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April 22, 2002

**HAND DELIVERED**

Ms. Lori Wrotenbery, Director  
Oil Conservation Division  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

*Case 12863*

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Re: Cooper 4 Well No. 2  
N/2NE/4 Section 4, T20S, R37E  
Application of Matador E & P Company  
for compulsory pooling  
Lea County, New Mexico

Dear Ms. Wrotenbery:

On behalf of Matador E & P Company, please find enclosed our referenced application which we request be set for hearing on the Examiner's docket now scheduled for May 16, 2002. Also enclosed is our proposed advertisement of this case for the NMOCD docket.

Very truly yours,

  
W. Thomas Kellahin

cc: Matador E & P Company  
Attn: Mark Virant

CASE 1286<sup>3</sup>. Application of Matador E & P Company for compulsory pooling, Lea County, New Mexico. Applicant seeks an order pooling all uncommitted royalty and overriding royalty interest owners with respect to any production underlying the N/2NE/4 of Section 4, T20S, R37E, NMPM, Lea County, New Mexico to form a standard 80-acre spacing and proration unit for any and all formations and/or pools developed on 80-acre spacing within said vertical extent, which presently may include but is not necessarily limited to the Monument-Tubb Pool. Applicant further requested that the pooling of this unit be made as of the date of first production from its proposed Cooper 4 Well No. 2 drilled and completed at a standard well location in Unit A of said Section 4 and the designation of Matador Operating Company as the operator. Said unit is located approximately 10 miles southwest of Hobbs, New Mexico.

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

**IN THE MATTER OF THE APPLICATION  
OF MATADOR E & P COMPANY  
FOR COMPULSORY POOLING  
LEA COUNTY, NEW MEXICO.**

CASE NO. 12863

**APPLICATION**

Comes now MATADOR E & P COMPANY , by its attorneys, Kellahin & Kellahin, and in accordance with NMSA (1979) Section 70-2-17.C applies to the New Mexico Oil Conservation Division for an order pooling all uncommitted royalty and overriding royalty interest owners with respect to any production underlying the N/2NE/4 of Section 4, T20S, R37E, NMPM, Lea County, New Mexico to form a standard 80-acre spacing and proration unit for any and all formations and/or pools developed on 80-acre spacing within said vertical extent, which presently may include but is not necessarily limited to the Monument-Tubb Pool. Applicant further requested that the pooling of this unit be made as of the date of first production ~~from~~ its Cooper 4 Well No. 2 drilled and completed at an standard well location in Unit A of said Section 4 and the designation of Matador Operating Company as the operator.

In support of its application, Matador E & P Company, ("Matador") states:

1. Matador has a working interest ownership in the oil and gas minerals from the San Andres to the base of the Drinkard formation underlying the N/2NE/4 of Section 4, T20S, R37E, NMPM, Lea County, New Mexico.
2. The subject tract is located within one-mile of the current boundary of the Monument Tubb Pool which is currently spacing on 80-acre spacing unit.
3. This spacing unit consists of certain fee leases which do not contain voluntary pooling clauses which would allow for the consolidation and proportionate allocation of the royalty or overriding interests to form a voluntary unit of 80-acres in compliance with Division rules.

4. Matador has attempted to contact all 28 royalty and overriding royalty interest owners to has obtained written approval from 8 owners agreeing to pool their respective interest in these two leases together for a voluntary 80-acre spacing unit for the subject well

5. Despite its good faith efforts, Matador has been unable to obtain a written voluntary agreement from those remaining 20 royalty and overriding royalty interest owners.

6. Pursuant to Section 70-2-17.C NMSA (1978) and in order to obtain its just and equitable share of potential production underlying this spacing unit, Matador needs an order of the Division pooling the identified and described mineral interests involved in order to protect correlative rights and prevent waste.

7. In accordance with the Division's notice requirements, a copy of this application has been sent to the parties whose interest is to be pooled as listed on Exhibit "A" notifying each of this case and of the applicant's request for a hearing of this matter before the Division on the next available Examiner's docket now scheduled for May 16, 2002.

WHEREFORE, applicant requests that this application be set for hearing of May 16, 2002 before the Division's duly appointed examiner, and that after notice and hearing as required by law, the Division enter its order pooling the mineral interests described in the appropriate spacing unit for the drilling of the subject well at a standard well location upon terms and conditions which include:

(1) Designation Matador Operating Company as operator.

(2) Provisions for pooling all nonconsenting royalty interests and overriding royalty interests underlying this spacing unit for any and all production from the Monument Tubb Pool and any other spacing on 80 acre spacing units so that said owners shall share in any said production on a proportionate basis.

(3) For such other and further relief as may be proper.

RESPECTFULLY SUBMITTED:



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