

**From:** Thomas Kellahin [mailto:kellahin@earthlink.net]  
**Sent:** Wed 9/14/2005 9:59 AM  
**To:** Stogner, Michael, EMNRD  
**Cc:** Steffanie Hayes  
**Subject:** Fw: Status of NSL's- Section 16-21S-37E, Lea County, NM

Mike:

Apache has request a status report for the following:

On August 4, 2005, I filed two NSL administrative cases for three wellbores as follows:

(1) State Land "15" Well No. 9 and Well No. 10, both in the same 40-acre tract being Unit O of Sec 16, T21S, R37E and

(2) State Land "15" Well No. 11 in Unit N of Section 16, T21S, R37E

Thanks, Tom

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----- Original Message -----

**From:** Hayes, Steffanie  
**To:** kellahin@earthlink.net  
**Sent:** Wednesday, September 14, 2005 8:17 AM  
**Subject:** Status of NSL's- Section 16-21S-37E, Lea County, NM

Tom,

Good Morning. As you will recall, Apache has filed for three NSL's in the referenced Section (State Land 15 #9, #10 and #11). Have you heard anything from the OCD on these applications? We plan on spudding these wells in October, so we need the approval as quickly as possible.

Thank you,



*Steffanie L. Hayes*  
*Phone: 918-491-4815*  
*Fax: 918-491-4854*  
*steffanie.hayes@usa.apachecorp.com*

 You replied on 9/19/2005 1:18 PM.

Attachments can contain viruses that may harm your computer. Attachments may not display correctly.

**Stogner, Michael, EMNRD**

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**From:** Stogner, Michael, EMNRD **Sent:** Mon 9/19/2005 8:53 AM  
**To:** Thomas Kellahin  
**Cc:** steffanie.hayes@usa.apachecorp.com  
**Subject:** RE: Status of NSL's- Section 16-21S-37E, Lea County, NM  
**Attachments:**  R-454%20\_07336.pdf(115KB)  3002506633\_36\_WF11.tif(136KB)

In reviewing your Apache Corp. application for the proposed State Land "15" Wells No. 9 and 10 (I reviewed the application for the Well No. 11 first and missed the following facts) I find that further explanation is needed concerning Apache's claim that the existing John H. Hendrix Corp. State Land "15" Well No. 4 (**API No. 30-025-06633**), located 660 feet from the South and East lines (Unit P) of Section 16 is classified as an oil well (see page 4 of your exhibit 1-C). The Division's production records between January, 2004 to July, 2005 shows gas production only, no oil. I also show that a non-standard 160-acre gas spacing and proration unit comprising the S/2 S/2 of Section 16 was approved for this well in April 1954 (see Division Order No. R-454 attached above). The well Division's well file does have a C-102 filed in late June, 2005 showing the Tubb with 40-acre dedication (see attachment). Was this showing it to be a standard 40-acre oil unit or a rededicated 40-acre GPU? Rule 2 (a) 3 of the "special Rules and Regulations for the Tubb Oil and Gas Pool", as promulgated by Division Order No. R-8170, as amended, prohibits the simultaneous dedication Tubb oil acreage and Tubb gas acreage. As it stands now I cannot approve any of these three applications.

As an observation, the recent activity that Apache has initiated in the Blinbry and Tubb pools is very similar to what happened in the Jalmat and Eumont Gas Pools about 8 years ago. That particular disregard to the prorationing scheme and special rules lead to the adoption of Division Order No. R-8170-P. Would the Tubb and Blinbry pools best be served if the Division took similar action?

I am sending a copy of this e-mail to Jim Bruce because I have several pending administrative applications from him on behalf of Apache Corporation.

16					<div style="text-align: center; font-weight: bold; font-size: small;">STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION</div> <div style="border: 1px solid black; padding: 5px;"> <div style="text-align: right; font-weight: bold; font-size: small;">17</div> <h3 style="text-align: center; margin: 0;">OPERATOR CERTIFICATION</h3> <p style="margin: 0;">I hereby certify that the information contained herein is true and complete to the best of my knowledge and belief.</p> <div style="text-align: right; margin-top: 10px;"> </div> <div style="border-top: 1px solid black; margin-top: 5px;">Signature</div> <div style="border-top: 1px solid black; margin-top: 5px;">Ronnie H. Westbrook</div> <div style="border-top: 1px solid black; margin-top: 5px;">Printed Name</div> <div style="border-top: 1px solid black; margin-top: 5px;">Vice President</div> <div style="border-top: 1px solid black; margin-top: 5px;">Title and E-mail Address</div> <div style="border-top: 1px solid black; margin-top: 5px;">06/29/2005</div> <div style="border-top: 1px solid black; margin-top: 5px;">Date</div> </div>
					<div style="text-align: right; font-weight: bold; font-size: small;">18</div> <h3 style="text-align: center; margin: 0;">SURVEYOR CERTIFICATION</h3> <p style="margin: 0;">I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.</p> <div style="border-top: 1px solid black; margin-top: 5px;">Date of Survey</div> <div style="border-top: 1px solid black; margin-top: 5px;">Signature and Seal of Professional Surveyor:</div> <div style="border-top: 1px solid black; margin-top: 5px;">Certificate Number</div>

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

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

CASE NO. 676  
Order No. R-454

THE APPLICATION OF MID-CONTINENT  
PETROLEUM CORPORATION FOR AN ORDER  
GRANTING APPROVAL OF AN EXCEPTION  
PURSUANT TO RULE 7 (a) OF ORDER NO.  
R-373-A IN ESTABLISHMENT OF AN UNOR-  
THODOX GAS PRORATION UNIT OF 160  
CONTIGUOUS ACRES CONSISTING OF THE  
SOUTH HALF OF THE SOUTH HALF OF  
SECTION 16, TOWNSHIP 21 SOUTH, RANGE 37  
EAST, NMPM, LEA COUNTY, NEW MEXICO,  
IN THE TUBB GAS POOL.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m., on March 17, 1954, at Santa Fe, New Mexico, before the Oil Conservation Commission, hereinafter referred to as the "Commission".

NOW, on this 16th day of April, 1954, the Commission, a quorum being present, having considered the records and testimony adduced, and being fully advised in the premises;

FINDS:

(1) That due notice of the time and place of hearing and the purpose thereof having been given as required by law, the Commission has jurisdiction of this case and the subject matter thereof.

(2) That pursuant to provisions of Rule 7 (a) of Order No. R-373-A, the Commission has power and authority to permit the formation of a gas proration unit consisting of other than a legal quarter section after notice and hearing by the Commission.

(3) That applicant, Mid-Continent Petroleum Corporation, is the owner of an oil and gas lease in Lea County, New Mexico, the land consisting of other than a legal quarter section, and described as follows, to-wit:

TOWNSHIP 21 SOUTH, RANGE 37 EAST, NMPM  
S/2 S/2 of Section 16

containing 160 acres, more or less.

(4) That applicant, Mid-Continent Petroleum Corporation, has obtained permission from the Commission to dually complete a well known as the State "15" Well No. 4 located 660 feet from the South and East lines of Section 16, Township 21 South, Range 37 East, NMPM, the well to be dually completed in the Tubb Gas Zone and Drinkard Oil Zone.

(5) That the aforesaid well is located within the limits of the pool heretofore delineated and designated as the Tubb Gas Pool.

(6) That it is impractical to pool applicant's said lease with adjoining acreage in the South half of Section 16, Township 21 South, Range 37 East, NMPM., and that the owners of adjoining acreage in said half section have not objected to the formation of the proposed proration unit of 160 acres, but have expressly consented thereto.

(7) That unless a proration unit consisting of applicant's aforesaid acreage is permitted, applicant will be deprived of the opportunity to recover its just and equitable share of the natural gas in the Tubb Gas Pool.

(8) That creation of a proration unit consisting of the aforesaid acreage will not cause but will prevent waste, will protect correlative rights, and is necessary to prevent confiscation of applicant's property.

IT IS THEREFORE ORDERED:

(1) That the application of Mid-Continent Petroleum Corporation, for approval of an unorthodox proration unit consisting of the following described acreage

TOWNSHIP 21 SOUTH, RANGE 37 EAST, NMPM  
S/2 S/2 of Section 16

be and the same is hereby approved, and a proration unit consisting of aforesaid acreage is hereby created.

(2) That applicant's well, State "15", Well No. 4, located in the SE/4 SE/4 of Section 16, Township 21 South, Range 37 East, NMPM, shall be granted an allowable in the proportion that the above described 160 acre unit bears to the standard or orthodox proration unit for said pool, all until further order of the Commission, the effective date of said allowable to be determined in accordance with the provisions of Rule 13 of Order R-373-A.

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

State of New Mexico  
Oil Conservation Commission

Signed by: Edwin L. Mechem, Chairman; E. S. Walker, Member; R. R. Spurrier, Secretary.

**Stogner, Michael, EMNRD**

**From:** Thomas Kellahin [kellahin@earthlink.net]

**Sent:** Mon 9/26/2005 10:37 AM

**To:** Stogner, Michael, EMNRD

**Cc:** Kevin Mayes

**Subject:** Re: Status of NSL's- Section 16-21S-37E, Lea County, NM

**Attachments:**

Mike: Thank you for bring the conflicting Tubb dedication to my attention:

(1) SE/4 of Section 16 application for the State Land "15" Wells No. 9 and 10:

I have contacted Mr. Kevin Mayes, PE for Apache, who has confirmed that the Hendrix State Land 15 #4 (API 30-025-06633) in Unit P of Sec. 16 is still classified at a Tubb gas well dedicated to the SE/4 of Sec 16.

With you permission, Apache desires to withdrawn that portion of its application concerned the Tubb interval in the State Land "15" Wells No. 9 and 11.

They propose to test the Tubb to determine if it will be classified and a gas well or an oil well and then to contact Hendrix for an agreement about which well to produce and how to solve dedication and then refilled with the OCD before production from the Tubb in either of these two wellbores.

The C-102 filed by Apache for the Tubb dated June 24, 2005 is not appropriate at this time and Apache desires to void it so that there is no conflict with the Hendrix State Land "15" Well No 4.

The SE/4 of Section 16 also contains the Apache State DA#3 in Unit J but this well is no longer capable of Tubb gas production.

(2) SW/4 of Section 16 application for the State Land "15" Well No. 11:

Apache is rechecking the status of the wellbores in the SW/4 of Section 16 to see if there is any problem with the dedications that might affect the application for the State Land "15" Well No. 11

Regards, Tom

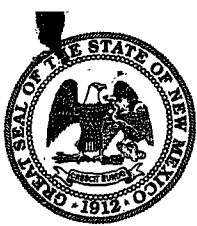
**From:** Stogner, Michael, EMNRD

**Sent:** Mon 9/26/2005 4:16 PM

**To:** Thomas Kellahin

**Subject:** RE: Status of NSL's- Section 16-21S-37E, Lea County, NM

I am now more confused about the dedicated acreage for the Tubb gas production within the S/2 of Sec. 16. I stated in my last e-mail that Division Order No approved a 160-acre Non-Standard Tubb gas spacing unit comprising the S/2 S/2 of Sec. 16. R-454 for the John H. Hendrix Corp. State Land "15" Well No. 4 (API No. 30-025-06633), located 660 feet from the South and East lines (Unit P) of Section 16. You now tell me that the SE/4 of Sec. 16 is dedicated to this well. When did this change occur? The proposed Tubb completion for Apache's proposed State Land "15" Well No. 11 (see NSL-5279) still appears to be at risk.



# NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

**BILL RICHARDSON**

Governor

**Joanna Prukop**

Cabinet Secretary

September 16, 2005

**Mark E. Fesmire, P.E.**

Director

Oil Conservation Division

Apache Corporation  
c/o W. Thomas Kellahin  
P. O. Box 2265  
Santa Fe, New Mexico 87504

*Administrative Order NSL-5279*

Dear Mr. Kellahin:

Reference is made to the following: (i) your application (*administrative application reference No. pSEM0-521743064*) on behalf of Apache Corporation that was submitted to the New Mexico Oil Conservation Division ("Division") in Santa Fe, New Mexico on August 4, 2005; (ii) your e-mail on Wednesday morning, September 14, 2005 checking on the status of this application; and (iii) the Division's records in Hobbs and Santa Fe: all concerning Apache Corporation's request for an unorthodox oil well location in the Blinebry Oil and Gas Pool (6660), Tubb Oil and Gas Pool (60240), Drinkard Pool (19190); and Undesignated Wantz-Abo Pool (62700), for its proposed State Land "15" Well No. 11 to be drilled 330 feet from the South line and 1330 feet from the West line (Unit N) of Section 16, Township 21 South, Range 37 East, NMPM, Lea County, New Mexico.

This application has been duly filed under the provisions of: (i) Division Rules 104.F and 1207.A (2), soon to be renumbered 1210.A (2); (ii) the "*Special Rules and Regulations for the Blinebry Oil and Gas Pool*", as promulgated by Division Order No. R-8170, as amended; and (iii) the "*Special Rules and Regulations for the Tubb Oil and Gas Pool*", as promulgated by Division Order No. R-8170, as amended.

The SE/4 SW/4 (Unit N) of Section 16, being a standard 40-acre oil spacing and proration unit for all four intervals, is to be dedicated to this well.

It is the Division's understanding that the S/2 S/2 of Section 16 comprises a single state lease issued by the New Mexico State Land Office (*State Lease No. B-08105-0003*) with common mineral interests; therefore, there are no adversely affected interests to the proposed 40-acre oil spacing and proration unit within these four oil-bearing intervals.

Approval of the proposed unorthodox oil well location request should enable the operator to further develop and/or deplete the Blinebry, Tubb, Drinkard, and Abo intervals within this portion of the aforementioned state lease that might not otherwise be recovered.

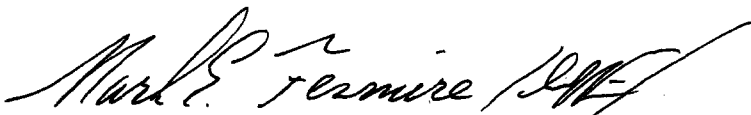
By the authority granted me under the provisions of Division Rules 104.F (2) and the applicable provisions of the special pool rules governing both the Blinebry and Tubb Oil and Gas Pools, the above-described unorthodox oil well location for Apache Corporation's proposed State Land "15" Well No. 11 is hereby approved for the Blinebry Oil and Gas Pool, Tubb Oil and Gas Pool, Drinkard Pool, and Undesignated Wantz-Abo Pool.



If after completion within the Blinebry and Tubb formations, production from either zone is classified as "gas," the operator shall request an amendment to this order seeking such relief as deemed appropriate.

Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

Sincerely,



Mark E. Fesmire, P. E.  
Director

MEF/ms

cc: New Mexico Oil Conservation Division – Hobbs  
New Mexico State Land Office – Santa Fe

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**From:** Tom Kellahin [mailto:kellahin@earthlink.net]  
**Sent:** Mon 9/26/2005 4:49 PM  
**To:** Stogner, Michael, EMNRD  
**Subject:** RE: Status of NSL's- Section 16-21S-37E, Lea County, NM

Mike: I'm the one that is confused--You are correct--My mistake--the existing S/2S/2 non-standard GPU for the Hendrix State Land "15" Well No. 4 precludes all three of these Apache wells from being produced in the Tubb-- Apache needs to withdraw the Tubb from all three wellbores--  
-

Would it be okay to test the Tubb and not produce it until the Tubb issue of resolved by Apache and Hendrix and OCD approval has been obtained.

Sorry--this is my mistake, Regards, Tom

**From:** Stogner, Michael, EMNRD

**Sent:** Mon 9/26/2005 5:06 PM

**To:** Tom Kellahin

**Subject:** RE: Status of NSL's- Section 16-21S-37E, Lea County, NM

Per your last two e-mails, I will amend both applications and proceed accordingly. As for as your request to complete any of these wells in the Tubb interval; I am in no position of authority to say yes, just be aware that if Apache attempts to complete any of these wells in the Tubb formation, they do so at their own risk.

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**From:** Thomas Kellahin [mailto:kellahin@earthlink.net]  
**Sent:** Wed 10/26/2005 8:38 AM  
**To:** Stogner, Michael, EMNRD  
**Subject:** Status request: Apache NLS for State Lands "15" Wells 9, 10, & 11

Re: NSL applications for Apache  
filed August 4, 2005:  
State Land "15" Wells No. 9 and No 10  
Unit O, Sec 16, T21S, R37E  
State Land "15" Well No. 11  
Unit N Sec 16, T21S, R37E

Mike:

Yesterday, I returned from vacation and during the day received 2 requests from Apache to ask you the status of the two NSL applications for the 3 wellbores.

As a result of our e-mails on September 26th, I have hoped that I have provided you with enough information for you to make a decision about this application.

Please advise me if you need anything further from Apache or me.  
Thanks, Tom