

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

**APPLICATION OF FARLEIGH OIL PROPERTIES FOR A
COMPLIANCE ORDER AGAINST SWEPI AND
SHELL EXPLORATION AND PRODUCTION COMPANY,
GUADALUPE COUNTY, NEW MEXICO.**

CASE NO. 14583

MOTION TO DISMISS

SWEPI LP and Shell Exploration and Production Company (hereinafter collectively referred to as "Shell"), through their attorneys, HOLLAND & HART LLP, hereby move the Oil Conservation Division for an order dismissing the Amended Application filed by Farleigh Oil Properties ("Farleigh") in the above-referenced case. In support of this motion, Shell states:

1. In a highly unusual procedure, Farleigh filed an Application - and then an Amended Application - in this matter alleging Shell "has not properly filed Forms C-105 and C-115" for the following five wells located in Guadalupe County, New Mexico:

Latigo Ranch 2-34 (API No. 30-019-20136)

Latigo Ranch 3-5 (API No. 30-019-20137)

Latigo Ranch 3-3 (API No. 30-019-20138)

Webb 3-23 (API No. 30-019-20135)

Webb CD-1 (API No. 30-019-20134)

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Lacking specificities, the Amended Application vaguely requests an order "requiring Shell to comply with Division well reporting requirements."¹

¹ The Amended Application was filed on December 15, 2010.

2. Since the filing of Farleigh's Amended Application, the Division's Examiner has held prehearing conferences during which it was established Shell timely filed all necessary forms. However, to address the data concerns raised by Farleigh, the Examiner requested that Shell provide a breakdown by choke size of the summary information previously filed with the Division for the tests conducted on each of these five wells. *See* NMAC 19.15.7.16 (requiring the filing of forms providing a summary of tests conducted on a well following a completion or recompletion).

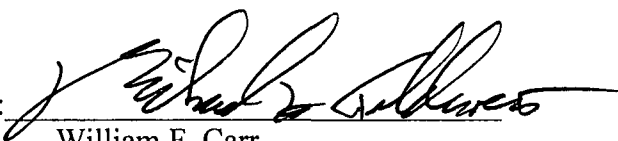
3. By letter dated April 26, 2011, Shell filed forms with the Division providing the breakdown requested by the Examiner and served copies of the information on the parties of record. That information is now available on the Division's website.

WHEREFORE, Shell respectfully requests that this matter, which is currently scheduled for hearing before a Division Examiner on May 26th, be dismissed.

Respectfully submitted,

HOLLAND & HART LLP

By:



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CERTIFICATE OF SERVICE

I certify that on May 12, 2011, I served a copy of the foregoing document to the following:

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