

**DOCKET: EXAMINER HEARING - THURSDAY – MAY 13, 2010**

8:15 A.M. - 1220 South St. Francis  
Santa Fe, New Mexico

Docket Nos. 18-10 and 19-10 are tentatively set for May 27, 2010 and June 10, 2010. Applications for hearing must be filed at least 30 days in advance of hearing date. OCD Rule 19.15.4.13 requires parties who intend to present evidence at an adjudicatory hearing to file a pre-hearing statement no later than the Thursday before the hearing, and serve a copy on opposing counsel of record. If the OCD does not receive a pre-hearing statement from the applicant by the close of business on the Thursday before the hearing, the hearing may be continued at the applicant's request. The following cases will be heard by an Examiner.

**Locator Key for Cases**

Case 14393 – No. 1  
Case 14438 – No. 3  
Case 14446 – No. 7  
Case 14447 – No. 8  
Case 14448 – No. 9  
Case 14449 – No. 10  
Case 14450 – No. 11  
Case 14451 – No. 12  
Case 14452 – No. 13  
Case 14453 – No. 14  
Case 14454 – No. 15  
Case 14459 – No. 4  
Case 14462 – No. 5  
Case 14466 – No. 17  
Case 14467 – No. 18  
Case 14468 – No. 19  
Case 14469 – No. 20  
Case 14470 – No. 2  
Case 14471 – No. 6  
Case 14472 – No. 16

1. **CASE-14393 (Reopened)**: (Continued from the April 29, 2010 Examiner Hearing.)  
***Application of the New Mexico Oil Conservation Division for a compliance order against Marks & Garner Production Limited Company, Eddy County, New Mexico.*** Pursuant to the provisions of Division Order No. R-13197, Case 14393 is being reopened to determine the status of Marks & Garner's compliance with the terms of said order. At that time, Division examiners will receive evidence regarding the status of Marks and Garner's compliance with the terms and deadlines set by Order No. R-13197.
2. **CASE 14470: Application of Nearburg Exploration Company, L.L.C. for compulsory pooling, Eddy County, New Mexico.** Applicant seeks an order pooling all mineral interests from the top of the Wolfcamp formation to the base of the Morrow formation underlying the W/2 of Section 33, Township 18 South, Range 27 East, NMPM, to form a standard 320-acre gas spacing and proration unit for all pools or formations developed on 320-acre spacing within that vertical extent, including the Undesignated East Red Lake-Upper Pennsylvanian Gas Pool and Undesignated Red Lake Atoka-Morrow Gas Pool. The unit is to be dedicated to the Kaiser Lake 33 Fed. Com. Well No. 1, to be drilled at an orthodox gas well location in the NW/4 SW/4 of Section 33. 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 Nearburg Producing Company as operator of the well, and a 200% charge for the risk involved in drilling and completing the well. The unit is located approximately 7 miles Northeast of Lakewood, New Mexico.