

1 STATE OF NEW MEXICO
2 ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
3 OIL CONSERVATION DIVISION
4 STATE LAND OFFICE BUILDING
5 SANTA FE, NEW MEXICO

6
7
8 22 June 1988

9 EXAMINER HEARING

10 IN THE MATTER OF:

11 Application of Anadarko Petroleum Corporation for compulsory pooling and unorthodox oil well location, Lea County, New Mexico. CASE 9417

12
13 BEFORE: Michael E. Stogner, Examiner

14
15 A P P E A R A N C E S

16
17 For the Division: Robert G. Stovall
18 Attorney at Law
19 Legal Counsel to the Division
20 State Land Office Bldg.
21 Santa Fe, New Mexico

22 For Anadarko Petroleum Corporation: W. Thomas Kellahin
23 Attorney at Law
24 KELLAHIN, KELLAHIN & AUBREY
25 P. O. Box 2265
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For Amerada Hess: William F. Carr
Attorney at Law
CAMPBELL & BLACK, P.A.
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I N D E X

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STATEMENT BY MR. KELLAHIN

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WAYNE WHEELIS

Direct Examination by Mr. Kellahin

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Cross Examination by Mr. Stogner

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STEPHEN RUHL

Direct Examination by Mr. Kellahin

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Cross Examination by Mr. Stogner

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E X H I B I T S

Anadarko Exhibit One, Letter, etc.

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Anadarko Exhibit Two, Letter, etc.

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Anadarko Exhibit Three, AFE

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Anadarko Exhibit Four, Map

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Anadarko Exhibit Five, Type Log

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Anadarko Exhibit Six, Structure Map

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1 MR. STOGNER: Call next Case
2 9417, which is the application of Anadarko Petroleum Cor-
3 poration for compulsory pooling and unorthodox oil well
4 location, Lea County, New Mexico.

5 Call for appearances in this
6 case.

7 MR. KELLAHIN: Mr. Examiner,
8 I'm Tom Kellahin of the law firm Kellahin, Kellahin &
9 Aubrey, Santa Fe, appearing on behalf of Anadarko Petroleum
10 Corporation.

11 We have two witnesses.

12 MR. STOGNER: Any other ap-
13 pearances in this matter?

14 MR. CARR: May it please the
15 Examiner, my name is William F. Carr, with the law firm
16 Campbell & Black, P. A., of Santa Fe. We represent Amer-
17 ada Hess.

18 MR. STOGNER: Do you have any
19 witnesses, Mr. Carr?

20 MR. CARR: We do not intend t
21 call a witness.

22 MR. STOGNER: All right, Mr.
23 Kellahin, you may proceed.

24 MR. KELLAHIN: Mr. Examiner,
25 we're seeking to accomplish two things with this applica-

1 tion, one of which is to have the 40-acre tract location
2 for this oil well approved as an unorthodox location.

3 In addition, we're seeking to
4 pool two remaining parties that we're unable to locate.

5 When we filed the applica-
6 tion in May for hearing there were four parties, a
7 Mr. Randolph, a Mr. Renocourt, and a Mr. Balband, along with
8 Amerada Hess, that had not agreed to participate.

9 Subsequent to filing the
10 application we have obtained a lease from Mr. Randolph and
11 we have, as of now, reached a voluntary agreement with
12 Amerada Hess Corporation with regards to their interest.

13 So that leaves us with two
14 parties. Testimony from Mr. Wheelis, the landman, is that
15 despite his efforts we cannot find either one of those
16 parties. The last information dates from 1933, and so
17 we're seeking today, then, to have a pooling order by which
18 then we can pool the remaining small percentage interest.

19 Mr. Renocourt's interest in
20 the 40-acre tract is less than one percent. It's 0.17
21 percent.

22 Mr. Balband's interest is 0.13
23 percent.

24 Those interests are the same
25 for the entire southeast quarter of the section. It's our

1 anticipation that upon completion of the well, if it's
2 successful, we will subsequently come before you for
3 approval of 80-acre spacing, if the information from the
4 well justifies it, and then we will seek to amend the
5 pooling order to include 80 rather than 40, but at this
6 point we're under statewide Strawn 40-acre spacing and
7 therefore, the well at this point will be unorthodox and
8 the spacing unit will be 40 acres.

9 MR. STOGNER: So if I under-
10 stand you right, Mr. Kellahin, whether it be a 40-acre or
11 an 80-acre, the interests are all the same?

12 MR. KELLAHIN: Yes, sir.

13 MR. STOGNER: And in particu-
14 lar these two parties that you -- thank you, Mr. Kellahin.

15
16 WAYNE WHEELIS,
17 being called as witness and being duly sworn upon his oath,
18 testified as follows, to-wit:

19
20 DIRECT EXAMINATION

21 BY MR. KELLAHIN:

22 Q Mr. Wheelis, for the record would you
23 please state your name and occupation?

24 A Wayne Wheelis, a landman with Anadarko
25 Petroleum Corporation.

1 Q Mr. Wheelis, have you previously testi-
2 fied before the Division as a petroleum landman?

3 A No, sir.

4 Q Would you summarize for Mr. Stogner what
5 has been your employment experience as a petroleum landman?

6 A Eight years with Anadarko in three
7 stages; as a title analyst, division analyst, and the last
8 three years as a landman.

9 Q What have been your land duties with
10 regards to the formation on a voluntary basis the necessary
11 spacing unit for the drilling of this well?

12 A It's my job to form the unit, 80 acres,
13 on the voluntary basis, to tie up the leasehold and and all
14 interest owners for the drilling of this well.

15 Q As of today's hearing, Mr. Wheelis, do
16 you still have interests that are not yet committed to the
17 well on the spacing units either on 40 or 80-acre spacing
18 for the drilling of this well?

19 A Yes, sir, it's the two mineral interests
20 we seek to compulsory pool.

21 MR. KELLAHIN: At this point,
22 Mr. Stogner, we tender Mr. Wheelis as an expert petroleum
23 landman.

24 MR. STOGNER: MR. Wheelis is
25 so qualified.

1 Q Mr. Wheelis, let me direct your atten-
2 tion, sir, to what is marked as Applicant Exhibit Number
3 One. Do you have that?

4 A Yes, sir.

5 Q Would you identify what that is?

6 A The exhibit is in two parts. The first
7 page is a letter request for a lease dated May 26 of '88.

8 The second part is a copy of the mineral
9 deed as shown in the abstract.

10 Mr. Balband acquired his interest in
11 1933. That is the last known and best address we have.

12 Q What is your opinion as to what percent-
13 age interest Mr. Balband has in the minerals underlying
14 either the 40 or the 80-acre spacing for the well?

15 A For either spacing Mr. Balband owns .13
16 percent.

17 Q Is his an interest that's undivided in
18 the southeast quarter of this section?

19 A Yes, sir.

20 Q And does he have a mineral interest or
21 is this a leasehold interest.

22 A This is a mineral interest.

23 Q What efforts have you made, Mr. Wheelis,
24 to try to locate the current whereabouts of Mr. Balband?

25 A We took the best current address, or

1 last known address, and submitted him a lease offer.

2 Q Were you able to locate Mr. Balband?

3 A No, sir, we had no response from this
4 offer.

5 Q Have you had any other interest owner
6 that you attempted to contact in order to complete the
7 formation on a voluntary basis of either a 40 or an
8 80-acre spacing unit?

9 A One other, and that's Mr. Fernand
10 Renoncourt.

11 Q Let me direct your attention Mr.
12 Wheelis, to what is marked as Applicant Exhibit Number Two?
13 Do you have that?

14 A Yes, sir.

15 Q Would you identify and describe what
16 that is?

17 A Exhibit Two is again in two parts. It
18 is a letter request for a release of mineral interests and
19 a copy of the mineral deed is shown in the abstract of
20 record, Lea County, wherein Mr. Renoncourt acquired the
21 minerals.

22 Q Mr. Renoncourt has what percentage in-
23 terest in the spacing units?

24 A 0.17 percent.

25 Q And where did you get that number?

1 A We first acquired it in the mineral
2 leasehold take-off prepared for us by independent landmen
3 and verified subsequent to it with a drilling title opin-
4 ion?

5 Q Is his interest the same in the south-
6 east quarter of the section?

7 A Yes, sir.

8 Q What efforts have you made to try to
9 locate Mr. Renoncourt?

10 A This lease offer dated May 26th, That
11 offer came back to us with no known address.

12 Q What was the source of the Toronto,
13 Canada, address that you utilized in an effort to contact
14 Mr. Renoncourt?

15 A The only address we had was on a mineral
16 conveyance that was found in the county records.

17 Q What efforts have you made to update
18 that address and determine if there is a better address
19 that you could utilize for this individual?

20 A We've examined other tracts in the area,
21 Lea County, requested and sought around heirs, devisees,
22 death certificates and not found anything.

23 Q Do you have an opinion, Mr. Wheelis, as
24 to whether or not you've exhausted good faith, diligent
25 efforts to locate either one of these gentlemen?

1 A Yes, sir.

2 Q And what is that opinion?

3 A That we have. We've exhausted our
4 efforts.

5 Q Let me direct your attention to Exhibit
6 Number Three, Mr. Wheelis, and have you identify and de-
7 scribe that exhibit.

8 A Exhibit Three is an AFE, Anadarko AFE
9 for the drilling of the Wood No. 1 Well.

10 Q To the best of your knowledge, informa-
11 tion and belief, Mr. Wheelis, is this AFE current, accurate
12 and correct with regards to the anticipated drilling costs
13 for the drilling and completion of this well?

14 A Yes, sir, this is our current AFE.

15 Q What -- summarize for us the process in
16 which these AFE's are prepared.

17 A This AFE is prepared by an Anadarko en-
18 gineer whose job it is to monitor the components of this
19 AFE and to write AFE's on our behalf.

20 Q I notice under owner names, in addition
21 to Anadarko there are the names of working interest owners
22 shown to be Wood Oil Company and Amerada Hess Corporation?

23 A Yes, sir.

24 Q What is the status of participation with
25 Wood Oil Company?

1 A Wood Oil Company is participating with a
2 mineral interest. In addition they have agreed to buy
3 leases (unclear) an are of mutual interest and participate
4 in our lease (unclear).

5 Q Has this AFE been submitted to Wood Oil
6 Company?

7 A Yes, sir.

8 Q And have you received any objections or
9 complaints with regards to the utilization of this AFE --

10 A No, sir.

11 Q -- from Wood Oil Company for this well?

12 A No, sir.

13 Q Do you have a recommendation to the
14 Examiner as to what overhead charges you would request be
15 included in the pooling order for a drilling well rate and
16 a producing well rate on a monthly basis?

17 A Yes, sir, we do.

18 Q And what are those recommendations?

19 A Recommendations for a monthly drilling
20 well rate of \$5500; producing well rate of \$500.

21 Q Do you have an opinion, sir, as to
22 whether those rates are reasonable?

23 A Yes, sir, I do.

24 Q And what is that opinion?

25 A These figures are similar to figures we

1 find in Ernst and Whinney's Survey of rates for wells at
2 this depth in this area.

3 Q The Ernst and Whinney Survey results are
4 for what year, sir?

5 A 1987.

6 Q In addition to utilizing the Ernst and
7 Whinney Survey, have you also utilized those same numbers
8 in the operating agreement that you've submitted to Wood
9 Oil Company?

10 A Yes, sir.

11 Q And have you received any objection,
12 complaint, or suggestions from that company with regards to
13 those rates?

14 A No, sir.

15 MR. KELLAHIN: That concludes
16 my examination of Mr. Wheelis, Mr. Stogner.

17 We move the introduction of
18 Exhibits One, Two and Three.

19 MR. STOGNER: Exhibits One,
20 Two and Three will be admitted into evidence at this time.

21

22 CROSS EXAMINATION

23 BY MR. STOGNER:

24 Q I have a couple of questions on your
25 Exhibits Number One and Two, these being 1933 last known

1 addresses, is that correct?

2 A Yes, sir.

3 Q When I look at both of them, up there in
4 the top of the mineral deed they refer to a W. C. Gaffett
5 (sic) in Toronto?

6 A Yes, sir.

7 Q Was he the person who owned it before
8 and sold those interests to these two parties?

9 A Yes, sir, that is correct.

10 Q And the other addresses shown on the
11 bottom of these documents, I guess they're just for a
12 Notary Public in the State of New York and the State of New
13 Mexico. is that correct?

14 A Yes, sir.

15 Q Any of those three parties would have no
16 reason, nor have a record of where these particular parties
17 are after, what, fifty years?

18 A Right, yes, sir.

19 Q Okay. Now you mentioned an overriding
20 -- overhead charges of \$5500 and you refer to the Ernst and
21 Whinney Survey of 1987. Do you have a copy of that with
22 you?

23 A Yes, sir, I do.

24 Q Did you say 5500 or 4500?

25 A I said 5500.

1 Q Okay, now when I look at this, I show
2 for the average mean of 4961 and median at 4901.

3 A Yes, sir. This is within about 10
4 percent of that, of those figures, and those, you're right,
5 those figures are average figures.

6 Q Has Anadarko, are they -- well, let me
7 back up.

8 A Okay.

9 Q Is Anadarko operator of any other Strawn
10 wells in this particular area?

11 A No, sir, we're not.

12 Q Do you have interest in any working
13 wells in this particular area?

14 A Yes, sir, we have drilled many wells in
15 New Mexico. We're active in Lea County; have drilled deep
16 Devonian tests, about 12,000 --

17 MR. KELLAHIN; I'm sorry, you
18 didn't understand. He asked you with regards to Strawn
19 production --

20 A No, sir.

21 MR. KELLAHIN: -- if you have
22 a working interest.

23 A No, sir.

24 Q In any other wells in this area.

25 A In this area. No, sir.

1 Q Now you referred to the Wood Oil Com-
2 pany which you show on your Exhibit Number Three as a
3 working interest of, what is that, 32 percent, is that
4 correct, and you notified them but you said you haven't
5 received anything from them yet?

6 A We're -- yes, sir, we're in close
7 communication with them. They own 25 percent of the min-
8 eral. The 32 percent is additional leases, their share of
9 additional leases they've agreed to buy from us.

10 Q So you're not force pooling them at this
11 time.

12 A No, sir.

13 Q Okay, I misunderstood. The only two
14 parties you're force pooling, force pooling, are these two
15 1933 -- one person in France and one person in Canada.

16¹ A Yes, sir, that's correct.

17 Q Was or is or whatever the case may be.

18 MR. STOGNER: I have no
19 further questions of this witness at this time.

20 Are there any other questions
21 of Mr Wheelis?

22 MR. KELLAHIN: No, sir.

23 MR. STOGNER; If not, he may
24 be excused. Mr. Kellahin?

25 MR. KELLAHIN: Mr. Examiner,

1 we call at this time Mr. Steve Ruhl. He spells his last
2 name R-U-H-L.

3 Mr. Ruhl is a geologist with Anadarko.
4

5 STEPHEN RUHL,
6 being called as a witness and being duly sworn upon his
7 oath, testified as follows, to-wit:

8
9 DIRECT EXAMINATION

10 BY MR. KELLAHIN:

11 Q Mr. Ruhl, for the record would you
12 please state your name and occupation?

13 A Stephen Ruhl and I'm a geologist for
14 Anadarko Petroleum Corporation in Midland, Texas.

15 Q Mr. Ruhl, have you previously testified
16 as a geologist before the Division?

17 A I have not.

18 Q Would you summarize for the Examiner
19 what has been your educational experience?

20 A I have a Bachelor of Science degree from
21 the University of Texas at El Paso. I worked for --

22 Q In what year?

23 A 1978 in geology.

24 Q Subsequent to graduation in '78
25 summarize for us your employment experience in the Permian

1 Basin, west Texas, southeastern New Mexico.

2 A I worked for Dresser Atlas as an open
3 hole logging engineer for one year; two years with Gulf Oil
4 Corporation as a geologist in Midland and Odessa, Texas.

5 And the remainder seven years has been
6 with Anadarko in Midland, Texas.

7 Q Are you familiar with the application by
8 Anadarko today?

9 A Yes.

10 Q In fact this is your location, isn't it?

11 A This is my location, yes.

12 Q You did the geology analysis, interpre-
13 tation by which Anadarko proposes to drill the well.

14 A Yes, sir.

15 MR. KELLAHIN: We tender Mr.
16 Ruhl as an expert petroleum geologist.

17 MR. STOGNER: MR. Ruhl is so
18 qualified.

19 Q Mr. Ruhl, let me direct your attention
20 to Exhibit Number Four. Would you identify that exhibit for
21 us?

22 A This is a producing zone map that I have
23 made and it establishes where the existing Strawn
24 production is over on the western part of the map.

25 Q Take a moment and find the red dot with

1 the red arrow in Section 26. Do you see that?

2 A Section 26?

3 Q Section 26. I'm sorry, it's 28, isn't
4 it?

5 A Yes.

6 Q It wasn't a trick. Section 28. All
7 right, that's your location?

8 A Yes, sir.

9 Q Identify for the record what is the
10 proposed unorthodox footage location for the well.

11 A The well location is proposed to be 450
12 feet from the east and 1100 feet from the south of Section
13 28, 16, 38.

14 Q Describe for the Examiner, Mr. Ruhl, why
15 that well is at an unorthodox location; not why but how, in
16 what way is it unorthodox?

17 A It is in violation of the interior
18 quarter line by 110 feet.

19 Q You're too close to the north side of
20 the 40?

21 A Yes, sir.

22 Q And what is the footage location to that
23 40-acre line?

24 A Right now?

25 Q Yes, sir.

1 A I guess I'm just not following you.

2 Q How many feet away will you be from the
3 40-acre line on the north side?

4 A 240 feet.

5 Q And the statewide rules for 40 acres
6 require what?

7 A 330.

8 Q All right. Identify for us so that we
9 know where you are, Mr. Ruhl, some of the other Strawn
10 pools in this area that's shown on the display.

11 A Well, our proposed location, the closest
12 Strawn production will be approximately four miles to the
13 west, just north of the Humble City South, just east of the
14 Shipp Field and the Casey Field.

15 Q When we look at your proposed location
16 find for us the nearest producing well in the Strawn.

17 A The nearest producing well is in Section
18 35 in the southeast corner. It's a recent completion by
19 Sohio.

20 Q 35 of what township and range?

21 A 16, 37.

22 Q Approximately how far away are you from
23 that production?

24 A Approximately 4 miles.

25 Q Do you have an opinion as to whether or

1 not you're in any existing Strawn Pool at this point?

2 A Yes, I do.

3 Q And what is that opinion?

4 A We are not in any existing Strawn Pool.

5 Q Okay. As you understand it are you en-
6 croaching upon any other working interest owner that does
7 not have the same interest in this 40-acre tract?

8 A As I understand it, we are not.

9 Q Let's turn, sir, to Exhibit Number Five.
10 Would you identify that for us, sir?

11 A This is a type log showing the strati-
12 graphic interval we propose to test in the Wood No. 1.

13 Q This is a type log from what well?

14 A From the Viersen No. 1, which is the
15 discovery well in the Shipp Field in Section 4, Township
16 17, 37.

17 Q This is a Pennzoil well --

18 A Yes, it is.

19 Q -- in the Shipp Strawn? What's the
20 importance of the exhibit for us?

21 A This is the actual zone that all the
22 Strawn production is primarily coming from and we have very
23 little subsurface control over in our area to show you what
24 we're going after.

25 Q What is the basis upon which, then, you

1 have picked this location?

2 A It's been primarily based on a seismic
3 effort that we have done.

4 Q Using that seismic information have you
5 made an interpretation of the anticipated structure for the
6 Strawn?

7 A Yes, sir, we have.

8 Q Is that what's shown on Exhibit Number
9 Six?

10 A Yes, sir, it is.

11 Q Is this also your work?

12 A Yes, sir, it is.

13 Q First of all, orient us as to where we
14 find the proposed location.

15 A The proposed location is at the inter-
16 section of two seismic lines.

17 Q Shown by the red arrow and the red dot?

18 A And the red dot.

19 Q Identify for the Examiner where we have
20 subsurface control that is not seismic information.

21 A We had one well in the northwest quarter
22 of Section 27.

23 Q Just a minute, I've got to find it. All
24 right.

25 A Which will be to the northeast of our

1 proposed location, the No. 1 Ertel (sic).

2 Q It's just off of the -7578 contour?

3 A Yes, sir.

4 Q All right, and the -7578 is --

5 A The value of the well, yes.

6 Q -- the value for that well.

7 A Uh-huh.

8 Q Okay.

9 A Where the top of that well is (unclear).

10 Q And who drilled that well? Do you re-

11 member?

12 A I do not remember.

13 Q Do you have any other subsurface control

14 for your interpretation?

15 A Yes, we do, down in the southeast quart-

16 er of Section 34 to the southeast of our proposed location.

17 That is Devonian production by Amerada Hess.

18 Q I find four control points?

19 A Yes, sir.

20 Q Each of which has a value next to it?

21 A Yes, sir.

22 Q Okay. Do you have any other control

23 points, other -- that's not related to the seismic work?

24 A No, sir.

25 Q When we look within the southeast

1 quarter of Section 28, what is your interpretation when you
2 integrate the seismic information?

3 A The interpretation is that we have a
4 bioherm development and we believe it is building to the
5 southeast but we have to stay on a seismic line to lower
6 our risk in drilling this well.

7 Q When we look within that -7200 foot
8 contour on the structure, do you see that where the red dot
9 is? What causes you as a geologist to recommend that
10 proposed unorthodox location versus the closest standard
11 location?

12 A A standard location would move us off
13 the intersection of the seismic lines and would increase
14 our risk in the drilling of the well.

15 Q Do you have an opinion, sir, with
16 regards to your recommendation of a risk factor penalty to
17 be assessed against the parties that we have been unable to
18 locate?

19 A Yes, I do.

20 Q And what is that opinion?

21 A I recommend that we request a 200 per-
22 cent penalty, which is maximum.

23 Q And what is the basis for that request?

24 A Number one, remoteness from existing
25 Strawn production.

1 And number two, the limited subsurface
2 control and the high risk in drilling this well.

3 MR. KELLAHIN: That concludes
4 my examination of Mr. Ruhl, Mr. Stogner.

5 We move the introduction of
6 his Exhibits Four, Five, and Six.

7 MR. STOGNER: Exhibits Four,
8 Five and Six will be admitted into evidence at this time.

9
10 CROSS EXAMINATION

11 BY MR. STOGNER:

12 Q Mr. Ruhl, in looking at your Exhibit
13 Number Six, I notice you only used a four section control
14 area.

15 A Yes, sir.

16 Q Did you extend this out, say, a couple
17 of miles to take in some of these other wells, and I show
18 some down in Section 2 of the township to the south, and
19 some older, deeper wells --

20 A I had a --

21 Q -- three and four miles away?

22 A I had a regional map constructed for the
23 whole four townships.

24 Q And was your -- this was --

25 A This is a portion of that blown up.

1 Q So both -- that information was utilized
2 in preparing this.

3 A Yes, sir, and so was the seismic values.

4 Q Of the wells shown on sections of
5 Exhibit Number Six, was there any Strawn test done?

6 A We have one test in the Ertel Well. It
7 was drilled, I believe, in the 1940's, and it did test in
8 the Lower Strawn. It tested all water.

9 Q This was in the 1940's.

10 A Late forties, I believe it was, sir.
11 Early fifties. Its primary objective was the Devonian at
12 that time.

13 Q Is there even a log on that well?

14 A An old, old, E-log, SP log. That's why
15 I said we believe it's the Lower Strawn limestone.

16 Q So that really didn't offer that much
17 control.

18 A It did not.

19 Q How about the wells in Section 34, are
20 those old ones also or --

21 A Relatively; not -- not that old, the
22 late sixties. That's the Knowles Devonian Field and we do,
23 again, have E-logs but of better quality than what we had
24 in the Ertel Well.

25 Q Okay.

1 MR. STOGNER: I have no further
2 questions of this witness.
3 Is there anything else of Mr.
4 Ruhl at this time?
5 Does anybody else have any-
6 thing further in Case Number 9417?
7 If not, this case will be
8 taken under advisement.
9
10 (Hearing concluded.)
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C E R T I F I C A T E

I, SALLY W. BOYD, C. S. R. DO HEREBY CERTIFY that the foregoing Transcript of Hearing before the Oil Conservation Division (Commission) was reported by me; that the said transcript is a full, true and correct record of the hearing, prepared by me to the best of my ability.

Sally W. Boyd CSR

I do hereby certify that the foregoing is a complete record of the proceedings in the Examiner hearing of Case No. 9412, heard by me on 22 June 1988.

Michael E. Stover, Examiner
Oil Conservation Division

8/4/88