

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

**APPLICATION OF KAISER-FRANCIS OIL
COMPANY FOR COMPULSORY POOLING,
EDDY COUNTY, NEW MEXICO.**

Case No. 20289

APPLICATION

Kaiser-Francis Oil Company applies for an order pooling all mineral interests in the Delaware formation underlying a horizontal spacing unit comprised of the S/2SE/4 of Section 20 and the S/2SW/4 of Section 21, Township 23 South, Range 28 East, N.M.P.M., Eddy County, New Mexico, and in support thereof, states:

1. Applicant is an interest owner in the S/2SE/4 of Section 20 and the S/2SW/4 of Section 21, and has the right to drill a well thereon.
2. Applicant proposes to drill the Loving Townsite 2021 LBC Well No. 2H to a depth sufficient to test the Lower Brushy Canyon portion of the Delaware formation. The well has a first take point in the SW/4SE/4 of Section 20 and a final take point in the SE/4SW/4 of Section 21.
3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the Delaware formation in the S/2SE/4 of Section 20 and the S/2SW/4 of Section 21 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 Delaware

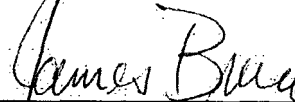
formation in the S/2SE/4 of Section 20 and the S/2SW/4 of Section 21, pursuant to NMSA 1978 §§70-2-17, 18.

5. The pooling of all mineral interests in the Delaware formation underlying the S/2SE/4 of Section 20 and the S/2SW/4 of Section 21 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 Delaware formation underlying the S/2SE/4 of Section 20 and the S/2SW/4 of Section 21;
- B. Designating applicant as operator of the well;
- C. Considering the cost of drilling and completing the well, and allocating the cost among the well's working interest owners;
- D. Approving actual operating charges and costs charged for supervision, together with a provision adjusting the rates pursuant to the COPAS accounting procedure; and
- E. Setting a 200% charge 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,



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

Attorney for Kaiser-Francis Oil Company

PROPOSED ADVERTISEMENT

Case No. 20289:

Application of Kaiser-Francis Oil Company for compulsory pooling, Eddy County, New Mexico. Kaiser-Francis Oil Company seeks an order pooling all mineral interests in the Delaware formation underlying a horizontal spacing unit in the Delaware formation underlying the S/2SE/4 of Section 20 and the S/2SW/4 of Section 21, Township 23 South, Range 28 East, NMPM. The unit will be dedicated to the Loving Townsite 2021 LBC Well No. 2H, with a first take point in the SW/4SE/4 of Section 20 and a final take point in the SE/4SW/4 of Section 21. 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 unit is located in the center of Loving, New Mexico.

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