STATE OF NEW MEXICO

ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION

IN THE MATTER OF THE APPLICATION OF ANADARKO PETROLEUM CORPORATION FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO

CASE NO. 10105

CERTIFICATE OF MAILING

AND

COMPLIANCE WITH ORDER R-8054

In Accordance with Division Rule 1207 (Order R-8054), I hereby certify that on September 12, 1990 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 17, 1990, to the parties shown in the Application as evidenced by the attached copies of return receipt cards.

Candace Hamann Callahan

SUBSCRIBED AND SWORN to before me this 17th day of October, 1990.

Notary Public

My Commission Expires:

Sept. 10, 1994

SENDER: Complete items 1 and 2 when additional: 3 and 4. Put your address in the "RETURN TO" Space on the reverse: from being returned to you. The return receipt fee will provide the date of delivery. For additional fees the following services and check box(es) for additional service(s) requested. 1. Show to whom delivered, date, and addressee's additional services.	side. Failure to do this will prevent this card you the name of the person delivered to and s are available. Consult postmaster for fees
3. Article Addressed to:	Article Number
Union Texas Petroleum Corp.	P 572 125 097
P.O. Box 2120	Type of Service:
Houston, TX 77252-2120	Registered Insured
Attn: Lael Henning	COD Return Receipt
Re: Anadarko FP Loco Hills	Express Mail Heturn Receipt for Merchandise
·	Always obtain signature of addressee
(WTK)	or agent and DATE DELIVERED.
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X SOUNCE SE	8. Addresses's Address (ONLY if requestional fee paid)
6. Signature - Agent	
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7. Date of Delivery SEP 15 199	
PS Form 3811, Apr. 1989 *U.S.G.P.O. 1989-238-815	DOMESTIC RETURN RECEIPT
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STATE OF NEW MEXICO



ENERGY AND MINERALS DEPARTMENT

OIL CONSERVATION DIVISION

GARREY CARRUTHERS
GOVERNOR

Other____

October 29, 1990

POST OFFICE BOX 2088 STATE LAND OFFICE BUILD(## SANTA FE, NEW MEXICO (875)) (505) 827-5800

Ms. Candace Callahan Re: Kellahin, Kellahin & Aubrey Attoreneys at Law Post Office Box 2265 Santa Fe, New Mexico	CASE NO. 10105 ORDER NO. R-9335
	Applicant:
	Anadarko Petroleum Corporation
Dear Madam:	
Enclosed herewith are two copi	
Sincerely,	
Florene Clavidso	٠ ك
FLORENE DAVIDSON OC Staff Specialist	
	•
Copy of order also sent to:	
Hobbs OCD x Artesia OCD x Aztec OCD	

138 NSU 16 AN 9 08



November 13, 1990

CERTIFIED MAIL

Working Interest Owners (Address List Attached)

Re: Case No. 10105 Order No. R-9335

Anadarko Bogart Fed Com #1 W/2 Section 28, T17S-R30E, Eddy County, New Mexico APC #3-47-30-015-0017-00

Gentlemen:

In accordance with the provisions of Order No. R-9335, after the effective date of the order and within 90 days prior to commencing the referenced well, each working interest owner in the W/2 Section 28, T17S-R30E is to be furnished an itemized schedule of estimated costs. We enclose for each of you a copy of Order R-9335 and a copy of our AFE for the drilling of the Bogart Fed Com #1.

Yours very truly,

Michael R. Goode Division Landman

MRG/jad Enclosures

cc: State of New Mexico
Oil Conservation Division
P. O. Box 2088
Santa Fe, NM 87504

Stan Shoemaker - H.G.O.

Kellahin, Kellahin and Aubrey P. O. Box 2265 Santa Fe, NM 87504-2265

Address List

Bogart Fed Com #1 W/2 Section 28, T17S-R30E, Eddy County, New Mexico

Weller Energy, Inc. P. O. Box 1388 E. Orleans, MA 02643

Phillips Oil Company 4001 Penbrook Odessa, TX 79762 Attn: Frank Hulse

Union Texas Petroleum Corporation P. O. Box 2120 Houston, TX 77252-2120 Attn: Lael Henning

Pacific Enterprises Oil Company (USA)
P. O. Box 3083
Midland, TX 79702-3083
Attn: Terry Gant

Enron Oil & Gas Company P. O. Box 2267 Midland, TX 79702 Attn: Patrick Tower

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. 10105 ORDER NO. R-9335

APPLICATION OF ANADARKO PETROLEUM CORPORATION FOR COMPULSORY POOLING, EDDY COUNTY, NEW MEXICO.

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on October 17, 1990, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this 26th day of October, 1990, 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, Anadarko Petroleum Corporation, seeks an order pooling all mineral interests from the top of the Wolfcamp formation to the base of the Pennsylvanian formation or to a depth of 11,500 feet, whichever is deeper, underlying the W/2 of Section 28, Township 17 South, Range 30 East, NMPM, Eddy County, New Mexico, forming a standard 320-acre gas spacing and proration unit within said vertical extent which presently includes but is not necessarily limited to the Undesignated Loco Hills-Atoka Gas Pool, Undesignated Cedar Lake-Morrow Gas Pool, Undesignated Loco Hills-Morrow Gas Pool and Undesignated South Loco Hills-Morrow Gas Pool.
- (3) The applicant has the right to drill and proposes to drill its Bogart Federal Com Well No. 1 at a standard gas well location thereon.

- (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 gas in any pool resulting from this order, 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 his 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 200 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 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) \$5800.00 per month while drilling and \$500.00 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.

- (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 January 15, 1991, 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, from the top of the Wolfcamp formation to the base of the Pennsylvanian formation, or to a depth of 11,500 feet, whichever is deeper, underlying the W/2 of Section 28, Township 17 South, Range 30 East, NMPM, Eddy County, New Mexico, are hereby pooled to form a standard 320-acre gas spacing and proration unit within said vertical extent which presently includes but is not necessarily limit to the Undesignated Loco Hills-Atoka Gas Pool, Undesignated Cedar Lake-Morrow Gas Pool, Undesignated Loco Hills-Morrow Gas Pool and Undesignated South Loco Hills-Morrow Gas Pool. Said unit is to be dedicated to its Bogart Federal Com Well No. 1 to be drilled at a standard gas well location thereon.

PROVIDED HOWEVER THAT, the operator of said unit shall commence the drilling of said well on or before the 15th day of January, 1991, and shall thereafter continue the drilling of said well with due diligence to a depth of 11,500 feet, or to the base of the Pennsylvanian formation, whichever is deeper.

PROVIDED FURTHER THAT, in the event said operator does not commence the drilling of said well on or before the 15th day of January, 1991, Decretory 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 Decretory Paragraph No. (1) of this order should not be rescinded.

- (2) Anadarko Petroleum Corporation 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 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) \$5800.00 per month while drilling and \$500.00 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.
- (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 Eddy 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 subject 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. LEWAY

Director

SEAL



∞(2)	DIV(2) AFE	NO(4)/(4) L	OCATION NO(7)	DATE-MO/DAY/YR(6)
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O/S OPERATOR AFE# SECTION~IC	MINSHIP-RANGE-[MES OF LOC (2.	3) COUNTY	$(13) \qquad \bigcirc \bigcirc \bigcirc (3)$
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PHILLIPS OIL CO.	0.125000			
ENRON OIL & GAS CO.	0.046528			
ENRON OIL & GAS CO. UNION TEXAS EXPLORATION CORE	0.046527			
PACIFIC ENTERPRISES OIL CO(U	SA) 0.031945	COPPANY RE	NEWTR TWINSEAL	0.457031
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2040	CEMENT AND CEMENTING			26,300	20,700	47,000
2050	FORMATION EVALUATION			24,300		24,300
2060	COMPLETION				30,000	30,000
2070	OTHER TOOLS AND RENTALS			1,000	1,000	2,000
2080	TRANSPORTATION, TRUCKING AND	HAULING		2,000	1,500	3,500
2090	CONTRACT SERVICES			500	500	1,000
2100	COMPANY SUPERVISION			6,000	1,500	<u>7,500</u>
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#### STATE OF NEW MEXICO



## ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION

BRUCE KING GOVERNOR January 11, 1991

POST OFFICE BOX 2088 STATE LAND OFFICE BUILDING SANTA FE. NEW MEXICO 87504 (505) 827-5800

Ms. Candace Hamann Callahan Kellahin, Kellahin & Aubrey Attorneys at Law Post Office Box 2265 Santa Fe, New Mexico 87504-2265

Dear Ms. Callahan:

Based upon your letter of January 10, 1991, and in accordance with the provisions of Division Order No. R-9335, Anadarko Petroleum Corporation is hereby granted an extension of time in which to begin the well on the unit pooled by said order until March 1, 1991.

Sincerely,

WILLIAM J. LEMAY Director

WJL/fd

cc: Case File 10105

Oil Conservation Division - Artesia

## KELLAHIN, KELLAHIN AND AUBREY

ATTORNEYS AT LAW

EL PATIO BUILDING

W. THOMAS KELLAHIN KAREN AUBREY 117 NORTH GUADALUPE POST OFFICE BOX 2265 TELEPHONE (505) 982-4285 TELEFAX (505) 982-2047

CANDACE HAMANN CALLAHAN

SANTA FE, NEW MEXICO 87504-2265

JASON KELLAHIN OF COUNSEL

January 10, 1991

RECEIVED

JA1. 7

HAND DELIVERED

State of New Mexico Oil Conservation Division Post Office Box 2088 Santa Fe, New Mexico 87504 OIL CONSERVATION DIVISION

ĩ

Attention: Michael Stogner

Re: Case No. 10105 Order No. R-9335

Anadarko Bogart Fed Com #1

W/2 Section 28, T. 17 S., R. 30 E.

Eddy County, New Mexico APC #3-47-30-015-0017-00

Gentlemen:

Anadarko Petroleum Corporation, applicant in the referenced case, respectfully requests an extension of time within which to commence the well to be drilled under Order No. R-9335 until on or before March 1, 1990. This extension is necessary because Anadarko was recently informed that the rig scheduled for this well will not be available; therefore, Anadarko requires an additional amount of time to locate a substitute rig to drill this well.

If you require additional information, please let us know.

≪andace Hamann Callahan

CHC/tic

State of New Mexico Oil Conservation Division January 10, 1991 Page 2

xc: Michael R. Goode Division Landman

Anadarko Petroleum Corporation

Post Office Box 2497 Midland, Texas 79702