE AND FIRST CLASS MAIL**

Mr. William J. LeMay, Director  
 New Mexico Oil Conservation Division  
 P. O. Box 2088  
 Santa Fe, New Mexico 87501

Dear Mr. LeMay:

Enclosed for filing, please find three copies each of the following Applications, with proposed advertisements attached, of Harvey E. Yates Company:

- 1) Application for unorthodox well location, Section 3, T-18-S, R-32-E, NMPM/Young Deep Unit #21, Lea County, New Mexico;
- 2) Application for Compulsory Pooling, E/2 of Section 28, T-18-S, R-34-E, NMPM/Ekay 28 State #1, Lea County, New Mexico;
- 3) Application for Compulsory Pooling, W/2 of Section 28, T-18-S, R-34-E, NMPM/Ekay 28 State #4, Lea County, New Mexico.

We ask that these cases be set for hearing on October 7, 1993, and that we be furnished with a copy of the docket for said hearings.

Very truly yours,

LOSEE, CARSON, HAAS & CARROLL, P.A.

  
 Ernest L. Carroll

ELC:kth  
 Enclosures

cc w/encl: Shari Darr



Elk Oil Co.  
P. O. Box 310  
Roswell, NM 88201  
Attn: Joe Kelly

ZiaDrill, Inc.  
Attn: Ken McPeters  
P. O. Box 1860  
Hobbs, NM 88240

Marathon Oil Co.  
P. O. Box 552  
Midland, TX 79702  
Attn: Wayne Ransbotton

Conoco, Inc.  
Suite 100W  
10 Desta Drive  
Midland, TX 79705-9982  
Attn: Land Dept.

R.E. Harding, Jr. Trusts  
P. O. Box 98  
Mineral Wells, TX 76067  
Attn: John P. Ritchie

Ms. Joan Fontaine  
229A Lower Walden  
Carmel, CA 93923

Charles M. Moon, Jr.  
100 North Creek  
Suite 103  
3715 Northside Parkway NW  
Atlanta, GA 30327

LAW OFFICES

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300 YATES PETROLEUM BUILDING  
P. O. DRAWER 239  
ARTESIA, NEW MEXICO 88211-0239

TELEPHONE  
(505) 746-3505  
TELECOPY  
(505) 746-6316

September 15, 1993

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Elk Oil Co.  
P. O. Box 310  
Roswell, NM 88201

Attn: Joe Kelly

Re: Application of Harvey E. Yates Co. for  
Compulsory Pooling:

Ekay 28 State #4, W/2 Sec. 28, T-18-S,  
R-34-E, N.M.P.M., Lea County, New Mexico

Gentlemen:

This office represents Harvey E. Yates Co. On September 14, 1993, the above-referenced Application was sent for filing, with the request that said application be heard by the New Mexico OCD on October 7, 1993. A copy of said application is enclosed herewith.

Be advised that any party wishing to appear must file a prehearing statement by the Friday prior to the date of hearing, and any party wishing to receive other parties' prehearing statements or pleadings must file an entry of appearance. If you do not intend to protest said Application, enclosed you will find a waiver whereby you can make that decision known. Please return the waiver to us as soon as possible.

P 083 927 243

Very truly yours,

LOSEE, CARSON, HAAS & CARROLL, P.A.



**Receipt for Certified Mail**

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Sent to:	Elk Oil
Street and No.	
P. O. State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing Postmark & Time Delivered	

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number. \*the person delivered

I also wish to receive the following services (for an extra fee):

- Addressee's Address
  - Restricted Delivery
- Consult postmaster for fee.

4a. Article Number	D083 927 243	
4b. Service Type	<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
	<input type="checkbox"/> Certified	<input type="checkbox"/> COD

EXHIBIT B

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
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- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
R.E. Harding, Jr. Trust  
P.O. Box 98  
Mineral Wells TX  
76067

4a. Article Number  
P 083 927 247

4b. Service Type  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

7. Date of Delivery  
9-20-93

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
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- Addressee's Address
- Restricted Delivery

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3. Article Addressed to:  
EIK Oil  
P.O. Box 310  
Roswell, NM 85201

4a. Article Number  
P 083 927 243

4b. Service Type  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

7. Date of Delivery  
9-16-93

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, November 1990 U.S. GPO: 1991-287-086 **DOMESTIC RETURN RECEIPT**

**SENDER:**

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- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Joan Fontaine  
229 A Lower Walden  
Carmel, CA 93923

4a. Article Number  
P 083 927 248

4b. Service Type  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

7. Date of Delivery  
9-18-93

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

**SENDER:**

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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Zia Drill, Inc.  
P.O. Box 1860  
Hobbs, NM 8824

4a. Article Number  
P 083 927 244

4b. Service Type  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

7. Date of Delivery  
9-17-93

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Charles M. Moon, Jr.  
900 North Creek  
Suite 103  
3715 Northside Parkway  
NW Atlanta GA 30327

4a. Article Number  
P 083 927 249

4b. Service Type  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

7. Date of Delivery  
SEP 17 1993

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

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I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Marathon Oil Co.  
P.O. Box 552  
Midland, TX 79702  
Attn: Wayne Ransbottom

4a. Article Number  
P 083 927 245

4b. Service Type  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

7. Date of Delivery  
SEP 17 1993

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

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- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
Conoco, Inc.  
Suite 100W  
10 Desta Drive  
Midland, TX 79705-9982

4a. Article Number  
P 083 927 246

4b. Service Type  
 Registered  
 Certified  
 Express Mail  
 Insured  
 COD  
 Return Receipt for Merchandise

7. Date of Delivery  
9-16-93

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

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6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

**KELLAHIN AND KELLAHIN**

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

SANTA FE, NEW MEXICO 87504-2265

W. THOMAS KELLAHIN\*

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

TELEPHONE (505) 982-4285  
TELEFAX (505) 982-2047

JASON KELLAHIN (RETIRED 1991)

October 12, 1993

HAND DELIVERED

*OK to  
continue*

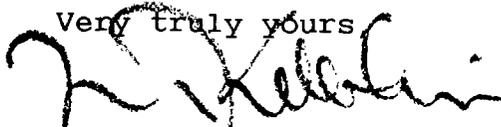
William J. LeMay  
Oil Conservation Division  
310 Old Santa Fe Trail  
Santa Fe, New Mexico 87504

Re: NMOCD Case 10840  
Ekay 28 State Well No 4  
Application of Harvey E. Yates Company  
for Compulsory Pooling  
Lea County, New Mexico

Dear Mr. LeMay:

On behalf of Marathon Oil Company, please find enclosed our Entry of Appearance and Motion for a Continuance of the referenced case.

Very truly yours



W. Thomas Kellahin

cc: Thomas C. Lowry, Esq.  
Marathon Oil Company

cc: William F. Carr, Esq.  
Attorney for Heyco

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

IN THE MATTER OF THE APPLICATION  
OF HARVEY E. YATES COMPANY FOR  
COMPULSORY POOLING,  
LEA COUNTY, NEW MEXICO

CASE NO. 10840

ENTRY OF APPEARANCE  
AND  
MOTION FOR CONTINUANCE

Comes now Marathon Oil Company, by its attorneys, Kellahin and Kellahin, and enters its appearance in this case.

At the request of the Applicant this case is currently set on the Examiner's docket now scheduled for November 18, 1993. Counsel for Marathon Oil Company is not available for this hearing date due to prior commitments.

Accordingly, Marathon Oil Company requests that this case be continued to the Examiner's docket now scheduled for December 2, 1993.



W. Thomas Kellahin  
Kellahin & Kellahin  
P. O. Box 2265  
Santa Fe, New Mexico 87504  
(505) 982-4285



STATE OF NEW MEXICO  
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING  
GOVERNOR

ANITA LOCKWOOD  
CABINET SECRETARY

POST OFFICE BOX 2088  
STATE LAND OFFICE BUILDING  
SANTA FE, NEW MEXICO 87504  
(505) 827-5800

December 3, 1993

LOSEE, CARSON, HAAS & CARROLL  
Attorneys at Law  
P. O. Drawer 239  
Artesia, New Mexico 88211-0239

**RE: CASE NO. 10840**  
**ORDER NO. R-10029**

Dear Sir:

Enclosed herewith are two copies of the above-referenced Division order recently entered in the subject case.

Sincerely,

  
Sally E. Martinez  
Administrative Secretary

Enclosure

cc: BLM - Carlsbad  
Tom Kellahin