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August 18, 2009

Case 14383

Florene Davidson
Oil Conservation Division
1220 South St. Francis Drive
Santa Fe, New Mexico 87505

Dear Florene:

Enclosed for filing, on behalf of Apache Corporation, are an original and one copy of an application for compulsory pooling, together with a proposed advertisement. The advertisement has also been e-mailed to the Division. Please set this matter for the September 17, 2009 Examiner hearing. Thank you.

Very truly yours,



James Bruce

Attorney for Apache Corporation

PERSONS NOTIFIED OF APPLICATION

Robert Groves Howard, Jr.
and Pamela K. Howard
3813 West Trevino Road
Hobbs, New Mexico 88240

Thelma Marie Carlin
312 Walnut
Ruidoso, New Mexico 88345

Overloade, Ltd.
P.O. Box 148
Las Cruces, New Mexico 88001

Bill Warrick
address unknown

Heirs of Carla Warrick, deceased

Virginia Warrick Keown
address unknown

Velma Warrick
address unknown

Ethel Cooper
address unknown

Clarence A. Crook
address unknown

Lloyd A. Crook
address unknown

Ollie Mae Robinson
address unknown

Willis R. Crook
address unknown

Bruce Olin Crook
address unknown

Fred D. Crook
address unknown

BEFORE THE NEW MEXICO OIL CONSERVATION DIVISION

APPLICATION OF APACHE CORPORATION
FOR COMPULSORY POOLING, LEA COUNTY,
NEW MEXICO.

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Case No. 14383

APPLICATION

Apache Corporation applies for an order pooling all mineral interests from the surface to the base of the Drinkard formation underlying the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, Township 20 South, Range 38 East, N.M.P.M., Lea County, New Mexico, and in support thereof, states:

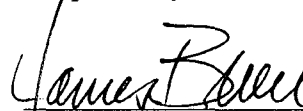
1. Applicant is an interest owner in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, and has the right to drill a well thereon.
2. Applicant proposes to drill its Magnolia Well No. 3, at an orthodox oil well location in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, and seeks to dedicate the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11 to the well to form a standard 40 acre oil spacing and proration unit for any formations and/or pools developed on 40 acre spacing within that vertical extent, including the House-Blinbry Pool and House-Tubb Pool.
3. Applicant has in good faith sought to obtain the voluntary joinder of all other mineral interest owners in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, pursuant to NMSA 1978 §70-2-17.

5. The pooling of all mineral interests underlying the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, from the surface to the base of the Drinkard formation;
- 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 Apache Corporation

PROPOSED ADVERTISEMENT

Case No. 14383: **Application of Apache Corporation for compulsory pooling, Lea County, New Mexico.** Applicant seeks an order pooling all mineral interests from the surface to the base of the Drinkard formation underlying the SW/4NW/4 of Section 11, Township 20 South, Range 38 East, NMPM, to form a standard 40-acre oil spacing and proration unit for any and all formations or pools developed on 40-acre spacing within that vertical extent, including the House-Blinbry Pool and House-Tubb Pool. The unit will be dedicated to the Magnolia Well No. 3, to be drilled at an orthodox oil well location in the SW/4NW/4 of Section 11. 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 approximately 2 miles south of Nadine, New Mexico.

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