

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

APPLICATION OF BC OPERATING, INC. AND CROWN OIL PARTNERS V, LP TO REMOVE KEY ENERGY SERVICES, INC. AS OPERATOR OF RECORD FOR THE GRACE CARLSBAD WELL NO. 1 LOCATED ON STATE LANDS, EDDY COUNTY, NEW MEXICO.

Case No.: 15527

APPLICATION

Applicants seek an order from the Division removing Key Energy Services, Inc. as the operator of record for the Grace Carlsbad Well No. 1 (API No. 30-015-20573) and approving a change of operator to BC Operating, Inc. In support of this relief, Applicants state:

1. The Grace Carlsbad Well No. 1 (API No. 30-015-20573) is located on state lands 1980 feet from the South line and 660 feet from the East line (Unit I) of Section 36, Township 22 South, Range 26 East, NMPM, Eddy County, New Mexico.
2. In March of 2014, Crown Oil Partners V, LP obtained state oil and gas lease VO-9614 covering all depths underlying the E/2 of Section 36 where the Grace Carlsbad Well is located. BC Operating, Inc. (OGRID No. 160825) is the operating entity of the current state mineral lessee and is a registered operator in good standing with the Division.
3. The Grace Carlsbad Well was drilled in 1972 by state lessee Corinne Grace to a depth of 11,875 feet for production from the Morrow formation. Division records reflect the Grace Carlsbad Well No. 1 has not reported production since November of 2007. As a result, the original state mineral lease expired in January of 2008 due to a lack of production.
4. In June of 2008, six months after the original state lease expired, Bold Energy executed a Change of Operator form naming Oxy USA Inc. the Division designated operator of

the Grace Carlsbad Well. In October of 2010, Oxy USA, Inc. executed a Change of Operator form naming Key Energy Services, LLC as the operator of this well. At the time that the 2008 and 2010 Change of Operator forms were executed and filed with the Division, none of the parties named therein held a state mineral lease nor did they subsequently seek to acquire a state mineral lease.

5. Key Energy does not own any of the oil and gas rights underlying Section 36, holds no easement or license with the state land office to utilize this wellbore or the underlying strata, and has no easement or license with the surface owners to access the wellbore.

6. Under Order R-14052, issued in Case No. 15322 on September 23, 2015, the Division denied Key Energy's application to utilize the Grace Carlsbad Well for disposal purposes. The Division found that "the probability exists for oil and gas reserves to be present" in the proposed disposal formation underlying these state lands.

7. Since issuance of Division Order R-14052, BC Operating Inc. has expressed to Key Energy a desire to utilize the Grace Carlsbad Well to explore for and produce the state minerals underlying the E/2 of Section 36. Key Energy has refused to execute a Change of Operator form naming BC Operating Inc. as the operator of record and has threatened to junk the well by pouring cement down the wellbore.

8. The Grace Carlsbad wellsite has not been maintained and is in a state of disrepair.

9. Removing Key Energy as the Division designated operator of the Grace Carlsbad Well and approving a change of operator to BC Operating, Inc. will allow the current state mineral lessee to access the wellsite, conduct cleanup and repair operations, and utilize the Grace Carlsbad Well for development of the underling state oil and gas reserves.

10. The granting of this application is in the best interests of conservation, will prevent waste, and will protect the correlative rights of the State of New Mexico and its current mineral lessee.

WHEREFORE, Applicants requests that the Division set this matter for hearing before an Examiner of the Oil Conservation Division on August 4, 2016, and after notice and hearing as required by law, enter an order removing Key Energy Services, Inc. as the operator of record for the Grace Carlsbad Well No. 1 (API No. 30-015-20573) and approving a change of operator to BC Operating, Inc.

Respectfully submitted,

HOLLAND & HART, LLP

By: 

Michael H. Feldewert
Jordan L. Kessler
Post Office Box 2208
Santa Fe, New Mexico 87504-2208
(505) 988-4421
(505) 983-6043 Facsimile
mfeldewert@hollandhart.com
jlkessler@hollandhart.com

**ATTORNEYS FOR BC OPERATING, INC. &
CROWN OIL PARTNERS V, LP**

Case No. 1552⁷ Application of BC Operating, Inc. and Crown Oil Partners V, LP to remove Key Energy Services, Inc. as operator of record for the Grace Carlsbad Well No. 1 located on state lands, Eddy County, New Mexico. Applicants seek an order from the Division removing Key Energy Services, Inc. as the operator of record for the Grace Carlsbad Well No. 1 (API No. 30-015-20573) and approving a change of operator to BC Operating, Inc. This well is located on state lands 1980 feet from the South line and 660 feet from the East line (Unit I) of Section 36, Township 22 South, Range 26 East, NMPM, Eddy County, New Mexico, approximately 4 miles south of Carlsbad, New Mexico.