

STATE OF NEW MEXICO  
ENERGY AND MINERALS DEPARTMENT  
OIL CONSERVATION DIVISION

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

Case 8678  
Order No. R-7983-B

APPLICATION OF WILTON SCOTT TO  
VACATE AND VOID DIVISION ORDER  
NO. R-7983, AS AMENDED, LEA  
COUNTY, NEW MEXICO.

RECEIVED

OCT 4 1983

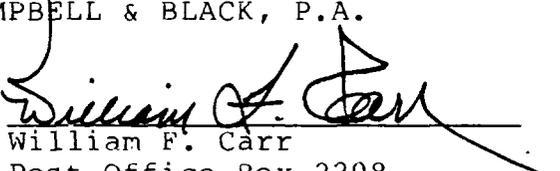
OIL CONSERVATION DIVISION

APPLICATION OF UNION TEXAS PETROLEUM  
CORPORATION FOR A HEARING DE NOVO

Pursuant to Rule 1220 of the Rules and Regulations of the  
New Mexico Oil Conservation Division, Union Texas Petroleum  
Corporation, as an adversely affected party, applies for a De  
Novo hearing in this matter before the full Commission.

CAMPBELL & BLACK, P.A.

By

  
William F. Carr  
Post Office Box 2208  
Santa Fe, New Mexico 87501  
(505) 988-4421

ATTORNEYS FOR UNION TEXAS  
PETROLEUM CORPORATION

RECEIVED

AUG 2 1985

STATE OF NEW MEXICO  
DEPARTMENT OF ENERGY AND MINERALS CONSERVATION DIVISION  
OIL CONSERVATION DIVISION.

IN THE MATTER OF THE APPLICATION  
OF WILTON SCOTT TO VACATE AND VOID  
DIVISION ORDER R-7983, LEA COUNTY,  
NEW MEXICO.

No. 8678

APPLICATION

Applicant states:

1. Applicant (this applicant) is an affected and an aggrieved person with respect to the issuance of Division Order R-7983, which was entered by the Division on July 12, 1985 pursuant to a hearing held on May 8, 1985, in Case No. 8595.

2. Order R-7983, among other things, establishes temporary special pool rules and regulations for the Northeast Caudill-Wolfcamp Pool (pool) for a period of one year.

3. That such temporary special pool rules provide for eighty (80) - acre spacing.

4. That Order R-7983 provides for an effective date retroactive to June 1, 1985, without apparent justification to conservation of oil and gas.

5. This applicant is a working interest owner of lands within the pool and is adversely affected by the establishment of eighty (80) - acre spacing.

6. Upon information and belief, the applicant under Order R-7983, for itself or for others, obtained said order for the sole and only purpose of holding undrilled acreage

under farmout and other agreements affecting lands in the pool which, but for the order and its effective date, would have reverted to this applicant.

7. That the current operator of the Scott No. 1 well in Section 1, Township 15 South, Range 36 East also has a substantial interest in the Gilliam No. 1 well in Section 2, Township 15 South, Range 36 East.

8. That the applicant in Case 8595 knew or had reason to know that this applicant opposed eighty (80) - acre spacing.

9. That previous Case 8070, filed by the previous operator of the Scott No. 1 well, requested, among other things, eighty (80) - acre spacing; that counsel for the applicant in that case and in the subject case were the same.

10. That in conjunction with Case 8070 another case was filed by the applicant of Case 8070 for compulsory pooling to pool this applicant's interest under the, then, proposed eighty (80) - acre spacing rules.

11. That this applicant was given notice of the foregoing compulsory pooling application on the basis that this applicant, through undersigned counsel, had notified the applicant under Case 8070 of his intentions to oppose eighty (80) - acre spacing as proposed in Case 8070.

12. The economic analyses given by the applicant resulting in Order R-7983 are erroneous and misleading.

13. The Scott No. 1 well in Section 1 paid out in four months making the drilling of wells in the pool economic on

14. That the record of Case No. 8595 indicates that reservoir waste will occur if eighty (80) - acre spacing is implimented in the pool.

15. Applicant's correlative rights are impaired by establishment of eighty (80) - acre spacing in the pool.

16. Order R-7983 was obtained without actual notice to applicant.

17. Order R-7983 is confiscatory, violates this applicant's due process rights, and is unconstitutional.

WHEREFORE, applicant requests that this application be set for hearing and that after hearing the division enter a order vacating, voiding and setting aside Order R-7983 insofar as it grants eighty (80) - acre spacing and for another other relief that the division deems appropriate under the circumstances.

Respectfully submitted,

PADILLA & SNYDER

By: 

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing application was mailed to:

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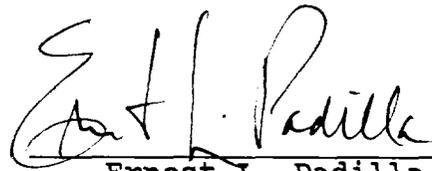
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