

BEFORE THE OIL CONSERVATION COMMISSION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF:)

THE APPLICATION OF SOUTHWEST PRODUCTION)
COMPANY, a co-partnership consisting of)
JOSEPH P. DRISCOLL and JOHN H. HILL,)
FOR AN ORDER FORCE POOLING ALL INTERESTS)
IN THE NON-STANDARD GAS PRORATION UNIT OF)
THE BASIN-DAKOTA GAS POOL, IN SAN JUAN COUNTY,)
NEW MEXICO, COVERING ALL OF THE EAST 1/2 of)
SECTION 7, TOWNSHIP 30 NORTH, RANGE 11 WEST,)
EXCEPT the SOUTH 1/2 of the SW 1/4 of the)
SE 1/4 thereof.)

No. 2343

A P P L I C A T I O N

Comes now the applicant, SOUTHWEST PRODUCTION COMPANY, a co-partnership consisting of Joseph P. Driscoll and John H. Hill, and for its application alleges and states:

1. That it is the owner of oil and gas leases covering the entire mineral interest underlying the non-standard gas proration unit for production of gas from the Dakota formation of the Basin-Dakota Gas Pool in San Juan County, New Mexico, which non-standard gas proration unit was created in Order R-1991, to consist of all of the East 1/2 of Section 7, except the South 1/2 of the Southwest 1/4 of the Southeast 1/4 thereof, said gas proration unit comprising 300 acres.

2. That there is a possibility that John J. (Juan J.) Moya and Helen Moya might claim some right, title and interest in and to the 7/8ths working interest oil and gas leasehold estate underlying that portion of the above described non-standard Dakota gas proration unit which lies within the Southeast 1/4 of the above described Section 7. That applicant contends that such claims of interest would be of no force and effect, if asserted, but upon the contingency

that such claims might be made and be found valid, applicant desires that the interests of said two individuals be force pooled in accord with the Statutes of the State of New Mexico and the Rules of this Commission.

3. That applicant is planning to drill a well upon the above described non-standard Dakota gas proration unit and is entitled to have the contingent interests of John J. (Juan J.) Moya and Helen Moya, if any, force pooled, and is further entitled to an order of this Commission authorizing it to take all of any production had from the above described well which might be declared to be owned by said two individuals until such time as it has been repaid 150% of its drilling and production costs and expenses in connection with the drilling and operation of said well.

4. That applicant is the holder of an assignment of the working interest in certain leases which were formerly owned by John J. (Juan J.) Moya, who represents himself as having been divorced from Helen Moya at the time of the execution of such assignment, and further represents that Helen Moya has no right, title or interest in and to the above described lands. That the records in San Juan County, New Mexico have never been made to reflect the divorce of John J. (Juan J.) Moya from Helen Moya, and have never been made to reflect that John J. (Juan J.) Moya acquired all of the interest of Helen Moya prior to the execution and delivery of the assignment from him to applicant. [That applicant has endeavored to contact Helen Moya to obtain a ratification of the assignment from John J. Moya to it; or, in the alternative, if she holds any interest in the lands, to obtain either an assignment from her or a joinder by her in the well above described.

5. That the force pooling order herein requested is necessary in order to prevent waste and in order to protect the correlative rights of the applicant.

WHEREFORE, applicant prays that this application be set down for hearing; that due notice thereof be given in accord with the Rules of this Commission and the laws of the State of New Mexico; that after hearing, and from the evidence to be adduced thereat, this Commission enter an order force pooling the above described non-standard Dakota gas proration unit as to any contingent interests which might be held, or asserted, by John J. (Juan J.) Moya or Helen Moya and extending to the applicant the right to retain the working interest production from the above described well until such time as it has been repaid 150% of the costs incurred by it in connection with the drilling, completion and production of said well.

SOUTHWEST PRODUCTION COMPANY,
a co-partnership consisting of
Joseph P. Driscoll and John H.
Hill,

By


(Geo. L. Varsity)

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