

CASE 6095: HARVEY E. YATES COMPANY  
FOR AN UNORTHODOX GAS WELL LOCATION,  
ELDY COUNTY, NEW MEXICO

*Dismissed*

Case Number

6095

Application

Transcripts.

Small Exhibits

FT/

BEFORE THE  
NEW MEXICO OIL CONSERVATION COMMISSION  
Santa Fe, New Mexico  
November 30, 1977

EXAMINER HEARING

IN THE MATTER OF:

Application of Harvey E. Yates Company ) CASE  
for an unorthodox gas well location, ) 6095  
Eddy County, New Mexico. )

BEFORE: Daniel S. Nutter, Examiner.

TRANSCRIPT OF HEARING

A P P E A R A N C E S

For the New Mexico Oil	Lynn Teschendorf, Esq.
Conservation Commission:	Legal Counsel for the Commission
	State Land Office Building
	Santa Fe, New Mexico

sid morrish reporting service

General Court Reporting Service  
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501  
Phone (505) 982-9212

1 MR. NUTTER: The hearing will come to order, please.  
2 The first case we will call this morning will be Case 6095.

3 MS. TESCHENDORF: Case 6095, application of Harvey  
4 E. Yates Company for an unorthodox gas well location, Eddy  
5 County, New Mexico.

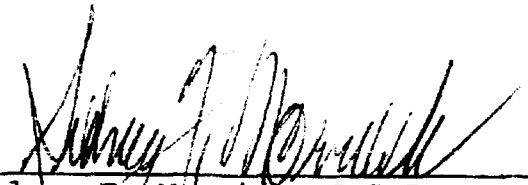
6 The applicant has requested that the case be  
7 dismissed.

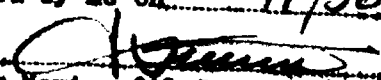
8 MR. NUTTER: Case Number 6095 will be dismissed.  
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**sid morrish reporting service**  
General Court Reporting Service  
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501  
Phone (505) 982-9212

REPORTER'S CERTIFICATE

I, SIDNEY F. MORRISH, a Certified Shorthand Reporter,  
do hereby certify that the foregoing and attached Transcript  
of Hearing before the New Mexico Oil Conservation Commission  
was reported by me, and the same is a true and correct record  
of the said proceedings to the best of my knowledge, skill and  
ability.

  
Sidney F. Morrish, C.S.R.

I do hereby certify that the foregoing is  
a complete record of the proceedings in  
the Examiner hearing of Case No. 6095  
heard by me on 11/30, 19 77.  
  
New Mexico Oil Conservation Commission

**sid morrish reporting service**

General Court Reporting Service  
825 Calle Mejia, No. 122, Santa Fe, New Mexico 87501  
Phone (505) 982-9212



# OIL CONSERVATION COMMISSION

STATE OF NEW MEXICO  
P. O. BOX 2088 - SANTA FE  
87501



DIRECTOR  
JOE D. RAMEY

LAND COMMISSIONER  
PHIL R. LUCERO

STATE GEOLOGIST  
EMERY C. ARNOLD

December 27, 1977

Mr. Joel M. Carson  
Losee & Carson  
Attorneys at Law  
Post Office Box 239  
Artesia, New Mexico 88210

Re: CASE NO. 6095  
ORDER NO. R-5604

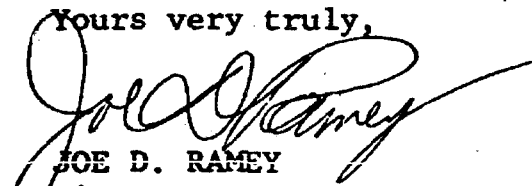
Applicant:

Harvey E. Yates Company

Dear Sir:

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

Yours very truly,

  
JOE D. RAMEY  
Director

JDR/fd

Copy of order also sent to:

Hobbs OCC x  
Artesia OCC x  
Aztec OCC       

Other

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
COMMISSION OF NEW MEXICO FOR  
THE PURPOSE OF CONSIDERING:

CASE NO. 6095  
Order No. R-5604

APPLICATION OF HARVEY E. YATES FOR  
AN UNORTHODOX GAS WELL LOCATION,  
EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on November 30,  
1977, at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this 27th day of December, 1977, the Commission,  
a quorum being present, having considered the record and the  
recommendations of the Examiner, and being fully advised in the  
premises,

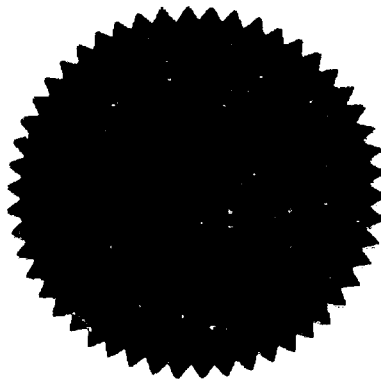
FINDS:

That the applicant's request for dismissal should be granted.

IT IS THEREFORE ORDERED:

That Case No. 6095 is hereby dismissed.

DONE at Santa Fe, New Mexico, on the day and year herein-  
above designated.



S E A L

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

PHIL R. LUCERO, Chairman

*Emery C. Arnold*  
EMERY C. ARNOLD, Member

*Joe D. Ramey*  
JOE D. RAMEY, Member & Secretary

jr/

A. J. LOSEE  
JOEL M. CARSON  
CHAD DICKERSON

LAW OFFICES  
LOSEE & CARSON, P.A.  
300 AMERICAN HOME BUILDING  
P. O. DRAWER 239  
ARTESIA, NEW MEXICO 88210

NOV 23 1977  
JUL 11 1977  
AREA CODE 505  
726-3508

21 November 1977

Mr. Dan Nutter  
New Mexico Oil Conservation Commission  
P. O. Box 2088  
Santa Fe, New Mexico 87501

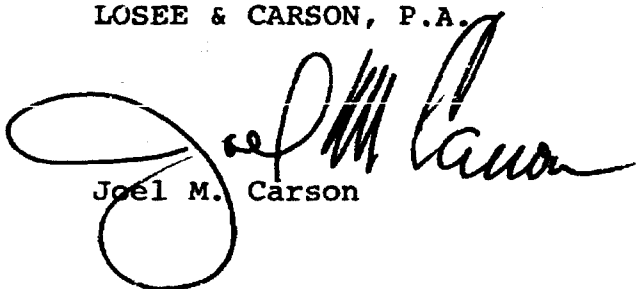
Re: Application of Harvey E. Yates Company  
for an Unorthodox Gas Well Location,  
Eddy County, New Mexico, No. 6095

Dear Mr. Nutter:

This office represents Harvey E. Yates Company in connection with the above mentioned application. This letter is our request that said application be withdrawn and that the hearing thereon be cancelled.

Yours truly,

LOSEE & CARSON, P.A.

  
Joel M. Carson

JMC:bjm

cc: Mr. Fred Yates



CASE 6095: Application of Harvey E. Yates Company for an unorthodox gas well location, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks approval for the unorthodox location of its Travis Deep Unit Well No. 4 to be drilled 1980 feet from the South line and 1180 feet from the East line of Section 7, Township 18 South, Range 29 East, Eddy County, New Mexico, the S/2 of said Section 7 to be dedicated to the well.

CASE 6096: Application of Texas Oil & Gas Corporation for compulsory pooling, Lea County, New Mexico. Applicant, in the above-styled cause, seeks an order pooling all mineral interests in the Wolfcamp and Pennsylvanian formations underlying the S/2 of Section 14, Township 21 South, Range 34 East, Lea County, New Mexico, to be dedicated to applicant's South Wilson State Well No. 1 to be drilled at a standard location thereon. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision. Also to be considered will be the designation of applicant as operator of the well and a charge for risk involved in drilling said well.

CASE 6097: Application of Texas Oil & Gas Corporation for compulsory pooling, Eddy County, New Mexico. Applicant, in the above-styled cause, seeks an order pooling all mineral interests in the Wolfcamp and Pennsylvanian formations underlying the N/2 of Section 29, Township 19 South, Range 28 East, Eddy County, New Mexico, to be dedicated to applicant's Exxon State Com B Well No. 1 to be drilled at a standard location thereon. Also to be considered will be the cost of drilling and completing said well and the allocation of the cost thereof as well as actual operating costs and charges for supervision. Also to be considered will be the designation of applicant as operator of the well and a charge for risk involved in drilling said well.

CASE 6098: Application of Robert K. Hillin for a unit agreement, Chaves and Otero Counties, New Mexico. Applicant, in the above-styled cause, seeks approval for its Burro Canyon Unit Area comprising 18,656 acres, more or less, of Federal, State, and fee lands in Townships 20, 20 1/2, and 21 South, Range 20 East, Chaves and Otero Counties, New Mexico.

CASE 6099: Application of Shell Oil Company for downhole commingling, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval for the downhole commingling of Blinberry, Drinkard, and Tubb production in the wellbore of its Livingston Well No. 10 located in Unit P of Section 4, Township 21 South, Range 37 East, Lea County, New Mexico.

CASE 6100: Application of D. B. Baxter for an unorthodox gas well location, Lea County, New Mexico. Applicant, in the above-styled cause, seeks approval for the unorthodox gas well location of his Lewis State Well No. 1 to be drilled 2180 feet from the North line and 460 feet from the West line of Section 31, Township 22 South, Range 37 East, Jalmat Gas Pool, Lea County, New Mexico, the NW/4 of said Section 31 to be dedicated to the well.

CASE 6076: (Continued from November 16, 1977, Examiner Hearing)

Application of E. L. Latham, Jr., Roy G. Barton, Jr., and R. L. Foree for a gas well curtailment and gas pool prorationing, Chaves County, New Mexico. Applicants, in the above-styled cause, seek an order temporarily shutting in, or limiting production from the La Rue and Muncy Nola Well No. 1, located in Unit O of Section 8, Township 14 South, Range 28 East, Sams Ranch Grayburg Gas Pool, Chaves County, New Mexico. Applicants further request that the Commission institute gas prorationing in said pool retroactively to date of first production and direct the gas purchaser(s) in said pool to take ratably from all wells in said pool.

A. J. LOSEE  
JOEL M. CARSON  
CHAD DICKERSON

LAW OFFICES  
**LOSEE & CARSON, P.A.**  
300 AMERICAN HOME BUILDING  
P. O. DRAWER 239  
SANTA FE, NEW MEXICO 87210

AREA CODE 505  
746-3508

NOV 11 1977

SENT BY COURIER  
10 November 1977

Mr. Joe D. Ramey, Director  
New Mexico Oil Conservation Commission  
P. O. Box 2088  
Santa Fe, New Mexico 87501

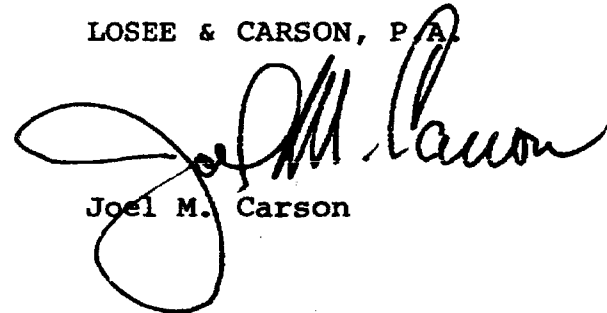
Dear Mr. Ramey:

Enclosed for filing, please find three copies of Amended Application of Harvey E. Yates Company for an unorthodox gas well location for its Travis Deep Unit No. 4 Well in Eddy County, New Mexico.

We understand that this hearing will be placed on the docket for November 30, 1977.

Yours truly,

LOSEE & CARSON, P.A.



Joel M. Carson

JMC:bjm  
Enclosures

cc w/enclosure: Harvey E. Yates Company

11 1977

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF :  
HARVEY E. YATES COMPANY FOR AN : CASE NO. \_\_\_\_\_  
UNORTHODOX GAS WELL LOCATION, EDDY :  
COUNTY, NEW MEXICO :  
:

AMENDED APPLICATION

COMES NOW HARVEY E. YATES COMPANY, by its attorneys,  
and in support hereof, respectfully states:

1. Applicant is the operator of the Pennsylvanian  
formation underlying:

Township 18 South, Range 29 East, N.M.P.M.

Section 7: S/2

and proposes to drill its Travis Deep Unit No. 4 Well at a point  
located 1,180 feet from the East line and 1,980 feet from the  
South line of said Section 7.

2. The applicant seeks an exception to the well loca-  
tion requirements of Rule 104-C.2(a) of the Oil Conservation  
Commission to permit the drilling of the well at the above men-  
tioned unorthodox location to a depth sufficient to adequately  
test the Pennsylvanian formation.

3. A standard 320-acre gas proration unit comprising  
the S/2 of said Section 7 should be dedicated to such well or  
to such lesser portion thereof as is reasonably shown to be  
reasonably productive of gas.

4. The approval of this application will afford  
applicant the opportunity to produce its just and equitable  
share of gas, will prevent economic loss caused by the drilling

of unnecessary wells, avoid the augmentation of risk arising from the drilling of an excessive number of wells, and will otherwise prevent waste and protect correlative rights.

WHEREFORE, applicant prays:

A. That this application be set for hearing before an examiner and that notice of said hearing be given as required by law.

B. That upon hearing the Commission enter its order granting applicant permission to drill a well 1,180 feet from the East line and 1,980 feet from the South line of said Section 7 and to dedicate the S/2 of Section 7, which is reasonably presumed to be productive of gas from the Pennsylvanian formation.

C. And for such other relief as may be just in the premises.

HARVEY E. YATES COMPANY

By: 

Joel M. Carson

LOSEE & CARSON, P.A.  
P. O. Drawer 239  
Artesia, New Mexico 88210

Attorneys for Applicant

Case 6095

A. J. LOSEE  
JOEL M. CARSON  
CHAD DICKERSON

LAW OFFICES  
**LOSEE & CARSON, P.A.**  
300 AMERICAN HOME BUILDING  
P. O. DRAWER 239  
ARTESIA, NEW MEXICO 88210

NOV - 9 1977  
AREA CODE 505  
755-3508  
NEW MEXICO OIL CONSERVATION COMM.  
Santa Fe

8 November 1977

Mr. Joe D. Ramey, Director  
New Mexico Oil Conservation Commission  
P. O. Box 2088  
Santa Fe, New Mexico 87501

Dear Mr. Ramey:

Enclosed for filing, please find three copies of application of Harvey E. Yates Company for an unorthodox gas well location for its Travis Deep Unit No. 4 Well in Eddy County, New Mexico.

We understand that this hearing will be placed on the docket for November 30, 1977.

Very truly yours,

LOSEE & CARSON, P.A.

  
A. J. Losee

AJL:jw  
Enclosures

cc w/enclosure: Harvey E. Yates Company

V-9 1977  
OIL CONSERVATION COMMISSION

BEFORE THE OIL CONSERVATION COMMISSION

OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF  
HARVEY E. YATES COMPANY FOR AN  
UNORTHODOX GAS WELL LOCATION, EDDY  
COUNTY, NEW MEXICO

CASE NO. 6095

APPLICATION

COMES NOW HARVEY E. YATES COMPANY, by its attorneys,  
and in support hereof, respectfully states:

1. Applicant is the operator of the Pennsylvanian  
formation underlying:

Township 18 South, Range 29 East, N.M.P.M.

Section 7: S/2

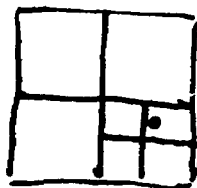
and proposes to drill its Travis Deep Unit No. 4 Well at a point  
located 1,280 feet from the East line and 1,980 feet from the  
South line of said Section 7.

*Amended  
to 1180 by  
Joel Carver  
by phone  
11/10/77*

2. The applicant seeks an exception to the well loca-  
tion requirements of Rule 104-C.2(a) of the Oil Conservation  
Commission to permit the drilling of the well at the above men-  
tioned unorthodox location to a depth sufficient to adequately  
test the Pennsylvanian formation.

3. A standard 320-acre gas proration unit comprising  
the S/2 of said Section 7 should be dedicated to such well or  
to such lesser portion thereof as is reasonably shown to be  
reasonably productive of gas.

4. The approval of this application will afford  
applicant the opportunity to produce its just and equitable  
share of gas, will prevent economic loss caused by the drilling



of unnecessary wells, avoid the augmentation of risk arising from the drilling of an excessive number of wells, and will otherwise prevent waste and protect correlative rights.

WHEREFORE, applicant prays:

A. That this application be set for hearing before an examiner and that notice of said hearing be given as required by law.

B. That upon hearing the Commission enter its order granting applicant permission to drill a well 1,280 feet from the East line and 1,980 feet from the South line of said Section 7 and to dedicate the S/2 of Section 7, which is reasonably presumed to be productive of gas from the Pennsylvanian formation.

C. And for such other relief as may be just in the premises.

HARVEY E. YATES COMPANY

By:   
A. J. Losee

LOSEE & CARSON, P.A.  
P. O. Drawer 239  
Artesia, New Mexico 88210

Attorneys for Applicant

DRAFT

dr/

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
COMMISSION OF NEW MEXICO FOR  
THE PURPOSE OF CONSIDERING:

CASE NO. 6095

Order No. R- 5604

APPLICATION OF HARVEY E. YATES  
FOR AN UNORTHODOX GAS WELL LOCATION,  
EDDY COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 a.m. on November 30, 1977,  
at Santa Fe, New Mexico, before Examiner Daniel S. Nutter.

NOW, on this \_\_\_\_\_ day of December, 1977, the Commission,  
a quorum being present, having considered the record and the recom-  
mendations of the Examiner, and being fully advised in the premises,

FINDS:

That the applicant's request for dismissal should be  
granted.

IT IS THEREFORE ORDERED:

That Case No. 6095 is hereby dismissed.

DONE at Santa Fe, New Mexico, on the day and year hereinabove  
designated.

21