

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

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

CASE NO. 12587

**APPLICATION OF SAPIENT ENERGY CORP. FOR AN
UNORTHODOX GAS WELL LOCATIONS AND (i) TWO
NON-STANDARD 160-ACRE GAS SPACING UNITS;
OR IN THE ALTERNATIVE (ii) ONE NON-STANDARD
160-ACRE GAS SPACING AND PRORATION UNIT,
LEA COUNTY, NEW MEXICO.**

CASE NO. 12605

**APPLICATION OF SAPIENT ENERGY CORP.
FOR SPECIAL POOL RULES,
LEA COUNTY, NEW MEXICO**

**MOTION OF
SAPIENT ENERGY CORP.
FOR STAY OF
DIVISION ORDER NO. R-11652**

SAPIENT ENERGY CORP. ("Sapient"), through its attorneys, Kellahin & Kellahin, and in accordance with 19 NMAC 15.N.1220.B, hereby moves the Oil Conservation Division and the Oil Conservation Commission for an order staying Oil Conservation Division Order No. R-10731 pending *De Novo* review by the Commission;

AND IN SUPPORT STATES:

1. Sapient Energy Corp. had sought approval by the Division:
 - (a) of an unorthodox gas well location for its Bertha J. Barber Well No 12 ("Barber 12 Well") which is located at an unorthodox gas well location 330 feet from the north line and 660 feet from the east line of Section 7, T20S, R37E, Lea County, New Mexico;

(b) to be dedicated to a non-standard 160-acre gas proration and spacing unit consisting of the E/2E/2 this section for production from the West Monument-Tubb Gas Pool **retroactive to the date of first production (September 9, 1999)**;

(c) should the Division approve a non-standard 160-acre spacing and proration unit consisting of the E/2E/2 of Section 7, then the applicant seeks the approval of a second non-standard 160-acre proration and spacing unit consisting of the W/2E/2 of this section;

(d) in the alternative, applicant requests that the Division adopt special rules and regulations for the West Monument-Tubb Gas Pool, including a provision for standard 80-acre spacing units.

2. Conoco Inc., as the owner of a 37.41862% working interest in the W/2NE/4, appeared in opposition to Sapient contending Sapient should be required to form a 160-acre spacing unit consisting of the NE/4 of Section 7 and thereby allowing Conoco to share in 18.70931% of the production from the Barber Well.

3. By Order R-11652, entered effective September 13, 2001, the Division **denied** Sapient's application and, among other things, ordered Sapient to: "...shut-in the Bertha J. Barber Well No. 12 until such time as all production from this well has been appropriately reallocated to all of the mineral interest owners in the standard 160-acre unit comprising the NE/4 of Section 7, either by voluntary agreement of all such owners or by a compulsory pooling order."

4. Sapient has filed for a DeNovo hearing of these cases before the New Mexico Oil Conservation Commission ("Commission") requesting a hearing on November 9, 2001.

5. Sapient seeks a stay of Division Order R-11652 to enable it to continue to produce its Bertha J. Barber Well No. 12 ("Barber Well") pending a final order of the Commission in these matters.

SHUT-IN WILL DAMAGE THIS WELL

6. Prior to the Division order, Sapient had commenced rework operations on the Barber Well including acidizing the Tubb formation in this wellbore. Unless Order R-11652 is stayed, Sapient will be required to shut-in the well and leave fluids and substances in the formation which can jeopardize Sapient's ability to restore this well to production; **See Exhibit 1.**

CONOCO'S CORRELATIVE RIGHTS ARE PROTECTED

7. Conoco's correlative rights will not be impaired by allowing the Barber Well to continue to produced because:

(i) should Conoco ultimately prevail, then it is in Conoco's best interests to not risk reducing the ultimate recovery from the well by shutting it in and risking damaging its ability to produce.

(ii) there is sufficient remaining recoverable gas to be produced by the Barber Well, provided it is not shut-in, that should Conoco ultimately prevail then it can receive its appropriate share of both past and future production;

SAPIENT EXPECTS TO PREVAIL AT A HEARING BEFORE THE COMMISSION

Proportioning:

8. Among other problems, Division Order R-11652 fails to comply with NMSA (1978) Section which requires:

"A. ..., so far as it is practicable to do so, afford to the owner of each property in a pool the opportunity to produce its just and equitable share of the oil or gas, or both, in the pool, being the amount, so far as can be practically determined, and so far as such can be practicably obtained without waste, **substantially in the proportion that the quantity of the recoverable oil or gas, or both, under such property bears to the total recoverable oil or gas, or both, in the pool...**" [emphasis added]

B. ...may establish a proration unit for each pool, such being the area that can be efficiently and economically drained and developed by one well...."

9. The Division denied Sapient's request that the Division adopt rules and regulations for the production of gas from the West Monument-Tubb Gas Pool including a provision for standard 80-acre gas spacing and proration units.

10. Sapient contends that spacing units consisting of 80-acres formed as described in paragraph (8) above satisfy the statutory requirements set forth in Section 70-2-17 NMSA (1978).

Prior Division approvals:

11. Sapient relied upon the Division's approvals set forth in paragraph (18) below, and to now require Sapient to obtain further approvals for this well will cause Sapient to be damaged and irreparably harmed.

12. By letter dated October 11, 2000, Chevron USA Production Company filed an administrative application with the Division seeking approval of an unorthodox gas well location for its G. C. Matthews Well No. 12, 330' FSL & 990' FEL Unit P, Section 6, T20S, R37E, to be dedicated to a standard 160-acre gas spacing consisting of the SE/4 of this section for production from the West Monument-Tubb Gas Pool.

13. Chevron sent notification of its application to Falcon Creek Resources, Inc. ("now Sapient Energy Corp.") as the offsetting operator of the Bertha J. Barber Well No. 12 ("the Barber 12 Well"), Unit A of Section 7, T20S, R37E, towards whom the Chevron well will encroach.

14. On August 21, 1999, Cross Timber recompleted the Barber 12 Well from an oil well to a producing gas well in the Tubb gas formation.

15. On January 6, 2000, in Case 12321, the Division issued Order R-11304 which approved the creation of the West Monument-Tubb Gas Pool, designated the E/2 of Section 7 as the acreage for the new pool and **approved** the Barber 12 Well as the discovery well for this pool.

16. On April 1, 2000, Falcon Creek Resources, Inc. ("Falcon Creek") acquired the Bertha J. Barber Well No. 12 from Cross Timbers Operating Company ("Cross Timbers").

17. On July 14, 2000, Sapient Energy Corp. ("Sapient") acquired this well from Falcon Creek.

18. As a result of Chevron's application, Sapient has determined from an examination of the Division files the following:

(a) Cross Timbers filed a C-103 (Sundry Notice) dated August 10, 1999, being a notice of intention to recomplete the Bertha J. Barber Well No. 12 in Tubb formation. **Approved** by Paul Kautz (OCD-Hobbs on September 20, 1999)

(b) Cross Timbers filed a C-105 dated September 9, 1999, being a Tubb gas well recompletion report;

(c) Cross Timbers filed a C-103 (Sundry Notice) dated September 9, 1999, being a report that it had recompleted the Bertha J. Barber Well No. 12 in Tubb formation. **Approved** by Paul Kautz (OCD-Hobbs on September 20, 1999)

(d) Cross Timbers filed a C-102 dated September 9, 1999, showing an unorthodox Tubb gas well location and the dedication of a non-standard 160-acre spacing unit consisting of the E/2E/2 of Section 7;

(e) on September 20, 1999, the Division (OCD-Hobbs) **approved** Cross Timbers' C-103 to recomplete this oil well at an unorthodox gas well location in the Tubb formation with a 160-acre non-standard acreage dedication consisting of the E/2E/2 of Section 7;

(f) on September 20, 1999, the OCD-Hobbs **approved** Cross Timbers' C-104 (allowable request) which shows this well as a Wildcat Tubb gas well.

(g) on April 14, 2000, the OCD-Hobbs **approved** Falcon Creek's C-104 (allowable request) which shows this well to be in the West Monument Tubb Gas Pool.

retroactivity:

19. From the date of first production, Cross Timbers, Falcon Creek and now Sapient has paid and distributed proceeds from the Tubb formation production from the Barber 12 Well to the mineral owners in the E/2E/2 of this section.

20. The Division has exceeded its authority to require the retroactive reallocation of production and proceeds from this well including but not limited to the dates preceding the Division's designation of Sapient as the operator of the Barber Well.

NOTIFICATION

21. Counsel for Sapient has notified counsel for Conoco Inc. of this request and is and awaiting a response to determine if this motion is opposed.

CONCLUSION

22. Sapient has a right to have these issues reviewed **De Novo** by the Commission.

23. A stay of Order R-11652 until and order is entered by the Commisismo after the **De Novo** review will protect the rights of the interest owners in this spacing unit and afford them the **De Novo** hearing as guaranteed by the Oil and Gas Act. **See Exhibit 2 attached.**

WHEREFORE, Sapient Energy Corp. request that Oil Conservation Division Order R-11652 be stayed in its entirety pending a **De Novo** review by the Oil Conservation Commission.

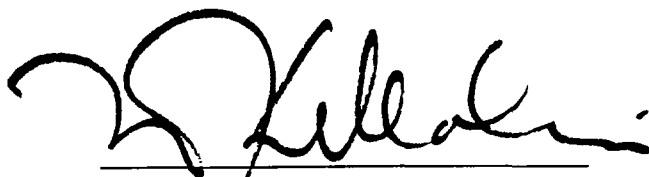
Respectfully submitted,



W. Thomas Kellahin
Kellahin & Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504-2265
ATTORNEYS FOR SAPIENT ENERGY CORP.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion for Stay was hand-delivered
this 19th day of September 2001 to William F. Carr, Esq. attorney for Conoco Inc.

A handwritten signature in black ink, appearing to read 'W. Thomas Kellahin', written over a horizontal line.

W. Thomas Kellahin

SAPIENT ENERGY CORP.

8801 S. YALE, SUITE 150
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September 18, 2001

Mr. Tom Kellahin
Kellahin and Kellahin
P.O. Box 2265
Santa Fe, NM 87504
Fax: (505) 982-2047

RE: Barber # 12
Lea County, New Mexico

Dear Mr. Kellahin,

Pursuant to your request, I am writing a brief summary of the work that was recently performed on the Barber 12 well and to explain why Sapient believes it would be a mistake to shut this well in at this time.

In August Sapient suspected that the Barber 12 well had developing a scale and possible sand fill problem. We moved in a rig in late August to perform a workover to alleviate the suspected problems. After determining that some of the perforations were covered with frac sand we cleaned out the wellbore and removed the sand. We next pumped 2000 gallons of scale treatment plus diverter (rock salt) in an attempt to remove the scale problem. Unfortunately the scale treatment created more problems than it corrected and the well locked up such that it was unable to sustain a flow rate into the gas sales line.

It was initially thought that the diverter may have plugged off the perforations and was not allowing the hydrocarbons to flow into the wellbore. Therefore, fifty barrels of 2% KCl water were pumped in an attempt to dissolve the diverter. This treatment was not successful in establishing production. After running acid solubility tests with the fluid swabbed from the well it was determined that acid should help dissolve the damage and enable the well to clean up. We then pumped a combination of nitrogen gas with 2000 gallons of acid into the formation. After swabbing, the well kicked off flowing again. Since that time, the flow rate of the well has improved each day. It flowed 766 mcf/d yesterday compared to 668 mcf/d only one week ago and is still cleaning up. The attached report shows the detail work that was performed on the well.

Sapient believes that it would be a mistake to shut the well in as long as it is cleaning up and showing improvement. This well has proven its susceptibility to damage by the way it reacted to the first treatment. Shutting the well in now would allow the fluids and precipitates that damaged the well in the first place (and are now gradually coming out of the well as it cleans up) to remain in place and possibly create irreparable harm to the well.

Yours very truly,



Kyle Travis
President

Encl.



BJ Barber # 12
Lea County, NM
Sec. 7,T20S,R37E

Monument Field
API# 30-025- 05978

8/23/01-MIRU wireline to tag for fill (sand). Tag fill at 6383'. Perfs at 6364'-67', 6378'-89', 6410'-12, 6419'-25' (25 holes). Bottom 2 ½ sets of perfs covered. Will bail tomorrow. Rig down wire line. MIRU pulling unit. SDFN

Daily Cost-	JSL Wire line	850.00
	EWS	300.00

Daily Total	1150.00	Cum. Cost	1150.00
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8/24/01-Open well. Rig up pump truck and pump 35bbls 2% KCL down tbg to kill well. Unflange well- install BOP- release pkr. Tally out of hole w/ tbg- lay pkr down. TIH w/ notch collar – check valve – 2 joints – check valve – 14 joints - pump – rest tbg. Tag at 6393' (10' deeper than wire line). Pump 20bbbls water down csg and clean out to 6466'. The fill was very hard- the last 36' of bailing was easier. TOOH w/ tbg and bailer- lay all tools down (recovered 7 full joints sand.) TIH w/ half of tbg and secure well. SDFN BLWTR- 80bbbls.

Note** - found scale in tubing at 5200'. Scale was calcium sulfate- not calcium carbonate as expected from water analysis. Calcium sulfate also found in surface equipment. Changed acid job to deal with calcium sulfate.

Daily Cost-	EWS	2200.00
	Pate	1100.00
	Watson	1550.00 bailer & redress pkr
	Don- Nan	350.00 tbg
	Sup.	500.00

Daily Total	5700.00	Cum. Cost	6850.00
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8/24/01-Well open to flow line 12hrs Tbg- 180psi , Csg- 200psi. Pump 30bbbls down well- kill well. TIH w/ rest production string- NDBOP set pkr (model R). Flange well up. Rig up Petroplex- test lines to 4500psi-start job. Pump 1000 gallons X-25 – 500 pounds rock salt w/ 5bbls 10# brine – 1000 gallons X-25 – flushed w/ 20bbbls 2% KCL. Tbg loaded after 25bbbls- pump job with pressure increasing from 3500psi to 3760psi. and rate dropping from 4bpm to 1.6bpm. Very slight diversion action. ISIP 3520psi – 5min 3169psi – 10min 2794psi – 15min 2406psi. Rig down Petroplex. Leave well shut in. RDMO. BLWTR- 183

TBG STRING

2joints	2-3/8 x 61'
pkp	2-3/8 x 7'
SN	2-3/8 x 1'
198 joints	2-3/8 x 6261'

Daily Cost-	EWS	1100.00
	Petroplex	8600.00
	Pate	350.00
	LFT	500.00
	Sup.	250.00

Daily Total	10,800.00	Cum. Cost	17,650.00
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8/27/01- MIRU swab unit. Well shut in 38 hrs.-TBG vacuum- CSG- no pressure. IFL- 4400'

After 1 hr- Fluid level 4800' - recovered 14 barrels all water - vacuum after each run

After 2 hrs - Fluid level 5200' - 13 barrels all water- good gas blow- blackish and gray colored water.

After 3 hrs - fluid level 5700' - 10 barrels water - good gas blow- same type fluid

After 4 hrs - fluid level 6000' - scattered- 7 barrels water - kicked off flowing.

Well just barely flowing. Made one more swab run- fluid was scattered throughout the tubing - no fluid recovery. Shut in well for 45 minutes- pressure built up to 100 psi

Opened up down line. Sent crew home. Left flowing.

At 9pm tbg had 50psi flow rate of 80 mcf no fluid

At 11pm tbg had 50psi flow rate of 80 mcf no fluid

At 4am tbg had 80psi flow rate of 100mcf no fluid

At 6am tbg had 85psi flow rate of 150 mcf fluid coming in heads

:39 BLWTR

Daily Cost-	EWS	1000.00
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Daily Total	1000.00	Cum. Cost	18650.00
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8/28/01- Tbg 85psi-flow rate of 155mcf at 7 am. Flowed 2bbbls over night- by 9am well not making any fluid or gas. Pick up swab- make run- dry- no fluid in tbg. (Had discussion on possibility that salt diverter was blocking formation.) Wait on truck- hook up to tbg and pump 34bbbls 2 % KCL water-hit pressure (tubing volume 24.5 bbls. - casing volume to top perf -.5 bbls - casing volume to bottom perf 1.5 bbls) Rate went from 3bpm to 1bpm at 900psi. After pumping 38bbbls- rate 1bpm at 1000psi. With 40bbbls gone- rate 1bpm at 1200psi. With 43bbbls gone- rate .5bpm at 1500psi. Shut truck down. ISIP 1000psi- 2min on vacuum. Started pumping again- came back on at 1bpm 750psi. With 45bbbls gone- rate 1bpm at 1500psi. With 47bbbls gone- rate .5bpm at 1700psi. Shut truck down- ISIP 1400psi - 1min 900psi - 2min 500psi - 3min 200psi - 4min vacuum. Started pumping again -came back on at 1bpm 1500psi. With 50bbbls gone -rate 1bpm at 1750psi. Shut truck down- ISIP 1600psi - 1min 1400psi - 2min 800psi - 3min 500psi - 4min 250psi - 5min vacuum. Rig truck down. Pick up swab IFL 200'

1st hour FL 3700' rec. 15bbbls all water no gas

2nd hour FL 5000' rec. 11bbbls all water no gas

3rd hour FL 5600' rec. 6bbbls scattered fluid all water show gas

4th hour FL dry rec. 3bbls all water show of gas

1st hourly run 450' entry rec. 300' fluid all water

2nd hourly run 450' entry rec. 300' fluid all water

Leave well open down line SDFN

Note*** - we have damaged well bore. The damage seems to be about 8 barrels back in the formation. We are discussing issue with Petroplex and Champion Chemicals.

Daily Cost-	EWS	1500.00		
	Pate	400.00		
Daily Total		1900.00	Cum. Cost	20,550.00

8/29/01-Tbg- 20psi, Csg- 0psi - IFL 5500' scattered. Recovered 300' fluid. Wait 1 hour-make run- 200' scattered fluid -recovered 60'. Shut well in for 1 hour - tbg built to 450psi- blow down in 20min. Did not bring any fluid. Shut well in for 2hours after 2hrs tubing pressure built up to 665psi. Leave well shut in- RDMO.

Note ** - Working on clean up procedure potential re-frac or nitrified acid.

Daily Cost-	EWS	1100.00		
Daily Total		1100.00	Cum. Cost	21,650.00

8/30/01-SITP- after 26hrs 1100psi- Csg 0psi. Set test tank and lay flow line to tank. Open at 2pm- fast. Blew down in 5min to 10psi. Left open until 5pm- made 2bbls (caught sample-took to Champion) Shut well in.

Daily Cost-	Pate	400.00		
	Roberson	200.00		
Daily Total		600.00	Cum. Cost	22,250.00

8/31/01-SITP after 14hrs 1050psi- Csg 0psi. SITP after 20hrs -1060psi. Opened well - flowed 9bbls. After 2hrs went down to blow- shut well in.

9/1/01-SITP after 20hrs 1040psi. Blew down after 2hrs- flowed 4bbls. Pressure dropped to just blow- shut in.

9/2/01- SITP after 24hrs 1060psi. Open well -in 2.5hrs flowed 3bbls. Went down to just blow- shut well in.

9/3/01- SITP after 20hrs 1060psi. Open well -in 2hrs flowed 6bbls. Went down to just blow- shut well in. 118 BLWTR

9/4/01- SITP after 22hrs 1065psi. Open well down sales line on 20/64 choke. Well produced 8 hrs before it died. Produced 204 mcf. Shut well in at 5:30 pm. Well made no fluid. 118 BLWTR

9/8/01 - SITP after 16 hrs -1070psi. Open well to blow down tank. Recovered 2 barrels of grayish black water with an 8-10% oil cut. Well died in 3 hours. Caught samples of fluid for testing. The water sample is grayish black in color with the same viscosity as water. There are no visible solids in the water. However after three hours settling minute fines settle out in the bottom and along the sides of the sample jar at the oil water contact point. The water sample was divided into equal portions and mixed with 7 ½% HCL acid with 10% methanol and iron control agents and 15 % HCL acid with the same additives. The samples were mixed vigorously and allowed to set 30 minutes. Both samples cleaned up the grayish black water to a clear water and an oil phase. The 7 ½% sample had a 1%to 4% inter-phase between the oil and water. The 15% sample was clean with a very distinct break between the oil and water phases. Both samples had no fines left on the bottoms or the sides of the sample bottles. After some discussion it was decided to go ahead with a 2000 gallon 15% nitrified acid clean up job tomorrow. 116 BLWTR

9/6/01-SITP after 17hrs-1050psi. Open to tank blow down while rigging acid and N2 trucks up. Build high pressure well head to flow back with. Test lines to 6000psi load csg w/ 40bbbls -test to 1000psi (ok). Start down hole; Stage 1- pump 37,500scf n2; Stage 2- pump- 48bbbls 15% acid NEFE BF1 with 10% methanol and iron control agents foamed w/ 37,000scf; Stage3- flush w/ 38,000scf. Average pressure 3200psi, average fluid rate 2.5, average N2 rate 2250scf. ISIP- 3700psi 5min- 3148psi- rig down trucks- hook well head up. After 20min tubing pressure -2500psi. Open up on 10/64 choke- after 45min tubing 1450psi. Open choke to 16/64, after 40 minutes tubing pressure -500psi- fluid hit. Open choke to 18/64 - over the next 30minutes the well brought fluid in surges then died. Total fluid flowed back- 7bbbls. MIRU pulling unit-prep swab- IFL 3300'- went to 5000'. Recovered 1800' fluid- well kicked off flowing- tried to make 2nd run- got down to 2000' and well flowing harder. Pull swab out- open to tank on 16/64 choke- start flowing at 250psi. 1st hr recovered 12bbbls- tbg 125psi. Leave open to tank SDFN 116 BLWTR (From before)+ 52 BLWTR (today)-26 bbbls. swabbed and flowed =142 BLWTR

Daily Cost-	MWS	700.00	
	Petro Plex	n/c	
	BJ Services	3750.00	
	Roberson	300.00	
	Don-Nan	800.00	
Daily Total		5550.00	Cum. Cost 27,800.00

9-7-01 – Well flowed all night to tank. Recovered 31 barrels of load water. Tubing pressure was 95psi on a 26/64 choke. Shut well in for ½ hr to disconnect from frac tank and hook into flow line. Pressure built up to 600 psi. Switched down sales line at 10:00 am. Started on open choke making 2bbis hour with the flow rate of 615mcf- after 2hrs pressure falling- choke back to 28/64. Pressure came back to 125psi still 2bb's hour. 111 BLWTR

Daily Cost- MWS 750.00

Daily Total 750.00 Cum. Cost 28550.00

9/10/01- Well still flowing. RDMO

Daily Cost- MWS 400.00

Daily Total 400.00 Cum. Cost 28,950.00

Date	Oil	H2O	MCF	BLWTR	Comments
9/8/01	1	15	364	96	14 hrs gas sales tbg-110 psi 28/64 choke
9/9/01	1	8	642	88	Tbg-100psi 28/64 choke – opened to 32/64 at 10:00 am.
9/10/01	0	5	668	83	Tbg-95 psi 32/64 spot rate 695 mcf/d
9/11/01	1	5	692	78	Tbg-80 psi 32/64 spot rate 721 mcf/d
9/12/01	1	4	714	74	Tbg-80 psi 32/64 spot rate 721 mcf/d
9/13/01	1	4	724	70	Tbg-85psi 32/64 spot rate 720 mcf/d
9/14/01	1	4	729	66	Tbg-95 psi 32/64 spot rate 764 mcf/d
9/15/01	1	4	740	62	Tbg 90 psi 32/64 spot rate 750 mcf/d
9/16/01	2	4	752	58	Tbg 95 psi 32/64 spot rate 765 mcf/d
9/17/01	1	4	766	54	Tbg 90 psi 32/64 spot rate 785 mcf/d

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

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

APPLICATION OF SAPIENT ENERGY CORP.
FOR AN UNORTHODOX GAS WELL LOCATIONS AND
(i) TWO NON-STANDARD 160-ACRE GAS SPACING UNITS;
OR IN THE ALTERNATIVE (ii) ONE NON-STANDARD
160-ACRE GAS SPACING AND PRORATION UNIT,
LEA COUNTY, NEW MEXICO.

CASE NO. 12587
Order R-_____

APPLICATION OF SAPIENT ENERGY CORP.
FOR SPECIAL POOL RULES,
LEA COUNTY, NEW MEXICO

CASE NO. 12605

**ORDER OF THE DIVISION
STAYING ORDER NO. R-11652**

BY THE DIVISION:

This matter having come before the Division upon the request of Sapient Energy Corp. for a Stay of Division Order R-11652 and the Division Director having considered the request and being fully advised in the premises,

NOW, on this ____ day of September, 2001, the Division Director:

FINDS THAT:

(1) Division Order No. R-11652 was entered on September 13, 2001, denying Sapient Energy Corp.'s ("Sapient") applications in these cases.

(2) On September 19, 2001, Sapient filed a request for a DeNovo hearing wit the Oil Conservation Commission, which case is now set for hearing on November 9, 2001.



(3) Sapient has complied with the provision of Division Rule 1220.A and has filed its request for a stay of Division Order R-11652 on September 19, 2001.

(4) It is reasonably probable that if Sapient is required to shut-in the Berth J. Barber Well No. 12 it will cause irreparable harm and will reduce the ultimate recovery from the well.

IT IS THEREFORE ORDERED THAT:

(1) Division Order No. R-11652 is hereby stayed in its entirety until the Commission rules on the evidence presented at the DeNovo hearing.

(2) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

LORI WROTENBERY
Director

S E A L