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January 11, 2005

Hand Delivered

Florene Davidson  
Oil Conservation Division  
1220 South St. Francis Drive  
Santa Fe, New Mexico 87505

Dear Florene:

Enclosed are an original and one copy of an application for compulsory pooling, together with a proposed advertisement, filed on behalf of Mewbourne Oil Company. Please set this matter for the February 3, 2005 Examiner hearing. Thanks.

The advertisement has also been e-mailed to the Division.

Very truly yours,

  
James Bruce

Attorney for Mewbourne Oil Company

Case 13410

2005 JAN 11 PM 2 48

PARTIES BEING POOLED

Kenneth G. Cone, individually  
& as Trustee  
P.O Box 11310  
Midland, Texas 79702

Bank of Oklahoma, Trustee of  
trusts u/w/o Kathleen Cone  
P.O. Box 1508  
Tulsa, Oklahoma 74101

Randy Lee Cone  
P.O. Box 552  
Jay, Oklahoma 74346

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF MEWBOURNE OIL  
COMPANY FOR COMPULSORY POOLING,  
EDDY COUNTY, NEW MEXICO.

No. 13410

2005 JAN 11 PM 2 48

APPLICATION

Mewbourne Oil Company applies for an order pooling all mineral interests from the base of the Queen formation to the base of the Bone Spring formation underlying the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 29, Township 18 South, Range 30 East, N.M.P.M., Eddy County, New Mexico, and in support thereof, states:

1. Applicant is a working interest owner in the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 29, and has the right to drill a well thereon.

2. Applicant proposes to drill its Pinta "29" Fed. Well No. 1 at an orthodox oil well location in the SW $\frac{1}{4}$ SE $\frac{1}{4}$  (Unit O) of the section, to a depth sufficient to test the Bone Spring formation (approximately 7,600 feet subsurface), and seeks to dedicate the following acreage to the well:

- (a) the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 29 to form a standard 40 acre oil spacing and proration unit for any pools and/or formations developed on 40 acre spacing within that vertical extent; and
- (b) the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 29 to form a standard 80 acre oil spacing and proration unit for any pools and/or formations developed on 80 acre spacing within that vertical extent, including the Undesignated Santo Nino-Bone Spring Pool.

3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the S $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 29 for the purposes set forth herein.

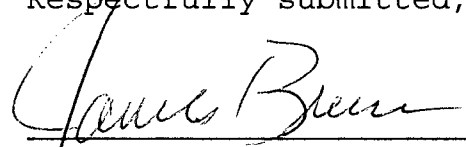
4. Although applicant attempted to obtain voluntary agreements from all mineral interest owners to participate in the drilling of the well or to otherwise commit their interests to the well, certain interest owners have failed or refused to join in dedicating their interests. Therefore, applicant seeks an order pooling all mineral interest owners in the S½SE¼ of Section 29, pursuant to NMSA 1978 §70-2-17.

5. The pooling of all mineral interests underlying the S½SE¼ of Section 29 will prevent the drilling of unnecessary wells, prevent waste, and protect correlative rights.

**WHEREFORE**, applicant requests that, after notice and hearing, the Division enter its order:

- A. Pooling all mineral interests in the S½SE¼ of Section 29, from the base of the Queen formation to the base of the Bone Spring formation;
- B. Naming applicant as operator of the well;
- C. Considering the cost of drilling and completing the well, and allocating the cost thereof among the well's working interest owners;
- D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates as provided in the COPAS accounting procedure; and
- E. Setting a penalty for the risk involved in drilling and completing the well in the event a working interest owner elects not to participate in the well.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "James Bruce", is written over a horizontal line.

James Bruce  
Post Office Box 1056  
Santa Fe, New Mexico 87504  
(505) 982-2043

Attorney for Mewbourne Oil  
Company

Proposed Advertisement

**Case 13410:** **Application of Mewbourne Oil Company for compulsory pooling, Eddy County, New Mexico.** Applicant seeks an order pooling all mineral interests from the base of the Queen formation to the base of the Bone Spring formation underlying the following described acreage in Section 29, Township 18 South, Range 30 East, N.M.P.M., and in the following manner: The S½SE¼ to form a standard 80-acre oil spacing and proration unit for any and all formations developed on 80-acre spacing within that vertical extent, including the Undesignated Santo Nino-Bone Spring Pool; and the SW¼SE¼ to form a standard 40-acre oil spacing and proration unit for any and all formations developed on 40-acre spacing within that vertical extent. The units are to be dedicated to the proposed Pinta "29" Fed. Well No. 1, to be drilled at an orthodox oil well location in the SW¼SE¼ (Unit O) of Section 29. Also to be considered will be the cost of drilling and completing the well and the allocation of the cost thereof, as well as actual operating costs and charges for supervision, designation of applicant as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The units are located approximately 7 miles south of Loco Hills, New Mexico.

2005 JAN 11 PM 2 48