

Case No. 14076
Tom. R. Cone (OGRID 188152)

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Exhibit Index

<u>Exhibit Number</u>	<u>Exhibit</u>
Exhibit No. 1	Affidavit of Service
Exhibit No. 1-A	Hearing Notice & Signed Returned Receipt
Exhibit No. 1-B	Affidavit of Publication
Exhibit No. 2	Well List
Exhibit No. 3	Inactive Well List
Exhibit No. 4	Rule 19.15.4.201 (Rule 201)
Exhibit No. 5	Change of Operator (Donnelly Pan American No. 001Y)
Exhibit No. 6	Change of Operator (Federal 18 No. 001, 002, 003, and 004)
Exhibit No. 7	Well Inspection History (Donnelly Pan American No. 001Y)
Exhibit No. 8	Well Inspection History (Federal 18 No. 002)
Exhibit No. 9	Well Inspection History (Federal 18 No. 004)

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

APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST TOM R. CONE, FINDING THAT OPERATOR VIOLATED RULE 19.15.4.201 NMAC AS TO FOUR WELLS, REQUIRING OPERATOR TO BRING THE WELLS INTO COMPLIANCE BY A DATE CERTAIN, AND IN THE EVENT OF OPERATOR'S NON-COMPLIANCE WITH SAID ORDER, DECLARING THE WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG AND ABANDON THE WELLS, EDDY COUNTY, NEW MEXICO.

CASE NO. 14076

AFFIDAVIT OF NOTICE AND PUBLICATION

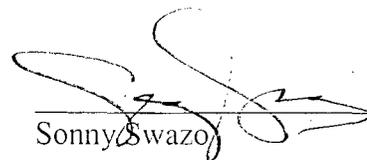
In accordance with Division Rule 1227.D [19.15.14.1227.D NMAC] and Rule 1210 [19.15.14.1210 NMAC] I hereby certify:

1. Notice of the February 7, 2008 hearing in the above-captioned case was mailed to the following by certified mail, return receipt requested, at least 20 days prior to the hearing date, with a copy of the application:

Tom R. Cone
1304 West Broadway Place
Hobbs, NM 88240
Certified Mail No. 7099 3220 0009 7873 0189

2. Exhibit A to this affidavit is a copy of the notice, with a copy of the certified mail return receipt for the letter mailed to Tom R. Cone, in Artesia, New Mexico. The receipt is signed by Dwayne Burris.

3. Notice of the February 7, 2008 hearing was published in The Artesia Daily Press, a newspaper of general circulation in Eddy County. The affidavit of publication from The Artesia Daily Press is attached as Exhibit B.



Sonny Swazo

Tom R. Cone

SUBSCRIBED AND SWORN to before me this 6th day of February 2008.

Sully Marting
Notary Public

My Commission Expires:

3-24-2010



NEW MEXICO ENERGY, MINERALS and NATURAL RESOURCES DEPARTMENT

BILL RICHARDSON
Governor
Joanna Prukop
Cabinet Secretary

Mark E. Fesmire, P.E.
Director
Oil Conservation Division

January 15, 2008

Tom R. Cone
1304 West Broadway Place
Hobbs, NM 88240

Certified Mail No.: 7099 3220 0009 7873 0189

Re: Case No. 14076
Application for a Compliance Order against Tom R. Cone
OGRID No. 188152
Donnelly Pan American No. 001Y; 30-015-05739; G-5-19S-31 E
Federal 18 No. 002; 30-015-10228; K-18-19S-31E
Federal 18 No. 004; 30-015-20226; G-18-19S-31E
North Shugart Queen Unit No. 011; 30-015-05600; N-21-18S-31E

Dear Operator:

A hearing has been scheduled on the above application for **Thursday February 7, 2008, at 8:15 a.m.**, in the **Oil Conservation Division Hearing Room (Porter Hall) at 1220 South St. Francis Drive, Santa Fe, New Mexico.**

In the application OCD is seeking an Order requiring Operator to return the above identified wells to compliance with Rule 19.15.4.201 NMAC by a date certain, and in the event of Operator's non-compliance, OCD authorization to plug and abandon the wells.

At the hearing you will have an opportunity to show cause why an order should not be entered as requested in the application. **If you intend to present evidence at the hearing Oil Conservation Division Rule 19.15.14.1211.B NMAC requires you to file a pre-hearing statement at least four business days in advance of the hearing.** I have enclosed a copy of OCD Rule 19.15.14.1211 for your convenience. OCD Rule 19.15.14.1211 describes what information is required to be contained in a party's pre-hearing statement. Please consult OCD Rule 19.15.14.1211 as to what information you need to provide in your pre-hearing statement. I have also enclosed a copy of OCD Rule 19.15.14.1212, which addresses representation at administrative hearings before the Oil Conservation Division.

If you have any questions, please contact me at (505) 476-3463 or by email at sonoy@energy.state.nm.us.

Tom R. Cone

Tom R. Cone
Case No. 14076
Application for Compliance Order Against Tom R. Cone
January 15, 2008
Page 2 of 2

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sonny Swazo". The signature is fluid and cursive, with a large initial "S" and "S".

Sonny Swazo

cc: Daniel Sanchez, OCD Enforcement and Compliance Manager
Tim Gum, OCD District II Supervisor
John Bramhall, BLM

Enclosures: Application
OCD Rule 19.15.14.1211 NMAC
OCD Rule 19.15.14.1212 NMAC
OCD Notice of Hearing

STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION
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APPLICATION OF THE NEW MEXICO OIL CONSERVATION DIVISION, THROUGH THE ENFORCEMENT AND COMPLIANCE MANAGER, FOR A COMPLIANCE ORDER AGAINST TOM R. CONE, FINDING THAT OPERATOR VIOLATED RULE 19.15.4.201 NMAC AS TO FOUR WELLS, REQUIRING OPERATOR TO BRING THE WELLS INTO COMPLIANCE BY A DATE CERTAIN, AND IN THE EVENT OF OPERATOR'S NON-COMPLIANCE WITH SAID ORDER, DECLARING THE WELLS ABANDONED AND AUTHORIZING THE DIVISION TO PLUG AND ABANDON THE WELLS, EDDY COUNTY, NEW MEXICO.

CASE NO. 14076

APPLICATION FOR COMPLIANCE ORDER AGAINST TOM R. CONE

1. Tom R. Cone (hereinafter, "Operator") is a sole proprietor operating wells in New Mexico under OGRID 188152.

2. Operator is the operator of record of the following subject wells:

- Donnelly Pan American No. 001Y; 30-015-05739; G-5-19S-31E
- Federal 18 No. 002; 30-015-10228; K-18-19S-31E
- Federal 18 No. 004; 30-015-20226; G-18-19S-31E
- North Shugart Queen Unit No. 011; 30-015-05600; N-21-18S-31E

3. The subject wells are federal wells. Operators of federal wells within New Mexico are generally not required to post financial assurance to secure the plugging of these wells. While Operator has not posted financial assurance on most of his federal wells to secure their plugging, he has posted a five thousand dollars (\$5,000.00) letter of credit (CSB 189) on the North Shugart Queen Unit No. 011 well, through Corner Stone Bank, in Southwest City, Missouri.

4. OCD Rule 19.15.4.201 NMAC requires the operator of a well which has been continuously inactive for a period of one year and 90 days to plug and abandon the well or place the well on OCD-approved temporary abandonment status.

5. NMSA 1978, Section 70-2-12(B)(18) and NMSA 1978, Section 70-2-38 authorize the Division to plug and abandon wells, and restore and remediate the location of abandoned wells.

6. OCD Rule 19.15.3.101(H) NMAC authorizes the Director to order the Operator to plug and abandon any well not in compliance with OCD Rule 19.15.4.201 NMAC and restore and remediate the location by a date certain.

7. The subject wells have had no reported production or injection for a continuous period exceeding one year plus 90 days, and are neither plugged and abandoned in accord with OCD Rule 19.15.4.202 NMAC nor on approved temporary abandonment status in accord with OCD Rule 19.15.4.203 NMAC.

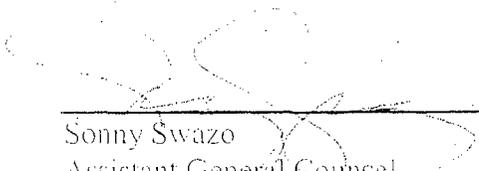
WHEREFORE, the Enforcement and Compliance Manager of the Division hereby applies to the Director to enter an Order:

- A. Finding Operator in non-compliance with 19.15.4.201 NMAC;
- B. Requiring Operator to return to compliance with 19.15.4.201 NMAC by a date certain;
- C. Requiring Operator to plug and abandon the subject wells by a date certain if Operator fails to return to compliance with 19.15.4.201 NMAC by a date certain;
- D. In the event of Operator's non-compliance, declaring the wells abandoned and authorizing the Division to plug and abandon the subject wells:

E. For such other and further relief as the Director deems just and proper under the circumstances.

RESPECTFULLY SUBMITTED.

This Fourth day of January 2008 by



Sonny Swazo
Assistant General Counsel
Energy, Minerals and Natural
Resources Department of the State of
New Mexico
1220 S. St. Francis Drive
Santa Fe, NM 87505
(505) 476-3463
Fax (505) 476-3462
Email: sonny.swazo@state.nm.us

Attorney for the New Mexico Oil
Conservation Division

Case No. 14076. Application of the New Mexico Oil Conservation Division for a Compliance Order against Tom R. Cone. The Applicant seeks an Order finding that Operator is in violation of 19.15.4.201 NMAC as to four wells, requiring Operator to bring the four wells into compliance with 19.15.4.201 NMAC by a date certain, and authorizing the Division to plug said wells in the event of Operator's non-compliance with the Order. The affected wells are:

- Donnelly Pan American No. 001Y; 30-015-05739; G-5-19S-31E
- Federal 18 No. 002; 30-015-10228; K-18-19S-31E
- Federal 18 No. 004; 30-015-20226; G-18-19S-31E
- North Shugart Queen Unit No. 011; 30-015-05600; N-21-18S-31E

The Donnelly Pan American No. 001Y, the Federal 18 No. 002, and the Federal 18 No. 004, are located approximately 13 miles southeast of Loco Hills, in Eddy County, New Mexico.

The North Shugart Queen Unit No. 011 is located approximately 9 miles southeast of Loco Hills, in Eddy County, New Mexico.

19.15.14.1211 PLEADINGS, COPIES, PRE-HEARING STATEMENTS, EXHIBITS AND MOTIONS FOR CONTINUANCE:

A. Pleadings. Applicants shall file two sets of pleadings and correspondence in cases pending before a division examiner with the division clerk and six sets of pleadings and correspondence in cases pending before the commission with the commission clerk. For cases pending before the commission, the commission clerk shall disseminate copies of pleadings and correspondence to the commission members. The party filing the pleading or correspondence shall at the same time serve a copy of the pleading or correspondence upon each party who has entered an appearance in the case on or prior to the business day immediately preceding the date when the party files the pleading or correspondence with the division or the commission clerk, as applicable. Parties shall accomplish service by hand delivery or transmission by facsimile or electronic mail to any party who has entered an appearance or, if the party is represented, the party's attorney of record. Service upon a party who has not filed a pleading containing a facsimile number or e-mail address may be made by ordinary first class mail. Parties shall be deemed to have made an appearance when they have either sent a letter regarding the case to the division or commission clerk or made an in person appearance at any hearing before the commission or before a division examiner. A written appearance, however, shall not be complete until the appearing party has provided notice to other parties of record. Any initial pleading or written entry of appearance a party other than the applicant files shall include the party's address or the address of the party's attorney and an e-mail and facsimile number if available.

B. Pre-hearing statements.

(1) Any party to an adjudicatory proceeding who intends to present evidence at the hearing shall file a pre-hearing statement, and serve copies on other parties or, for parties that are represented, their attorneys in the manner Subsection A of 19.15.14.1211 NMAC provides, at least four business days in advance of a scheduled hearing before the division or the commission, but in no event later than 5:00 pm mountain time, on the Thursday preceding the scheduled hearing date. The statement shall include:

- (a) the names of the party and the party's attorney;
- (b) a concise statement of the case;
- (c) the names of witnesses the party will call to testify at the hearing, and in the case of expert witnesses, their fields of expertise;
- (d) the approximate time the party will need to present its case; and
- (e) identification of any procedural matters that are to be resolved prior to the hearing.

(2) Any party other than the applicant shall include in its pre-hearing statement a statement of the extent to which the party supports or opposes the issuance of the order the applicant seeks and the reasons for such support or opposition. In cases to be heard by the commission, each party shall include copies of all exhibits that it proposes to offer in evidence at the hearing with the pre-hearing statement. The commission may exclude witnesses the party did not identify in the pre-hearing statement, or exhibits the party did not file and serve with the pre-hearing statement, unless the party offers such evidence solely for rebuttal or makes a satisfactory showing of good cause for failure to disclose the witness or exhibit.

(3) A pre-hearing statement filed by a corporation or other entity not represented by an attorney shall identify the person who will conduct the party's presentation at the hearing and include a sworn and notarized statement attesting that the corporation's or entity's governing body or chief executive officer authorizes the person to present the corporation or entity in the matter.

(4) For cases pending before the commission, the commission clerk shall disseminate copies of pre-hearing statements and exhibits to the commission members.

C. Motions for continuance. Parties shall file and serve motions for continuance no later than 48 hours prior to time the hearing is set to begin, unless the reasons for requesting a continuance arise after the deadline, in which case the party shall file the motion as expeditiously as possible after becoming aware of the need for a continuance.

[19.15.14.1211 NMAC - Rp, 19.15.14.1208 NMAC, 09/30/05]

19.15.14.1212 CONDUCT OF ADJUDICATORY HEARINGS:

A. Testimony. Hearings before the commission or a division examiner shall be conducted without rigid formality. The division or commission shall take or have someone take a transcript of testimony and preserve the transcript as a part of the division's permanent records. Any person testifying shall do so under oath. The division examiner or commission shall designate whether or not an interested party's un-sworn comments and observations are relevant and, if relevant, include the comments and observations in the record.

B. Pre-filed testimony. The division director may order the parties to file prepared written testimony in advance of the hearing for cases pending before the commission. The witness shall be present at the hearing and shall adopt, under oath, the prepared written testimony, subject to cross-examination and motions to strike unless the witness' presence at hearing is waived upon notice to other parties and without their objection. The parties shall number pages of the prepared written testimony, which shall contain line numbers on the left-hand side.

C. Appearances pro se or through an attorney. Parties may appear and participate in hearings either pro se (on their own behalf) or through an attorney. Corporations, partnerships, governmental entities, political subdivisions, unincorporated associations and other collective entities may appear only through an attorney or through a duly authorized officer or member. Participation in adjudicatory hearings shall be limited to parties, as defined in 19.15.14.1208 NMAC, except that a representative of a federal, state or tribal governmental agency or political subdivision may make a statement on the agency's or political subdivision's behalf. The commission or division examiner shall have the discretion to allow any other person present at the hearing to make a relevant statement, but not to present evidence or cross-examine witnesses. Any person making a statement at an adjudicatory hearing shall be subject to cross-examination by the parties or their attorneys.

[19.15.14.1212 NMAC - Rp. 19.15.14.1210 NMAC, 09/30/05]

NOTICE OF HEARING

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

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on **February 7, 2008**, in the Oil Conservation Division Hearing Room at 1220 South St. Francis Drive, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by **January 28, 2008**. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO TO:

**All named parties and persons
having any right, title, interest
or claim in the following cases
and notice to the public.**

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE 14074: Application of the New Mexico Oil Conservation Division for a Compliance Order against Jackie Brewer d/b/a Sandlott Energy. Applicant seeks an order finding operator in violation of 19.15.3.116 NMAC; requiring operator to bring the wells into compliance with 19.15.3.116 by a date certain; ordering operator to plug the wells and authorizing the division to plug the wells and forfeit the applicable financial assurance in event of non-compliance with order; and assessing penalties. The affected wells are:

- | | | |
|-------------------------------|-----------------------|--------------|
| • Daugherty State No. 001; | API No. 30-015-02589; | 4-4-18S-28E |
| • Levers A State No. 002 ; | API No. 30-015-26895; | B-8-18S-28E |
| • Levers State 7; | API No. 30-015-02575; | N-4-18S-28E |
| • Resler Yates State No. 317; | API No. 30-015-10254; | F-21-18S-28E |
| • Resler Yates State No. 322; | API No. 30-015-10285; | I-20-18S-28E |
| • Resler Yates State No. 367; | API No. 30-015-20088; | F-32-18S-28E |
| • Resler Yates State No. 370; | API No. 30-015-20094; | H-32-18S-28E |
| • Resler Yates State No. 381; | API No. 30-015-26134; | G-32-18S-28E |
| • Thomas State No. 001; | API No. 30-015-02672; | A-9-18S-28E |
| • Welch Duke State No. 018; | API No. 30-015-06125; | C-28-18S-28E |

The wells are located approximately 8 miles southwest of Loco Hills, in Eddy County, New Mexico.

CASE 14075: Application of the New Mexico Oil Conservation Division for a Compliance Order against Buddy Delong d/b/a Ready Oil and Gas. The Applicant seeks an Order finding that Operator is in violation of 19.15.4.201 NMAC as to two wells, requiring Operator to bring the two wells into compliance with 19.15.4.201 NMAC by a date certain, and authorizing the

Division to plug said wells in the event of Operator's non-compliance with the Order. The affected wells are:

- Keohane B Federal No. 002; C-28-18S-31E; 30-015-05624
- Keohane B Federal No. 003; F-28-18S-31E; 30-015-05625

The wells are located approximately 7 miles southeast of Loco Hills, in Eddy County, New Mexico.

CASE 14076: Application of the New Mexico Oil Conservation Division for a Compliance Order against Tom R. Cone. Applicant seeks an Order finding that Operator is in violation of 19.15.4.201 NMAC as to four wells, requiring Operator to bring the four wells into compliance with 19.15.4.201 NMAC by a date certain, and authorizing the Division to plug said wells in the event of Operator's non-compliance with the Order. The affected wells are:

- Donnelly Pan American No. 001Y; 30-015-05739; G-5-19S-31E
- Federal 18 No. 002; 30-015-10228; K-18-19S-31E
- Federal 18 No. 004; 30-015-20226; G-18-19S-31E
- North Shugart Queen Unit No. 011; 30-015-05600; N-21-18S-31E

The Donnelly Pan American No. 001Y, the Federal 18 No. 002, and the Federal 18 No. 004, are located approximately 13 miles southeast of Loco Hills, in Eddy County, New Mexico.

The North Shugart Queen Unit No. 011 is located approximately 9 miles southeast of Loco Hills, in Eddy County, New Mexico.

CASE 14077: Application of the New Mexico Oil Conservation Division for a Compliance Order against Southwest Royalties, Inc. Applicant seeks an Order finding that operator is in violation of 19.15.4.201 NMAC as to eleven wells, requiring operator to bring the wells into compliance by a date certain, and authorizing the Division to forfeit the applicable financial assurance and plug the wells in the event of operator's non-compliance. The affected wells are:

- Barr H State No. 001; 30-025-29825; I-7-16S-33E
- Bell Ramsay NCT D No. 001; 30-025-06214; G-35-20S-37E
- Eagle No. 001; 30-025-27568; J-36-25S-36E
- Humphreys No. 001; 30-025-09815; N-25-25S-36E
- Maralo Sholes B No. 002; 30-025-09806; P-25-25S-36E
- Mcmillan No. 001; 30-025-05511; N-29-18S-37E
- Parke Federal No. 001; 30-015-20597; O-10-17S-30E
- Parke Federal No. 003; 30-015-20612; I-10-17S-30E
- Sholes A No. 003; 30-025-09796; I-24-25S-36E
- Sholes B 25 No. 002; 30-025-09808; B-25-25S-36E
- Wright Federal Com No. 001; 30-015-21878; N-29-18S-29E

The Barr H State No. 001 is located approximately 8 miles northeast of Maljamar, in Lea County, New Mexico.

The Bell Ramsay NCT D No. 001 is located approximately 9 miles southwest of Hobbs, in Lea County, New Mexico.

The Eagle No. 001 is located approximately 3 miles west of Jal, in Lea County, New Mexico.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Tom R. Cone
 1304 West Broadway Place
 Hobbs, NM 88240

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) | B. Date of Delivery

D Burris | 1-23-08

C. Signature

X *Dwayne Burris* Agent AddresseeD. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

2. Article Number (Copy from service label) 7099 3220 0009 7873 0189

**NOTICE OF HEARING
STATE OF NEW MEXICO
ENERGY, MINERALS AND
NATURAL RESOURCES
DEPARTMENT**

**OIL CONSERVATION DIVISION
SANTA FE, NEW MEXICO**

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on **February 7, 2008**, in the Oil Conservation Division Hearing Room at 1220 South St. Francis Drive, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-476-3458 or through the New Mexico Relay Network, 1-800-659-1779 by **January 28, 2008**. Public documents, including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

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•Thomas State No. 001; API No. 30-015-02672; A-9-18S-28E
•Welch Duke State No. 018; API No. 30-015-06125; C-28-18S-28E
The wells are located approximately 8 miles southwest of Loco Hills, in Eddy County, New Mexico.

CASE 14075: Application of the New Mexico Oil Conservation Division for a Compliance Order against Buddy Delong d/b/a Ready Oil and Gas. The Applicant seeks an Order finding that Operator is in violation of 19.15.4.201 NMAC as to two wells, requiring Operator to bring the two wells into compliance with 19.15.4.201 NMAC by a date certain, and authorizing the Division to plug said wells in the event of Operator's non-compliance with the Order. The affected wells are:
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•Barr H State No. 001; 30-025-29825; I-7-16S-33E
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•Maralo Sholes B No. 002; 30-025-09806; P-25-25S-36E
•McMillan No. 001; 30-025-05511; N-29-18S-37E
•Parke Federal No. 001; 30-015-20597; O-10-17S-30E
•Parke Federal No. 003; 30-015-20612; I-10-17S-30E
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approximately 3 miles west of Jal, in Lea County, New Mexico.
The Humphreys No. 001 is located approximately 4 miles southwest of Jal, in Lea County, New Mexico.
The Maralo Sholes B No. 002 is located approximately 2 miles southwest of Jal, in Lea County, New Mexico.

The McMillan No. 001 is located approximately 8 miles west of Hobbs, in Lea County, New Mexico.

The Parke Federal No. 001 and Parke Federal No. 003 are located approximately 4 miles southeast of Loco Hills, in Eddy County, New Mexico.

The Sholes A No. 003 is located approximately 1 mile west of Jal, in Lea County, New Mexico.

The Sholes B 25 No. 002 is located approximately 3 miles Northwest of Jal, in Lea County, New Mexico.

The Wright Federal Com No. 001 is located approximately 8 miles southwest of Loco Hills, in Eddy County, New Mexico.

CASE 14078: Application of the New Mexico Oil Conservation Division for a Compliance Order against ERS Resources, LLC. Applicant seeks an Order finding that Operator is in violation of 19.15.4.201 NMAC as to thirty-two wells, requiring Operator to bring the wells to compliance with 19.15.4.201 NMAC by a date certain, and authorizing the Division to forfeit the financial assurance and plug the wells in the event of Operator's non-compliance with the Order. The affected wells are:

•Artesia Metex Unit No. 005; 30-015-00945; L-24-18S-27E
•Artesia Metex Unit No. 006; 30-015-00941; K-24-18S-27E
•Artesia Metex Unit No. 008; 30-015-00944; I-24-18S-28E
•Artesia Metex Unit No. 011; 30-015-01940; 3-19-18S-28E
•Artesia Metex Unit No. 012; 30-015-01964; K-19-18S-28E
•Artesia Metex Unit No. 013; 30-015-01951; J-19-18S-28E
•Artesia Metex Unit No. 014; 30-015-01947; J-19-18S-28E
•Artesia Metex Unit No. 016; 30-015-00942; M-24-18S-27E
•Artesia Metex Unit No. 020; 30-015-01196; P-24-18S-27E
•Artesia Metex Unit No. 021; 30-015-01942; 4-19-18S-28E
•Artesia Metex Unit No. 022; 30-015-01965; N-19-18S-28E
•Artesia Metex Unit No. 023; 30-015-01941; N-19-18S-28E
•Artesia Metex Unit No. 024; 30-015-01949; O-19-18S-28E
•Artesia Metex Unit No. 026; 30-015-00962; A-26-18S-27E
•Artesia Metex Unit No. 027; 30-015-00951; D-25-18S-27E
•Artesia Metex Unit No. 029; 30-015-01194; B-25-18S-27E
•Artesia Metex Unit No. 031; 30-015-02139; I-30-18S-28E
•Artesia Metex Unit No. 032; 30-015-02140; C-30-18S-28E
•Artesia Metex Unit No. 035; 30-015-00963; H-26-18S-27E
•Artesia Metex Unit No. 036; 30-015-00952; E-25-18S-27E
•Artesia Metex Unit No. 039; 30-015-00948; G-25-18S-27E
•Artesia Metex Unit No. 040; 30-015-00954; H-25-18S-27E
•Artesia Metex Unit No. 041; 30-015-02136; 2-30-18S-28E
•Artesia Metex Unit No. 042; 30-015-02138; F-30-18S-28E
•Artesia Metex Unit No. 044; 30-015-01190; I-26-18S-27E
•Artesia Metex Unit No. 045; 30-015-00959; L-25-18S-27E
•Artesia Metex Unit No. 049; 30-015-02141; K-30-18S-28E
•Artesia Metex Unit No. 051;

30-015-00956; O-25-18S-27E
•Artesia Metex Unit No. 056; 30-015-00997; A-35-18S-27E
•Artesia Metex Unit No. 058; 30-015-00991; C-36-18S-27E
The Artesia Metex Unit No. 027, Artesia Metex Unit No. 036, and Artesia Metex Unit No. 058, are located approximately 8 miles southeast of Artesia, in Eddy County, New Mexico.
The Artesia Metex Unit No. 005 and Artesia Metex Unit No. 006 are located approximately 9 miles southeast of Artesia, in Eddy County, New Mexico.
The Artesia Metex Unit No. 016, Artesia Metex Unit No. 026, Artesia Metex Unit No. 029, Artesia Metex Unit No. 035, Artesia Metex Unit No. 045, Artesia Metex Unit No. 052, and Artesia Metex Unit No. 056, are located approximately 10 miles southeast of Artesia, in Eddy County, New Mexico.

The Artesia Metex Unit No. 040 is located approximately 11 miles southeast of Artesia, in Eddy County, New Mexico.

The Artesia Metex Unit No. 020, Artesia Metex Unit No. 032, Artesia Metex Unit No. 039, Artesia Metex Unit No. 042, Artesia Metex Unit No. 044, Artesia Metex Unit No. 051, and Artesia Metex Unit No. 054, are located approximately 12 miles southeast of Artesia, in Eddy County, New Mexico.

The Artesia Metex Unit No. 011, Artesia Metex Unit No. 012, Artesia Metex Unit No. 013, Artesia Metex Unit No. 014, Artesia Metex Unit No. 021, Artesia Metex Unit No. 031, and Artesia Metex Unit No. 041, are located approximately 13 miles southeast of Artesia, in Eddy County, New Mexico.

The Artesia Metex Unit No. 022, Artesia Metex Unit No. 023, and Artesia Metex Unit No. 049, are located approximately 14 miles southeast of Artesia, in Eddy County, New Mexico.

The Artesia Metex Unit No. 008 and Artesia Metex Unit No. 024 are located approximately 16 miles southeast of Artesia, in Eddy County, New Mexico.

CASE 14079: Application of the New Mexico Oil Conservation Division for a Compliance Order against Americo Energy Resources, LLC. Applicant seeks an order finding operator in violation of 19.15.3.116 NMAC as to two wells; requiring operator to bring the wells into compliance with 19.15.3.116 by a date certain; and assessing penalties. The affected wells are:

?East Shugart Unit No. 015; API No. 30-015-05687; F-34-18S-31E
?East Shugart Unit No. 042; API No. 30-015-27670; A-34-18S-31E

The East Shugart Unit No. 015 well is located approximately 9 miles southwest of Maljamar, in Eddy County, New Mexico.

The East Shugart Unit No. 042 well is located approximately 7 miles southwest of Maljamar, in Eddy County, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 11th day of January, 2008.

**STATE OF NEW MEXICO
OIL CONSERVATION DIVISION
Mark E. Fesmire, P. E.
Division Director
S. E. A. L.
Published in the Artesia Daily Press, Artesia, N.M. January 15, 2008.**

Tom R. Cone

Affidavit of Publication

Copy of Publication:

NO. 20027

STATE OF NEW MEXICO

County of Eddy:

GARY D. SCOTT being duly

sworn, says: That he is the PUBLISHER of The

Artesia Daily Press, a daily newspaper of general circulation, published in English at Artesia, said county and county and state, and that the here to attached

Legal Notice

was published in a regular and entire issue of the said Artesia Daily Press, a daily newspaper duly qualified for that purpose within the meaning of Chapter 167 of the 1937 Session Laws of the state of New Mexico for

1 Consecutive week/days on the same day as follows:

First Publication	<u>January 15, 2008</u>
Second Publication	<u></u>
Third Publication	<u></u>
Fourth Publication	<u></u>
Fifth Publication	<u></u>

Subscribed and sworn to before me this

30th Day January 2008

Amanda K Lamb
Notary Public, Eddy County, New Mexico

My Commission expires April 5, 2011