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May 19, 1992

RECEIVED

MAY 19 1992

OIL CONSERVATION DIVISION

10483

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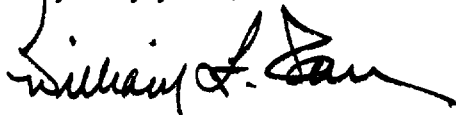
William J. LeMay, Director
Oil Conservation Division
New Mexico Department of Energy,
Minerals and Natural Resources
State Land Office Building
Santa Fe, New Mexico 87503

Re: In the Matter of the Application of Harvey E. Yates Company for
Compulsory Pooling, Lea County, New Mexico

Dear Mr. LeMay:

Enclosed in triplicate is the Application of Harvey E. Yates Company in the above-referenced case. Harvey E. Yates Company respectfully requests that this matter be placed on the docket for the June 11, 1992 Examiner hearings.

Very truly yours,



WILLIAM F. CARR

WFC:mlh

Enclosures

cc w/enclosures: Ms Melissa Randle

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

IN THE MATTER OF THE APPLICATION
OF HARVEY E. YATES COMPANY FOR
COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO.

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OIL CONSERVATION DIVISION
CASE NO. 10483

APPLICATION

HARVEY E. YATES COMPANY by its undersigned attorneys, pursuant to the provisions of N.M.Stat.Ann. § 70-2-17 (1978), hereby makes application for an order pooling all of the mineral interests in all formations developed on 40-acre spacing in the SE/4 NW/4 from the surface to the base of the Strawn formation in Section 33, Township 15 South, Range 36 East, N.M.P.M., Lea County, New Mexico, and in support thereof would show the Division:

1. Applicant owns approximately 68% of the working interest in and under the SE/4 NW/4 of Section 33, and Applicant has the right to drill thereon.
2. Applicant proposes to dedicate the above-referenced pooled unit to a well to be located at a standard location on this spacing unit to be drilled to a depth of approximately 12,000 feet to test the Strawn formation, Undesignated Strawn Pool.
3. Applicant has sought and obtained either voluntary agreement for pooling or farmout from all other interest owners in the SE/4 NW/4 of said Section 33, except for the interest owners identified on Exhibit A to this Application.

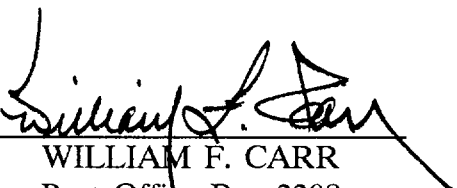
4. Said pooling of interests will avoid the drilling of unnecessary wells, will prevent waste and will protect correlative rights.

5. In order to permit 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 11, 1992, and, 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, CARR, BERGE &
SHERIDAN, P.A.

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

ATTORNEYS FOR HARVEY E.
YATES COMPANY

EXHIBIT A

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Albuquerque, New Mexico 87131
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R. T. Swink and Ethel Swink
Midland, Texas

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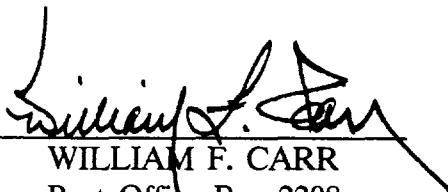
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