

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

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
COMMISSION FOR THE PURPOSE OF
CONSIDERING:

CASE NO. 14238
Order No. R-13041

APPROVAL OF TWO APPLICATIONS
FOR PERMIT TO DRILL (APDs) FILED
BY McELVAIN OIL & GAS PROPERTIES,
INC., RIO ARRIBA COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

(1) Pursuant to the provisions of Oil Conservation Division Rule 19.15.14.1218(B) NMAC, the Division Director set for hearing before the Oil Conservation Commission the requests for approval of two Applications for Permit to Drill (APDs) in the Blanco-Mesaverde Pool filed by McElvain Oil & Gas Properties, Inc. in Rio Arriba County, New Mexico, as follows:

Badger 11 Well No. 1A, Unit Letter G, Section 11, Township 25 North, Range 2 West

Badger 11 Well No. 1B, Unit Letter G, Section 11, Township 25 North, Range 2 West

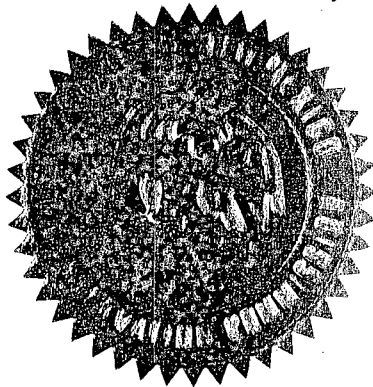
(2) Case No. 14238 was set for hearing before the Commission on November 6, 2008, in order to allow interested parties the opportunity to appear and present evidence in this case.

(3) On November 3, 2008, Rio Arriba County, through counsel, informed the Division Director that "the location of the proposed wells does not seem to indicate that the protection of water resources is an issue that would require measures to be taken other than the enforcement of the Pit Rule" and requested that the November 6, 2008 hearing be vacated.

(4) The hearing of Case No. 14238 should be vacated.

IT IS THEREFORE ORDERED:

The hearing of Case No. 14238 scheduled for November 6, 2008, is hereby vacated on this 5th day of November, 2008.



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STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION

A handwritten signature in dark ink, appearing to read "Mark E. Fesmire", written in a cursive style.

MARK E. FESMIRE, Chairman