

KELLAHIN, KELLAHIN and AUBREY

Attorneys at Law

W. Thomas Kellahin
Karen Aubrey

El Patio - 117 North Guadalupe
Post Office Box 2265

Telephone 982-4285
Area Code 505

Jason Kellahin
Of Counsel

Santa Fe, New Mexico 87504-2265

Fax: 505/982-2047

August 15, 1989

HAND-DELIVERED

Mr. William J. LeMay
Oil Conservation Division
Post Office Box 2088
Santa Fe, New Mexico 87501

Re: OGS Operating Company, Inc.
for Compulsory Pooling and an
Unorthodox Well Location
Roosevelt, New Mexico


RECEIVED
AUG 15 1989
OIL CONSERVATION DIVISION
Case 9749

Dear Mr. LeMay:

On behalf of OGS Operating Company, Inc. we would appreciate you setting the enclosed application for a public hearing on the Division's Examiner docket now scheduled for September 6, 1989.

By copy of this letter to all parties to be pooled, we are notifying them by certified mail, return-receipt requested, that they have the right to appear at the hearing, to make a statement to the Division, to present evidence and cross-examine witnesses either in support of or in opposition to the application. In addition, they are advised that the entry of a compulsory pooling order will affect their rights to share in the production from the subject well.

Very truly yours,



W. Thomas Kellahin

WTK/rs
Encl.

cc: Thom O'Brien - OGS Operating Company
"Certified Return-Receipt Requested"
all parties to be pooled

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

RECEIVED

AUG 15 1989

OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION OF
OGS OPERATING COMPANY, INC.
FOR COMPULSORY POOLING AND
UNORTHODOX LOCATION,
ROOSEVELT COUNTY, NEW MEXICO

CASE NO. 9749

A P P L I C A T I O N

COMES NOW, OGS OPERATING COMPANY, INC., by and through its attorneys, Kellahin, Kellahin & Aubrey and in accordance with Section 70-2-17(c) NMSA (1978) applies to the New Mexico Oil Conservation Division for an unorthodox location and for an order pooling all mineral interest underlying the following described acreage in Section 15, T8S, R37E, Roosevelt County, New Mexico, in the following described manner:

N/2 of said section to form a standard 320-acre spacing and proration unit for any gas production from the Bluitt-San Andres Associated Pool, and E/2NE/4 of said section to form a standard 80-acre spacing and proration unit for any oil production from the Bluitt-San Andres Associated Pool.

The above described unit is to be dedicated to a well to be drilled to base of the Bluitt-San Andres Associated gas pool at a standard gas well location 990 feet from the North line and 990 feet from the East line of said Section 15. However, this location will be an unorthodox oil well location for said pool.

1. Applicant, OGS Operating Company, Inc. is a working interest owner in the N/2 of said Section 15.

2. Applicant has sought a voluntary agreement for the formation of a N/2 spacing unit for gas and a E/2NE/4 spacing unit for oil for the drilling, completing and production of the subject well but has been unable to obtain a voluntary agreement from the following parties:

a) A. J. Hammer Estate: 0.15625%

Mary Hammer
Deanna Christensen
David M. Hammer
Robert J. Hammer
Mary K. Hammer

454 South Main Street
Springfield, MO 65806

106 East Virginia
Effingham, ILL 62401

Box 482
Effingham, Ill 62401

b) Tom L. Ingram: 13.5%


Box 1757
Roswell, New Mexico 88202

3. Pursuant to the Division notice requirements, Applicant has notified all parties to be pooled of this application for compulsory pooling and the Applicant's request for a hearing before the Division to be set on September 6, 1989.

4. In order to obtain its just and equitable share of the potential production underlying the above tract, Applicant needs an order pooling the mineral interest involved in order to protect Applicant's correlative rights and prevent waste.

WHEREFORE, Applicant prays that this application be set for hearing before the Division's duly appointed examiner, and that after notice and hearing as required by law, the Division enter its order approving the unorthodox location and pooling the mineral interest described herein. Applicant further prays that it be named operator of the well, and that the order make provisions for Applicant to recover out of production its costs of drilling, completing and equipping the subject well, costs of operation, including costs of supervision, and a risk factor in the amount of 200% for the drilling and completing of the well, for such other and further relief as may be proper.

Respectfully submitted,

By: 
W. Thomas Kellahin

Kellahin, Kellahin & Aubrey
Post Office Box 2265
Santa Fe, New Mexico 87504

(505) 982-4285

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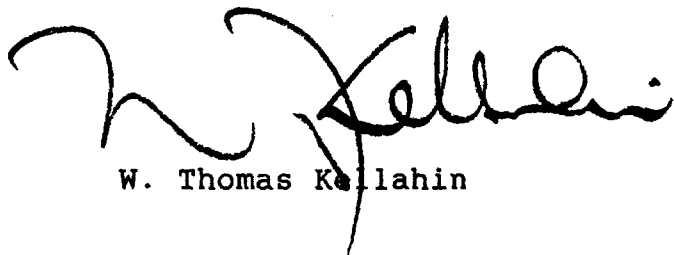
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STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION

RECEIVED
AUG 15 1989
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IN THE MATTER OF THE APPLICATION OF
OGS OPERATING COMPANY, INC.
FOR COMPULSORY POOLING AND
UNORTHODOX LOCATION,
ROOSEVELT COUNTY, NEW MEXICO

CASE NO. 9749

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The above described unit is to be dedicated to a well to be drilled to base of the Bluitt-San Andres Associated gas pool at a standard gas well location 990 feet from the North line and 990 feet from the East line of said Section 15. However, this location will be an unorthodox oil well location for said pool.

1. Applicant, OGS Operating Company, Inc. is a working interest owner in the N/2 of said Section 15.

2. Applicant has sought a voluntary agreement for the formation of a N/2 spacing unit for gas and a E/2NE/4 spacing unit for oil for the drilling, completing and production of the subject well but has been unable to obtain a voluntary agreement from the following parties:

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b) Tom L. Ingram: 13.5%
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Roswell, New Mexico 88202

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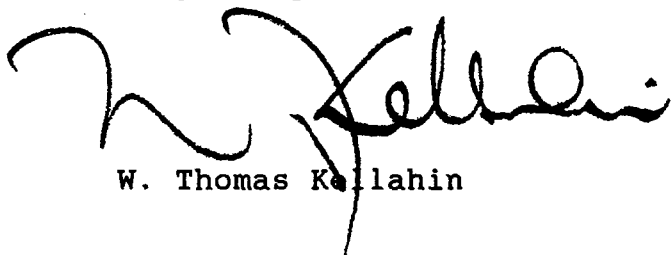
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AUG 15 1989

OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION OF
OGS OPERATING COMPANY, INC.
FOR COMPULSORY POOLING AND
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CASE NO. 9749

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N/2 of said section to form a standard 320-acre spacing and proration unit for any gas production from the Bluitt-San Andres Associated Pool, and E/2NE/4 of said section to form a standard 80-acre spacing and proration unit for any oil production from the Bluitt-San Andres Associated Pool.

The above described unit is to be dedicated to a well to be drilled to base of the Bluitt-San Andres Associated gas pool at a standard gas well location 990 feet from the North line and 990 feet from the East line of said Section 15. However, this location will be an unorthodox oil well location for said pool.

1. Applicant, OGS Operating Company, Inc. is a working interest owner in the N/2 of said Section 15.

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4. In order to obtain its just and equitable share of the potential production underlying the above tract, Applicant needs an order pooling the mineral interest involved in order to protect Applicant's correlative rights and prevent waste.

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

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

CASE NO. 9749
ORDER NO. R-_____

APPLICATION OF OGS OPERATING
COMPANY, INC. FOR COMPULSORY
POOLING AND AN UNORTHODOX OIL
WELL LOCATION, ROOSEVELT COUNTY,
NEW MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on September 6, 1989, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this _____ day of September, 1989, the Division Director, having considered the testimony, the record and the recommendations of the Examiner, and being fully advised in the premises,

FINDS THAT:

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

(2) The applicant, OGS Operating Company, Inc., seeks an order pooling all mineral interests in the Bluit-San Andres Associated Pool, underlying either the N/2 of Section 15, Township 8 South, Range 37 East, forming a standard 320-acre gas spacing and proration unit for said pool if gas is encountered or the E/2 NE/4 of said Section 15, forming a standard 80-acre oil spacing and proration unit for said pool if oil is encountered.

(3) Either unit to be dedicated to a well to be drilled 990 feet from the North and East lines (Unit A) of said Section 15, which is a non-standard oil well location and an unorthodox gas well location.

(4) There are interest owners in the proposed proration unit who have not agreed to pool their interests.

(5) To avoid the drilling of unnecessary wells, to protect correlative rights, to prevent waste and to afford to the owner of each interest in said unit the opportunity to recover or receive without unnecessary expense his just and

fair share of the oil or gas in said pool, the subject application should be approved by pooling all mineral interests, whatever they may be, within said unit.

(6) The applicant should be designated the operator of the subject well and unit.

(7) Any non-consenting working interest owner should be afforded the opportunity to pay his share of estimated well costs to the operator in lieu of paying this share of reasonable well costs out of production.

(8) Any non-consenting working interest owner who does not pay his share of estimated well costs should have withheld from production his share of reasonable well costs plus an additional _____ percent thereof as a reasonable charge for the risk involved in the drilling of the well.

(9) Any non-consenting interest owner should be afforded the opportunity to object to the actual well costs but that actual well costs should be adopted as the reasonable well costs in the absence of such objection.

(10) Following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs should pay to the operator any amount that reasonable well costs exceed estimated well costs and should receive from the operator any amount that paid estimated well costs exceed reasonable well costs.

(11) \$ _____ per month while drilling and \$ _____ per month while producing should be fixed as reasonable charges for supervision (combined fixed rates); the operator should be authorized to withhold from production the proportionate share of such supervision charges attributable to each non-consenting working interest, and in addition thereto, the operator should be authorized to withhold from production the proportionate share of actual expenditures required for operating the subject well, not in excess of what are reasonable, attributable to each non-consenting working interest.

(12) All proceeds from production from the subject well which are not disbursed for any reason should be placed in escrow to be paid to the true owner thereof upon demand and proof of ownership.

(13) Upon the failure of the operator of said pooled unit to commence drilling of the well to which said unit is dedicated on or before _____, the order pooling said unit should become null and void and of no further effect whatsoever.

(14) Should all the parties to this force-pooling reach voluntary agreement subsequent to entry of this order, this order should thereafter be of no further effect.

(15) The operator of the well and unit should notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the force-pooling provisions of this order.

IT IS THEREFORE ORDERED THAT:

(1) All mineral interests, whatever they may be, in the Bluitt-San Andres Associated Pool, underlying either the N/2 of Section 15, Township 8 south, Range 37 East NMPM, Roosevelt County, New Mexico, forming a standard 320-acre gas spacing and proration unit for said pool or the E/2 SE/4 of said Section 15, forming a standard 80-acre oil spacing and proration unit for said pool if oil is encountered are hereby pooled and are to be dedicated to a well to be drilled at an unorthodox gas well location 990 from the North and East lines (Unit A) of said Section 15. This location is standard for an oil well location.

PROVIDED HOWEVER THAT, the operator of said unit shall commence the drilling of said well on or before the ____ day of _____, 1989, and shall thereafter continue the drilling of said well with due diligence to a depth sufficient to test the Bluitt-San Andres Associated Pool.

PROVIDED FURTHER THAT, in the event said operator does not commence the drilling of said well on or before the ____ day of _____, 1989, Ordering Paragraph No. (1) of this order shall be null and void and of no effect whatsoever, unless said operator obtains a time extension from the Division for good cause shown.

PROVIDED FURTHER THAT, should said well not be drilled to completion, or abandonment, within 120 days after commencement thereof, said operator shall appear before the Division Director and show cause why Ordering Paragraph No. (1) of this order should not be rescinded.

(2) OGS Operating Company, Inc. is hereby designated the operator of the subject well and unit.

(3) After the effective date of this order and within 90 days prior to commencing said well, the operator shall furnish the Division and each known working interest owner in the subject unit an itemized schedule of estimated well costs.

(4) Within 30 days from the date of the schedule of estimated well costs is furnished to him, any non-consenting working interest owner shall have the right to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production, and any such owner who pays his share of estimated well costs as provided above shall remain liable for operating costs but shall not be liable for risk charges.

(5) The operator shall furnish the Division and each known working interest owner an itemized schedule of actual well costs within 90 days following completion of the well; that if no objection to the actual well costs is received

by the Division and the Division has not objected within 45-days following receipt of said schedule, the actual well costs shall be the reasonable well costs; provided however, if there is an objection to actual well costs within said 45-day period the Division will determine reasonable well costs after public notice and hearing.

(6) Within 60 days following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs in advance as provided above shall pay to operator his pro rata share of the amount that reasonable well costs exceed estimated well costs and shall receive from the operator his pro rata share of the amount that estimated well costs exceed reasonable well costs.

(7) The operator is hereby authorized to withhold the following costs and charges from production:

- (A) The pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within 30 days from the date the schedule of estimated well costs is furnished to him; and
- (B) As a charge for the risk involved in the drilling of the well, _____ percent of the pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within 30 days from the date the schedule of estimated well costs is furnished to him.

(8) The operator shall distribute said costs and charges withheld from production to the parties who advanced the well costs.

(9) \$ _____ per month while drilling and \$ _____ per month while producing are hereby fixed as reasonable charges for supervision (combined fixed rates); the operator is hereby authorized to withhold from production the proportionate share of such supervision charges attributable to each non-consenting working interest, and in addition thereto, the operator is hereby authorized to withhold from production the proportionate share of actual expenditures required for operating such well, not in excess of what are reasonable, attributable to each non-consenting working interest.

(10) Any unleased mineral interest shall be considered seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest for the purpose of allocating costs and charges under the terms of this order.

Case No. *
Order No. R- _____
Page No. 5

(11) Any well costs or charges which are to be paid out of production shall be withheld only from the working interest's share of production, and no costs or charges shall be withheld from production attributable to royalty interests.

(12) All proceeds from production from the subject well which are not disbursed for any reason shall be placed in escrow in Roosevelt County, New Mexico, to be paid to the true owner thereof upon demand and proof of ownership; the operator shall notify the Division of the name and address of said escrow agent within 30 days from the date of first deposit with said escrow agent.

(13) Should all the parties to this force-pooling reach voluntary agreement subsequent to entry of this order, this order shall thereafter be of no further effect.

(14) The operator of the well and unit shall notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the force-pooling provisions of this order.

(15) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

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

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

WILLIAM J. LEMAY
Director

S E A L

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

IN THE MATTER OF THE APPLICATION
OF OGS OPERATING COMPANY, INC. FOR
COMPULSORY POOLING
ROOSEVELT COUNTY, NEW MEXICO

CASE NO. 9749

CERTIFICATE OF MAILING

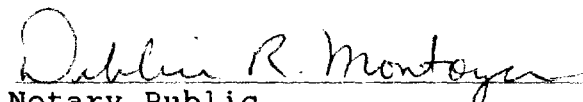
AND

COMPLIANCE WITH ORDER R-8054

In accordance with Division Rule 1207 (Order R-8054) I hereby certify that on August 15, 1989, I caused to be mailed by certified mail, return-receipt requested, notice of this hearing and a copy of the application for the above referenced case along with the cover letter, at least twenty days prior to the hearing set for October 4, 1989 to the parties shown in the application as evidenced by the attached copy of the return receipt cards.


W. Thomas Kellahin

SUBSCRIBED AND SWORN TO before me this ^{2nd} ~~21st~~ day of ^{October} ~~September~~, 1989.


Notary Public

My Commission Expires:

July 25, 1993

BEFORE EXAMINER STOGNER	
Oil Conservation Division	
06S	Exhibit No. <u>6</u>
Case No.	<u>9749</u>

Exhibit "A"

Great Western Drilling Company
509 N. Loraine
P.O. Box 1659
Midland, TX 79701

Hugh A. Moore
P.O. Box 51453
Lafayette, LA 70505

George R. and Bettijo H. White
P.O. Box 52346
Lafayette, LA 70505

A.B. and Janet D. Sam
P.O. Box 1736
Midland, TX 79702

Morris Mizel 1986 Partners
6560 East 41st Street
Tulsa, OK 74145

The Wiser Oil Company
Box 192
Sisterville, W. VA 26175

Earl A. Latimer
1802 West 4th Street
Roswell, NM 88202

Murphy Operating Corporation
United Bank Plaza
Suite 300
400 N. Pennsylvania Ave.
Box 2164
Roswell, NM 88201

Tom L. and Joan L. Ingram
Box 1757
Roswell, NM 88202

J.E. and Drusilla C. Cieszinski
Box 3047
Roswell, NM 88201

Walter Duncan, Inc.
100 Park Avenue Bldg.
Suite 1200
Oklahoma City, OK 73102

A.J. Hammer Estate:
Mary Hammer
Deanna Christensen
David M. Hammer
Robert J. Hammer
Mary K. Hammer

454 South Main Street
Springfield, MO 65806

106 East Virginia
Effingham, IL 62401

Box 482
Effingham, IL 62401

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
Great Western Drilling Co.
509 N. Lorraine
P.O. Box 1659
Midland, TX 79701

4. Article Number
P155 279 082

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)
Box 1659
MIDLAND, TX 79702

5. Signature - Agent
X

6. Signature - Agent
X

7. Date of Delivery
AUG 25 1988

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
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3. Article Addressed to:
Hugh A. Moore
P.O. Box 51453
Lafayette, LA 70505

4. Article Number
P155 279 081

Type of Service:
☒ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Agent
X

6. Signature - Agent
X

7. Date of Delivery
8-25-88

Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

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Great Western Drilling Co
P.O. Box 1659
Midland, TX 79701

4. Article Number
P155 278 651

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

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5. Signature - Agent
X

6. Signature - Agent
X

7. Date of Delivery
SEP - 6 1989

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Hugh A. Moore
P.O. Box 51453
Lafayette, LA 70505

4. Article Number
P155 278 652

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

8. Addressee's Address (ONLY if requested and fee paid)

5. Signature - Agent
X

6. Signature - Agent
X

7. Date of Delivery
9-6-89

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: George R. & Bettiejo White
P.O. Box 52346
Lafayette, LA 70505

4. Article Number P 155 278 653

Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address WTK/OGS/9749

6. Signature - Agent *W. Smith*

7. Date of Delivery *9-8-89*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: A.B. & Janet D. Sam
P.O. Box 1736
Midland, TX 79702

4. Article Number P155 279 079

Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address WTK/OGS/FP

6. Signature - Agent *W. Smith*

7. Date of Delivery *8-31-89*

8. Addressee's Address (ONLY if requested and fee paid) Bx 1736

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete item 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: A.B. & Janet D. Sam
P.O. Box 1736
Midland, TX 79702

4. Article Number P 155 278 654

Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address WTK/OGS/FP

6. Signature - Agent *W. Smith*

7. Date of Delivery *SEP - 6 1989*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Morris Mizel 1986 Partners
6560 East 41st Street
Tulsa, OK 74145

4. Article Number P155 278 630

Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address WTK/OGS/FP

6. Signature - Agent *W. Smith*

7. Date of Delivery *8-24-89*

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
Morris Mizel 1986 Partners
6560 East 41st Street
Tulsa, OK 74145
WTK/OGS/9749

4. Article Number
P 155 278 655

Type of Service: ☐ Registered ☐ Insured ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

5. Signature - Address
X *Deane Thompson*
Date of Delivery
9-5-89

6. Signature - Agent
X *Deane Thompson*
Date of Delivery
9-5-89

7. Date of Delivery
9-5-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
The Wiser Oil Company
Box 192
Sisterville, W. VA 26175

4. Article Number
P 155 277 838

Type of Service: ☐ Registered ☐ Insured ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

5. Signature - Address
X *WTK/OGS/FP*
Date of Delivery
9-5-89

6. Signature - Agent
X *WTK/OGS/FP*
Date of Delivery
9-5-89

7. Date of Delivery
9-5-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
The Wiser Oil Company
Box 192
Sisterville, W VA 26175
WTK/OGS/9749

4. Article Number
P 155 278 656

Type of Service: ☐ Registered ☐ Insured ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

5. Signature - Address
X *WTK/OGS/FP*
Date of Delivery
9-5-89

6. Signature - Agent
X *WTK/OGS/FP*
Date of Delivery
9-5-89

7. Date of Delivery
9-5-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to:
Earl A. Latimer
1802 W. 4th Street
Roswell, NM 88202

4. Article Number
P 155 277 587

Type of Service: ☐ Registered ☐ Insured ☐ COD ☐ Return Receipt for Merchandise ☐ Express Mail

5. Signature - Address
X *WTK/OGS/FP*
Date of Delivery
9-5-89

6. Signature - Agent
X *WTK/OGS/FP*
Date of Delivery
9-5-89

7. Date of Delivery
9-5-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Earl A. Latimer 1802 West 4th Street Roswell, NM 88202 WTK/OGS/9749		4. Article Number P 155 278 657
5. Signature - Address <i>Earl A. Latimer</i>		Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature of Agent <i>Blair McArthur</i>		8. Addressee's Address (ONLY if requested and fee paid) <i>FREE NO T</i>
7. Date of Delivery <i>9-8-89</i>		Always obtain signature of addressee or agent and DATE DELIVERED.

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Murphy Operating Corp. Box 2164 Roswell, NM 88201 WTK/OGS/9749		4. Article Number P 155 278 658
5. Signature - Address <i>Blair McArthur</i>		Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature of Agent <i>Blair McArthur</i>		8. Addressee's Address (ONLY if requested and fee paid) <i>FREE NO T</i>
7. Date of Delivery <i>9-8-89</i>		Always obtain signature of addressee or agent and DATE DELIVERED.

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Murphy Operating Corp. United Bank Plaza Suite 300 400 N. Pennsylvania Ave. Box 2164 Roswell, NM 88201		4. Article Number P 155 277 615
5. Signature - Address <i>Blair McArthur</i>		Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature of Agent <i>Blair McArthur</i>		8. Addressee's Address (ONLY if requested and fee paid) RECEIVED AUG 25 1989
7. Date of Delivery <i>8-24-89</i>		Always obtain signature of addressee or agent and DATE DELIVERED.

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.
1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Tom Ingram Box 1757 Roswell, NM 88202 WTK/OGS/CP & UI		4. Article Number P 155 278 649
5. Signature - Address <i>Blair McArthur</i>		Type of Service: <input checked="" type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
6. Signature of Agent <i>Blair McArthur</i>		8. Addressee's Address (ONLY if requested and fee paid) <i>FREE NO T</i>
7. Date of Delivery <i>8-18-89</i>		Always obtain signature of addressee or agent and DATE DELIVERED.

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Tom L. & Joan L. Ingram
Box 1757
Roswell, NM 88202

4. Article Number: P155 277 601

Type of Service: ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address: *Tom L. Ingram*

6. Signature - Agent: *Joan L. Ingram*

7. Date of Delivery: 8-23-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: J.E. & Drusilla C. Cieszinski
Box 3047
Roswell, NM 88201

4. Article Number: P 955 861 861

Type of Service: ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address: *J.E. & Drusilla C. Cieszinski*

6. Signature - Agent: *WTK/OGS*

7. Date of Delivery: 8-6-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Tom L. & Joan L. Ingram
Box 1757
Roswell, NM 88202

4. Article Number: P 155 278 659

Type of Service: ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address: *Tom L. Ingram*

6. Signature - Agent: *Joan L. Ingram*

7. Date of Delivery: 8-23-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: J.E. & Drusilla C. Cieszinski
Box 3047
Roswell, NM 88201

4. Article Number: P155 277 552

Type of Service: ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Address: *J.E. & Drusilla C. Cieszinski*

6. Signature - Agent: *WTK/OGS*

7. Date of Delivery: 8-6-89

8. Addressee's Address (ONLY if requested and fee paid)

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Walter Duncan, Inc. 100 Park Ave. Bldg. Suite 1200 Oklahoma City, OK 73102 WTK/OGS/FP	4. Article Number P155278 660 Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Address X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>Wm. D. Sherman</i>	
7. Date of Delivery 8/24/89	73102 100 Park Ave

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: Walter Duncan, Inc. 100 Park Avenue Bldg Suite 1200 Oklahoma City, OK 73102 WTK/Ogs?9749	4. Article Number P 955 861 862 Type of Service: <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> COD <input type="checkbox"/> Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature - Address X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>Wm. D. Sherman</i>	
7. Date of Delivery 8-5-89	STANC

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P 955 861 865

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, June 1985

Sent to A.J. Hammer Estate	
Box No. 200	
Effingham, IL 62401	
P.O. State and ZIP Code	
Postage	\$.25
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.90
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$2.00
Postmark or Date AUG 31 1989	
WTK/OGS/9749	

P 955 861 863

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, June 1985

Sent to A.J. Hammer Estate	
Box No. 454 S. Main St	
Springfield, MO 65806	
P.O. State and ZIP Code	
Postage	\$.25
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.90
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$2.00
Postmark or Date AUG 31 1989	
WTK/OGS/9749	

P 955 861 864

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

PS Form 3800, June 1985

Sent to A.J. Hammer Estate	
Box No. 600 Virginia	
Effingham, IL 62401	
P.O. State and ZIP Code	
Postage	\$.25
Certified Fee	.90
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.85
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$2.00
Postmark or Date AUG 31 1989	
WTK/OGS/9749	

P 155 278 649

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to	
Tom Ingram	
Street and No.	
Box 1757	
P.O., State and ZIP Code	
Roswell, NM 88202	
Postage	\$
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.90
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	
WTK/OGS/CP & UL	

PS Form 3800, June 1985

P 155 278 648

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to	
A.J. Hammer Estate	
Street and No.	
Box 482	
Effingham, IL 62401	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.90
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	
WTK/OGS/CP & UL	

PS Form 3800, June 1985

P 155 278 647

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to	
A.J. Hammer Estate	
Street and No.	
106 East Virginia	
Effingham, IL 62401	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.90
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date	
WTK/OGS/ CP & UL	

PS Form 3800, June 1985

P 155 278 646

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
(See Reverse)

Sent to	
A.J. Hammer Estate	
Street and No.	
454 South Main Street	
Springfield, MO 65806	
P.O., State and ZIP Code	
Postage	\$.45
Certified Fee	.85
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	.90
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$ 2.00
Postmark or Date	
WTK/OGS/UL & CP	

PS Form 3800, June 1985

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

IN THE MATTER OF THE HEARING
CALLED BY THE OIL CONSERVATION
DIVISION FOR THE PURPOSE OF
CONSIDERING:

CASE NO. 9749
Order No. R-9034

APPLICATION OF OGS OPERATING
COMPANY, INC. FOR COMPULSORY
POOLING AND AN UNORTHODOX OIL
WELL LOCATION, ROOSEVELT
COUNTY, NEW MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on October 4, 1989, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this 3rd day of November, 1989, the Division Director, having considered the testimony, the record and the recommendations of the Examiner, and being fully advised in the premises,

FINDS THAT:

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

(2) The applicant, OGS Operating Company, Inc., seeks an order pooling all mineral interests in the Bluitt-San Andres Associated Pool, underlying either the N/2 of Section 15, Township 8 South, Range 37 East, NMPM, Roosevelt County, New Mexico, forming a standard 320-acre gas spacing and proration unit for said pool if gas is encountered or the E/2 NE/4 of said Section 15, forming a standard 80-acre oil spacing and proration unit for said pool if oil is encountered.

(3) The applicant has the right to drill and proposes to drill a well at a well location 990 feet from the North and East lines (Unit A) of said Section 15, which is a standard gas well location for the 320-acre unit and a non-standard location for the 80-acre unit.

(4) There are interest owners in the proposed proration units who have not agreed to pool their interests.

(5) The rules and regulations governing the Bluitt-San Andres Associated Pool (Division Order No. R-5353, as amended) require oil wells to be spaced on 80-acre units with oil wells to be located within 150 feet of the center of a quarter-quarter section and that gas wells be spaced on 320-acre units with gas wells to be located not closer than 990 feet to the quarter section line nor closer than 330 feet to any quarter-quarter section line.

(6) Said rules make the drilling of a well to the San Andres formation in the E/2 NE/4 of said Section 15 impossible to be standard for both an oil and a gas well.

(7) No interested or affected party appeared or objected to the unorthodox well location request of this application.

(8) To avoid the drilling of unnecessary wells, to protect correlative rights, to prevent waste and to afford to the owner of each interest in said units the opportunity to recover or receive without unnecessary expense his just and fair share of the oil or gas in said pool, the subject application should be approved by pooling all mineral interests, whatever they may be, within either of said units.

(9) The applicant should be designated the operator of the subject well and respective unit.

(10) Any non-consenting working interest owner should be afforded the opportunity to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production.

(11) Any non-consenting working interest owner who does not pay his share of estimated well costs should have withheld from production his share of reasonable well costs plus an additional 200 percent thereof as a reasonable charge for the risk involved in the drilling of the well.

(12) Any non-consenting interest owner should be afforded the opportunity to object to the actual well costs but actual well costs should be adopted as the reasonable well costs in the absence of such objection.

(13) Following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs should pay to the operator any amount that reasonable well costs exceed estimated well costs and should receive from the operator any amount that paid estimated well costs exceed reasonable well costs.

(14) \$3000.00 per month while drilling and \$300.00 per month while producing should be fixed as reasonable charges for supervision (combined fixed rates); the operator should be authorized to withhold from production the proportionate share of such supervision charges attributable to each non-consenting working interest, and in addition thereto, the operator should be authorized to withhold from production the proportionate share of actual expenditures required for operating the subject well, not in excess of what are reasonable, attributable to each non-consenting working interest.

(15) All proceeds from production from the subject well which are not disbursed for any reason should be placed in escrow to be paid to the true owner thereof upon demand and proof of ownership.

(16) Upon the failure of the operator of said pooled unit to commence drilling of the well to which said unit is dedicated on or before January 1, 1990, the order pooling said unit should become null and void and of no further effect whatsoever.

(17) Should all the parties to this force-pooling reach voluntary agreement subsequent to entry of this order, this order should thereafter be of no further effect.

(18) The operator of the well and unit should notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the force-pooling provisions of this order.

IT IS THEREFORE ORDERED THAT:

(1) All mineral interests, whatever they may be, in the Bluit-San Andres Associated Pool, underlying all or the appropriate part of the N/2 of Section 15, Township 8 South, Range 37 East, NMPM, Roosevelt County, New Mexico, are hereby pooled to form either a standard 320-acre gas spacing and proration unit for said pool if gas is encountered or, in the alternative, the E/2 NE/4 of said Section 15, to form a

standard 80-acre oil spacing and proration unit for said pool if oil is encountered, to be dedicated to a well to be drilled at a location 990 feet from the North and East lines (Unit A) of said Section 15 which is a standard gas well location for the 320-acre unit and an unorthodox oil well location for the 80-acre unit.

PROVIDED HOWEVER THAT, the operator of whichever unit is dedicated shall commence the drilling of said well on or before the 1st day of January, 1990, and shall thereafter continue the drilling of said well with due diligence to a depth sufficient to test the Bluit-San Andres Associated Pool.

PROVIDED FURTHER THAT, in the event said operator does not commence the drilling of said well on or before the 1st day of January, 1990, Ordering Paragraph No. (1) of this order shall be null and void and of no effect whatsoever, unless said operator obtains a time extension from the Division for good cause shown.

PROVIDED FURTHER THAT, should said well not be drilled to completion, or abandonment, within 120 days after commencement thereof, said operator shall appear before the Division Director and show cause why Ordering Paragraph No. (1) of this order should not be rescinded.

(2) OGS Operating Company, Inc. is hereby designated the operator of the subject well and respective unit.

(3) After the effective date of this order and within 90 days prior to commencing said well, the operator shall furnish the Division and each known working interest owner in the respective unit an itemized schedule of estimated well costs.

(4) Within 30 days from the date the schedule of estimated well costs is furnished to him, any non-consenting working interest owner shall have the right to pay his share of estimated well costs to the operator in lieu of paying his share of reasonable well costs out of production, and any such owner who pays his share of estimated well costs as provided above shall remain liable for operating costs but shall not be liable for risk charges.

(5) The operator shall furnish the Division and each known working interest owner an itemized schedule of actual well costs within 90 days following completion of the well; if no objection to the actual well costs is received by the Division and the

Division has not objected within 45 days following receipt of said schedule; the actual well costs shall be the reasonable well costs; provided however, if there is an objection to actual well costs within said 45-day period the Division will determine reasonable well costs after public notice and hearing.

(6) Within 60 days following determination of reasonable well costs, any non-consenting working interest owner who has paid his share of estimated costs in advance as provided above shall pay to the operator his pro rata share of the amount that reasonable well costs exceed estimated well costs and shall receive from the operator his pro rata share of the amount that estimated well costs exceed reasonable well costs.

(7) The operator is hereby authorized to withhold the following costs and charges from production:

(A) The pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within 30 days from the date the schedule of estimated well costs is furnished to him; and

(B) As a charge for the risk involved in the drilling of the well, 200 percent of the pro rata share of reasonable well costs attributable to each non-consenting working interest owner who has not paid his share of estimated well costs within 30 days from the date the schedule of estimated well costs is furnished to him.

(8) The operator shall distribute said costs and charges withheld from production to the parties who advanced the well costs.

(9) \$3000.00 per month while drilling and \$300.00 per month while producing are hereby fixed as reasonable charges for supervision (combined fixed rates); the operator is hereby authorized to withhold from production the proportionate share of such supervision charges attributable to each non-consenting working interest, and in addition thereto, the operator is hereby authorized to withhold from production the proportionate share of actual expenditures required for operating such well, not in excess of what are reasonable, attributable to each non-consenting working interest.

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Case No. 9749

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(10) Any unleased mineral interest shall be considered a seven-eighths (7/8) working interest and a one-eighth (1/8) royalty interest for the purpose of allocating costs and charges under the terms of this order.

(11) Any well costs or charges which are to be paid out of production shall be withheld only from the working interest's share of production, and no costs or charges shall be withheld from production attributable to royalty interests.

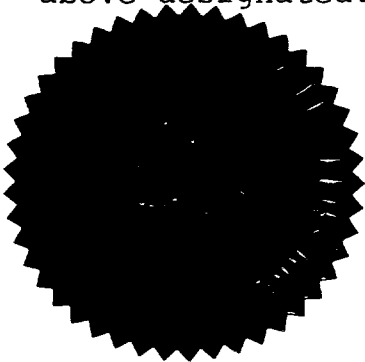
(12) All proceeds from production from the subject well which are not disbursed for any reason shall be placed in escrow in Roosevelt County, New Mexico, to be paid to the true owner thereof upon demand and proof of ownership; the operator shall notify the Division of the name and address of said escrow agent within 30 days from the date of first deposit with said escrow agent.

(13) Should all the parties to this force-pooling reach voluntary agreement subsequent to entry of this order, this order shall thereafter be of no further effect.

(14) The operator of the well on the respective unit shall notify the Director of the Division in writing of the subsequent voluntary agreement of all parties subject to the force-pooling provisions of this order.

(15) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.

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



S E A L

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STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

WILLIAM J. LEMAY
Director