CAMPBELL & BLACK, P.A.

JACK M. CAMPBELL BRUCE D. BLACK MICHAEL B. CAMPBELL WILLIAM F. CARR BRADFORD C. BERGE MARK F. SHERIDAN WILLIAM P. SLATTERY ANNIE-LAURIE COOGAN

HAND-DELIVERED

JEFFERSON PLACE SUITE I - 110 NORTH GUADALUPE POST OFFICE BOX 2208 SANTA FE, NEW MEXICO 87504-2208 TELEPHONE: (505) 988-4421 TELECOPIER: (505) 983-6043

May 15, 1991



MAY 15 1991

OIL CONSERVATION OF

William J. LeMay, Director Oil Conservation Division New Mexico Department of Energy, Minerals and Natural Resources State Land Office Building Santa Fe, New Mexico 87503

Case 10322

Re: In the Matter of the Amended Application of Nearburg Producing Company for Compulsory Pooling, Chaves County, New Mexico

Dear Mr. LeMay:

Enclosed in triplicate is an Application of Nearburg Producing Company in the abovereferenced case. Nearburg Producing Company respectfully requests that this matter be placed on the docket for the June 13, 1991 Examiner hearings.

Very truly yours

WILLIAM F. CARR

WFC:mlh Enclosures cc w/enclosure:

Mr. Bob Shelton Nearburg Producing Company 1 Petroleum Center Building 8, Suite 100 3300 N. "A" Street Midland, Texas 79705-5408

BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

RECENTE

IN THE MATTER OF THE APPLICATION OF NEARBURG PRODUCING COMPANY FOR COMPULSORY POOLING, CHAVES COUNTY, NEW MEXICO.

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OIL CONSERVATION LOV. CASE \$107.4 PS

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APPLICATION

COMES NOW NEARBURG PRODUCING COMPANY, by its undersigned attorneys and pursuant to the provisions of N.M.Stat.Ann. § 70-2-17, (1978), makes application for an order pooling all of the mineral interests in and under the SE/4 NE/4 of Section 24, Township 8 South, Range 33 East, N.M.P.M., Chaves County, New Mexico, and in support thereof would show the Division:

1. Applicant owns or represents approximately 87.5% of the working interest in and under the SE/4 NE/4 of Section 24, and Applicant has the right to drill thereon.

2. Applicant proposes to dedicate the above-referenced pooled unit to its Caldwell No. 1 Well to be located at a standard location 1980 feet from the North line and 660 feet from the East line on said Section 24 to a depth sufficient to test the Pennsylvanian formation, West Milnesand-Pennsylvanian Pool.

3. Applicant has sought and obtained either voluntary agreement for pooling or farmout from all other interest owners in the SE/4 NE/4 of said Section 24, except for Chevron U.S.A. Inc., owner of a 12.5% mineral interest.

4. Said pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

5. In order to permit the Applicant to obtain its just and fair share of the oil and gas underlying the subject lands, the mineral interests should be pooled, and Applicant should be designated the operator of the well to be drilled.

WHEREFORE, Applicant prays that this application be set for hearing before a duly appointed Examiner of the Oil Conservation Division on June 13, 1991, and, that after notice and hearing as required by law, the Division enter its order pooling the lands, including provisions for Applicant to recover its costs of drilling, equipping and completing the well, its costs of supervision while drilling and after completion, including overhead charges, and imposing a risk factor for the risk assumed by the Applicant in drilling, completing and equipping the well, and making such other and further provisions as may be proper.

Respectfully submitted,

CAMPBELL & BLACK, P.A.

WILLIAM F. CARR Post Office Box 2208 Santa Fe, New Mexico 87504 Telephone: (505) 988-4421

ATTORNEYS FOR NEARBURG PRODUCING COMPANY

BEFORE THE

OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND

MAY 15 1991

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OIL CONSERVATION LIV SANTA FE

CASE NO. 10322

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OIL CONSERVATION DIVISION

NEW MEXICO DEPARTMENT OF ENERGY, MINERALS AND NATURAL RESOURCES

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