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March 15, 2005

HAND DELIVERY

Mark E. Fesmire, P.E.
Director, Oil Conservation Division
New Mexico Energy, Minerals &
Natural Resources Department
1220 South Saint Francis Drive
Santa Fe, New Mexico 87505

Case 13457

2005 MAR 16 AM 9 15

**Re: Application of BP America Production Company for Compulsory
Pooling, Lea County, New Mexico**

Dear Mr. Fesimire:

Enclosed is the Application for BP America Production Company in the above referenced case as well as a copy of the legal advertisement. BP requests that this matter be placed on the April 7, 2005, Examiner Hearing docket.

Sincerely,

Michael H. Feldewert

MHF

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

**IN THE MATTER OF THE APPLICATION OF
BP AMERICA PRODUCTION COMPANY
FOR COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.**

CASE NO. 13457

2005 MAR 16 PM 9 16

APPLICATION

BP America Production Company ("BP"), through its undersigned attorneys, hereby makes application for an order pooling the record title owner of State Lease B-1431-4 covering the SE/4 SW/4 of Section 28, Township 17 South, Range 34 East, NMPM, Lea County, New Mexico, from the base of the Abo formation to the base of the Morrow formation to form a standard S/2 320-acre gas spacing and proration unit for all formations or pools spaced on 320 acres within this vertical extent, which presently includes but are not necessarily limited to the Undesignated Vacuum Morrow Gas Pool. In support of this application BP states:

1. BP owns a working interest in the S/2 of Section 28 and has dedicated this proposed spacing unit to its existing Sunflower 28 State Well No. 1 located at a standard location in the NE/4 SE/4 (Unit I) of said Section 28 at a point 1460 from the South line and 660 feet from the East line at a depth sufficient to produce from the Morrow formation.

2. BP has attempted but has been unable to locate the following record title owner of State Lease B-1431-4 covering the SE/4 SW/4 of Section 28:

Lamar Fleming
d/b/a L.F. Oil Company

Last known address:
P.O. Box 2040
Tulsa, OK 74102

3. In order to allow BP to communitize this state lease with the remaining tracts of land comprising the S/2 of Section 28, this record title interest needs to be pooled and BP designated operator of the well and spacing unit.

4. Approval of this application will avoid the drilling of unnecessary wells, will prevent waste, will protect correlative rights, and allow BP and the other interest owners in the S/2 of Section 28 an opportunity to obtain their just and fair share of the oil and gas underlying the subject lands.

WHEREFORE, BP requests that this application be set for hearing before an Examiner of the Oil Conservation Division on April 7, 2005, and that after notice and hearing as required by law the Division enter its order:

- A. pooling the record title interest in State Lease B-1431-4 for the purpose of forming a 320-acre spacing and proration unit; and
- B. designating BP operator of the unit and the existing well.

Respectfully submitted,

HOLLAND & HART, LLP

By: 

William F. Carr
Michael H. Feldewert
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Santa Fe, New Mexico 87504
Telephone: (505) 988-4421

**ATTORNEYS FOR BP AMERICA
PRODUCTION COMPANY.**

CASE 13457

In The Matter Of The Application Of BP America Production Company For Compulsory Pooling, Lea County, New Mexico.

Applicant in the above-styled cause seeks an order pooling the record title owner of State Lease B-1431-4 covering the SE/4 SW/4 of Section 28, Township 17 South, Range 34 East, NMPM, Lea County, New Mexico, from the base of the Abo formation to the base of the Morrow formation to form a standard S/2 320-acre gas spacing and proration unit for all formations or pools spaced on 320 acres within this vertical extent, which presently includes but are not necessarily limited to the Undesignated Vacuum Morrow Gas Pool. This spacing and proration unit will be dedicated to the existing Sunflower 28 State Well No. 1 located 1460 feet from the South line and 660 feet from the East line (Unit I) of said Section 28. Applicant has been unable to locate the following record title owner of State Lease B-1431-4:

Lamar Fleming
d/b/a L.F. Oil Company
Last know address:
P.O. Box 2040
Tulsa, OK 74102

Also to be considered will the designation of applicant as operator of the well and the proposed spacing unit. Said area is located approximately 12 miles Southeast of Maljamar, New Mexico.