

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
COMMISSION OF NEW MEXICO FOR  
THE PURPOSE OF CONSIDERING:

CASE No. 2623  
Order No. R-2317

APPLICATION OF W. K. BYROM  
FOR COMPULSORY POOLING, LEA  
COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m. on August 29, 1962, at Santa Fe, New Mexico, before Daniel S. Nutter, Examiner duly appointed by the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission," in accordance with Rule 1214 of the Commission Rules and Regulations.

NOW, on this 28th day of September, 1962, the Commission, a quorum being present, having considered the application, the evidence adduced, and the recommendations of the Examiner, Daniel S. Nutter, and being fully advised in the premises,

FINDS:

(1) That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.

(2) That the applicant, W. K. Byrom, seeks an order pooling all mineral interests in the Queen formation, Arkansas Junction-Queen Gas Pool, underlying the NE/4 of Section 23, Township 18 South, Range 36 East, NMPM, Lea County, New Mexico.

(3) That the applicant, W. K. Byrom, is the owner and operator of all acreage in the NE/4 of said Section 23.

(4) That although the applicant has been diligent in his efforts to form the proposed proration unit, there remain non-consenting royalty interest owners in the subject proration unit who have not agreed to the pooling of their interests.

(5) That a well on a 160-acre standard gas proration unit will efficiently and economically drain the gas underlying the NE/4 of said Section 23.

(6) That formation of a 160-acre standard gas proration unit will be in the interest of orderly development of the Arkansas Junction-Queen Gas Pool, and will not cause waste or impair correlative rights.

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
COMMISSION OF NEW MEXICO FOR  
THE PURPOSE OF CONSIDERING:

CASE No. 2623  
Order No. R-2317-A

APPLICATION OF MRS. ALMA GOODWIN, MRS. NELL  
M. DE FORREST, AND MRS. AULENA M. JENNINGS  
FOR A HEARING DE NOVO OF CASE NO. 2623,  
ORDER NO. R-2317, APPLICATION OF W. K. BYRON  
FOR COMPULSORY POOLING, LEA COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at 9 o'clock a.m. on  
November 14, 1962, at Santa Fe, New Mexico, before the Oil Con-  
servation Commission of New Mexico, hereinafter referred to as  
the "Commission."

NOW, on this 21st day of November, 1962, the Commission,  
a quorum being present and being fully advised in the premises,

FINDS:

(1) That due public notice having been given as required by  
law, the Commission has jurisdiction of this cause and the subject  
matter thereof.

(2) That the applicants have requested that the application  
for a hearing de novo in Case No. 2623 be dismissed.

IT IS THEREFORE ORDERED:

That the application for a hearing de novo in Case No. 2623  
is hereby dismissed.

DONE at Santa Fe, New Mexico, on the day and year herein-  
above designated.



STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

*[Signature]*  
EDWIN L. MECHEM, Chairman

*[Signature]*  
E. S. WALKER, Member

*[Signature]*  
A. L. PORTER, Jr., Member & Secretary

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STATE OF NEW MEXICO, )  
COUNTY OF LEA. )

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, W. K. BYROM is the Owner and Operator of State of New Mexico Oil and Gas Lease No. E 5883, issued January 10, 1952, to Shell Oil Company, of Midland, Texas, insofar, and only insofar, as said lease covers:

The North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) of Section 23, and the North Half of the Northwest Quarter (N $\frac{1}{2}$ NW $\frac{1}{4}$ ) of Section 24, Township 18 South, Range 36 East, N.M.P.M., Lea County, New Mexico,

and is the Owner and Operator of that certain Oil and Gas Lease dated May 1, 1953, executed by Alma M. Goodwin, widow, Aulena M. Jennings, a widow, and Nell M. De Forest and husband, Roy De Forest, in favor of Virgil Linam, as Lessee, insofar, and only insofar, as said lease covers:

The South Half of the Northeast Quarter (S $\frac{1}{2}$ NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, N.M.P.M., Lea County, New Mexico, to a total depth of \_\_\_\_\_ feet below the surface,

and,

WHEREAS, an application was filed with the New Mexico Oil Conservation Commission, styled "Application of W. K. Byrom for Compulsory Pooling, Lea County, New Mexico, Case No. 2623", wherein W. K. Byrom sought an Order of the Oil Conservation Commission creating a 160 acre proration unit comprised of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, Lea County, New Mexico, for the production of gas from the Queens-

**Formation in the Arkansas-Junction-Queens Gas Pool, and,**

**WHEREAS, the New Mexico Oil Conservation Commission did on September 28, 1962, enter its Order authorizing the creation of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, as a 160 acre gas proration unit from the Queens Formation in the Arkansas-Junction-Queens Gas Pool, Lea County, New Mexico, and said Order has now become final and not subject to appeal or review.**

**That as a condition establishing said proration unit, the New Mexico Oil Conservation Commission required approval of such unit by the Commissioner of Public Lands for the State of New Mexico. The minerals underlying the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) of said Section 23, Township 18 South, Range 36 East, are owned by the State of New Mexico, and the well dedicated to said unit is located in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, and known as W. K. Byrom State #23, Well #1.**

**NOW, THEREFORE, for and in consideration of \$1.00 and the mutual benefits to be derived by the parties hereto, the undersigned, as follows:**

**W. K. BYROM, Owner of the Working Interest covering the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, N.M.P.M., Lea County, New Mexico, and**

**The Commissioner of Public Lands, acting by, for, and on behalf of the State of New Mexico, owner of the minerals underlying the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ), Section 23, Township 18 South, Range 36 East, N.M.P.M., Lea County, New Mexico,**

**agree and consent to the creation of a standard 160 acre gas unit in the Queens Formation, Arkansas-Junction-Queens Gas Pool, com-**

prised of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, N.M.P.M., Lea County, New Mexico, and the royalties reserved by the State of New Mexico in State Lease No. E 5883 shall be reduced to the extent that the acreage in the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) of Section 23 bears to the acreage in the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 23, insofar, and only insofar, as said lease covers:

The North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, N.M.P.M., Lea County, New Mexico.

This agreement is entered into between the parties to meet the requirements of Order of the New Mexico Oil Conservation Commission No. R 2317 entered in Case No. 2623, dated September 28, 1962.

The royalties payable for dry gas and associated liquid hydrocarbons extracted therefrom so allocated to the lands comprising the leaseholds and the rentals provided for therein shall be determined and paid on the basis respectively prescribed in the individual leases.

For the same consideration, the parties executing this agreement agree and warrant that the creation of this unit shall apply to the Queens Formation underlying the Northeast Quarter (NE $\frac{1}{4}$ ) of Section 23, Township 18 South, Range 36 East, N.M.P.M., Lea County, New Mexico, and none other, with the understanding and agreement that the dry gas and associated liquid hydrocarbons extracted therefrom so produced from the communitized tract of 160 acres shall be allocated among the leaseholds comprising said acreage in the proportion that the acreage interest of each leasehold bears to the entire acreage interest committed thereto.

This Agreement shall be effective as of the date hereof, upon approval of the Commissioner of Public Lands of the State of New Mexico, and shall remain in force and effect for a period of twelve (12) months and so long thereafter as dry gas and associated liquid hydrocarbons extracted therefrom are produced from any part of said communitized tract in paying quantities, provided that, prior to production in paying quantities from said communitized unit and upon fulfillment of all requirements of the Oil Conservation Commission of the State of New Mexico with respect to any dry hole or abandoned well, this Agreement may be terminated at any time by mutual agreement of the parties hereto.

This Agreement shall be subject to the consent and approval of the Commissioner of Public Lands of the State of New Mexico.

IN WITNESS WHEREOF, the hands and seals this, the 20<sup>th</sup> day of December, 1962.

W. K. Byron  
W. K. Byron  
STATE OF NEW MEXICO

By \_\_\_\_\_  
Commissioner of Public Lands

STATE OF NEW MEXICO, )  
COUNTY OF LEA. )

The foregoing instrument was acknowledged before me, this, the 20<sup>th</sup> day of December, 1962, by W. K. BYROM.

May Bell Brown  
Notary Public

My Commission Expires:  
April 25, 1964

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CASE No. 2623  
Order No. R-2317

(7) That to avoid the drilling of unnecessary wells, to protect correlative rights, and to afford to the owner of each interest in said proration unit the opportunity to recover or receive without unnecessary expense his just and fair share of the gas in the Arkansas Junction-Queen Gas Pool, the subject application should be approved by pooling all mineral interests, whatever they may be, within said unit, subject to approval by the Commissioner of Public Lands for the State of New Mexico.

(8) That the applicant proposes to dedicate the subject proration unit to his W. K. Byron State 23 Well No. 1, located in the NE/4 NE/4 of said Section 23.

(9) That W. K. Byron should be designated the operator of said unit.

IT IS THEREFORE ORDERED:

(1) That all mineral interests, whatever they may be, in the Queen formation, Arkansas Junction-Queen Gas Pool, in the NE/4 of Section 23, Township 18 South, Range 36 East, NMPM, Lea County, New Mexico, are hereby pooled to form a standard 160-acre gas unit, effective upon approval of communitization by the Commissioner of Public Lands for the State of New Mexico. Said unit shall be dedicated to the W. K. Byron State 23 Well No. 1, located in the NE/4 NE/4 of said Section 23.

(2) That W. K. Byron is hereby designated the operator of said unit.

(3) That jurisdiction of this cause is retained for the entry of such further orders as the Commission may deem necessary.

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

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

EDWIN L. MECHEN, Chairman

E. S. WALKER, Member

A. L. FORTER, Jr., Member & Secretary

