

HINKLE, COX, EATON, COFFIELD & HENSLEY

ATTORNEYS AT LAW

500 MARQUETTE N.W., SUITE 740

ALBUQUERQUE, NEW MEXICO 87102-2121

(505) 768-1500

LEWIS C. COX
PAUL W. EATON
CONRAD E. COFFIELD
HAROLD L. HENSLEY, JR.
STUART D. SHANOR
C. D. MARTIN
PAUL J. KELLY, JR.
OWEN M. LOPEZ
DOUGLAS L. LUNSFORD
JOHN J. KELLY
T. CALDER EZZELL, JR.
WILLIAM B. BLRFORD*
RICHARD E. OLSON
RICHARD R. WILFONG*
STEVEN D. ARNOLD
JAMES J. WECHSLER
NANCY S. CUSACK
JEFFREY L. FORNACIARI
JEFFREY D. HEWETT*
JAMES BRUCE
JERRY F. SHACKELFORD*
JEFFREY W. HILLBERG*
ALBERT L. PITTS
THOMAS M. HNASKO

JOHN C. CHAMBERS*
THOMAS D. HAINES, JR.
FRANKLIN H. MCCALLUM*
GREGORY J. NIBERT
DAVID T. MARKETTE*
MARK C. DOW
FRED W. SCHWENDIMANN
DAVID MORAN
JAMES R. MCADAMS*
JAMES M. HUDSON
MACDONNELL GORDON
REBECCA NICHOLS JOHNSON
PAUL R. NEWTON
WILLIAM R. JOHNSON
KAREN M. RICHARDSON*
ELLEN S. CASEY
MARGARET C. LUDWIG
SUSAN L. NIESER*
MARTIN MEYERS
GREGORY S. WHEELER
ANDREW J. CLOUTIER
IWANA RADEMAEKERS*
S. BARRY PAISNER

OF COUNSEL
O. M. CALHOUN
MACK EASLEY
JOE W. WOOD
STEPHEN L. ELLIOTT

CLARENCE E. HINKLE (1904-1965)
W. E. BONDURANT, JR. (1913-1973)
ROY C. SNODGRASS, JR. (1914-1967)

*NOT LICENSED IN NEW MEXICO

700 UNITED BANK PLAZA
POST OFFICE BOX 10
ROSWELL, NEW MEXICO 88202
(505) 622-6510

2800 CLAYDESTA NATIONAL BANK BUILDING
POST OFFICE BOX 3580
MIDLAND, TEXAS 79702
(915) 683-4691

1700 TEXAS AMERICAN BANK BUILDING
POST OFFICE BOX 9238
AMARILLO, TEXAS 79105
(806) 372-5569

218 MONTEZUMA
POST OFFICE BOX 2068
SANTA FE, NEW MEXICO 87504
(505) 982-4554

February 26, 1990

Mr. David Catanach
New Mexico Oil Conservation
Division
P. O. Box 2088
Santa Fe, New Mexico 87504

Re: Case No. 9862, the Application of Mewbourne Oil Company

Dear Mr. Catanach:

As requested at the hearing, enclosed is a proposed order on the above matter, submitted on behalf of Mewbourne Oil Company. Thank you for your consideration of this matter.

Very truly yours,

HINKLE, COX, EATON, COFFIELD &
HENSLEY

James Bruce
By: James Bruce

JB:le
Enclosure

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
RECEIVED

90 FEB 2 AM 9 04

ALLEN M. TONKIN, JR.
NANCY TONKIN
1524 PARK AVENUE, S. W.
ALBUQUERQUE, NEW MEXICO 87104

January 29, 1990

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
Post Office Box 2088
Santa Fe, New Mexico 87501

✓ DRC
M.S.

RE: Mewbourne Oil Company
Unorthodox Location
W/2 Section 9, T18S, R26E,
Atoka Penn. Gas Pool,
Eddy County, New Mexico,
CASE NO. 9862.

Dear Mr. Stogner:

We are the owners of the NE/4 of Section 17, Township 18 South, Range 26 East, Eddy County, New Mexico. We object to the granting of an unorthodox location for the drilling of a gas well as requested by Mewbourne Oil Company in Case No. 9862. We feel that this unorthodox location will cause drainage of our hydrocarbons located under our acreage.

Sincerely,

Allen M. Tonkin Jr.

Allen M. Tonkin, Jr.

Nancy Tonkin

Nancy Tonkin

AMT/MBJ/ej

CC: D. Paul Haden, Landman
Mewbourne Oil Company
500 W. Texas, Suite 1020
Midland, Texas 79701

MARTIN YATES, III
1912 - 1985
FRANK W. YATES
1936 - 1986

CONSERVATION DIVISION
RECEIVED

'90 JAN 25 AM 9 01



105 SOUTH FOURTH STREET
ARTESIA, NEW MEXICO 88210
TELEPHONE (505) 748-1471

S. P. YATES
CHAIRMAN OF THE BOARD
JOHN A. YATES
PRESIDENT
PEYTON YATES
EXECUTIVE VICE PRESIDENT
RANDY G. PATTERSON
SECRETARY
DENNIS G. KINSEY
TREASURER

January 23, 1990

New Mexico Oil Conservation Division
P. O. Box 2088
Santa Fe, New Mexico 87501

Attention: Mr. Michael Stogner

Re: Mewbourne Oil Company
Unorthodox Drilling Location
Township 18 South, Range 26 East
Section 9: W $\frac{1}{2}$
Eddy County, New Mexico

Dear Mr. Stogner:

Please be advised Yates Petroleum Corporation has no objection to the proposed captioned drillsite.

Enclosed please find a Waiver Letter from Mewbourne to your attention, executed by Yates Petroleum Corporation.

Thank you.

Very truly yours,

YATES PETROLEUM CORPORATION

Cy Cowan
Associate Landman

CC/bp

Enclosure

Case No. 9862
M.S.

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915/682-3715

January 9, 1990

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

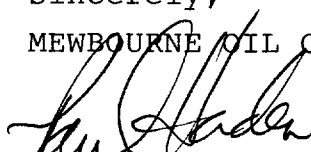
RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

Gentlemen:

Yates Petroleum Corporation, as an offset operator or offset
unleased mineral owner, has been advised of Mewbourne Oil Company's
intent to drill the above referenced well at a location 990' FSL and
660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico with the
captioned land being dedicated to the West Atoka-Morrow Gas Pool.

This letter is to advise that Yates Petroleum Corporation has no
objection to the granting of a permit to drill at this location nor
does Yates Petroleum Corporation object to placing the captioned land
in the West Atoka-Morrow Gas Pool and hereby waives objection and
notice of hearing on this application.

Sincerely,
MEWBOURNE OIL COMPANY


D. Paul Haden
Landman

YATES PETROLEUM CORPORATION

BY: 

Title: Attorney-in-Fact

Date: January 19, 1990

CIL 1990 JAN 24 AM 9 00
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MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020
MIDLAND, TEXAS 79701
915/682-3715

January 9, 1990

Case No. 9862 m. 2.

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

Gentlemen:

Horace F. McKay, Jr. and Elmyra K. McKay Trust as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico with the captioned land being dedicated to the West Atoka-Morrow Gas Pool.

This letter is to advise that Horace F. McKay, Jr. and Elmyra K. Trust has no objection to the granting of a permit to drill at this location nor does Horace F. McKay, Jr. and Elmyra K. Trust object to placing the captioned land in the West Atoka-Morrow Gas Pool and hereby waives objection and notice of hearing on this application.

Sincerely,
MEWBOURNE OIL COMPANY

Paul Haden
P. Paul Haden
Landman

BY: *Horace F. McKay, Jr.*
Title: *Owner*
Date: *1-16-89*

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915 / 682-3715

OIL CONSERVATION DIVISION
RECEIVED

'90 JAN 22 AM 9 30

January 9, 1990

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

Case No 9862

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

Gentlemen:

Harvey E. Yates Company, as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico with the captioned land being dedicated to the West Atoka-Morrow Gas Pool.

This letter is to advise that Harvey E. Yates Company has no objection to the granting of a permit to drill at this location nor does Harvey E. Yates Company object to placing the captioned land in the West Atoka-Morrow Gas Pool and hereby waives objection and notice of hearing on this application.

Sincerely,
MEWBOURNE OIL COMPANY

Paul Haden
P. Paul Haden
Landman

BY: *J. B. [Signature]*

Title: *Chief Geologist*

Date: *1/15/90*

NEW MEXICO OIL CONSERVATION DIVISION
HINKLE, COX, EATON, COFFIELD & HENSLEY

LEWIS C. COX
PAUL W. EATON
CONRAD E. COFFIELD
HAROLD L. HENSLEY, JR.
STUART D. SHANOR
C. D. MARTIN
PAUL J. KELLY, JR.
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NANCY S. CUSACK
JEFFREY L. FORNACIARI
JEFFREY D. HEWETT
JAMES BRUCE
JERRY F. SHACKELFORD*
JEFFREY W. HELLBERG*
ALBERT L. PITTS
THOMAS M. HNASKO
JOHN C. CHAMBERS*
THOMAS D. HAINES, JR.
FRANKLIN H. MCCALLUM*

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S. BARRY PAISNER
W. CRAIG BARLOW*
JAMES A. GILLESPIE
KAREN L. COLLIER
GARY W. LARSON
STEPHANIE LANDRY
JERRY D. WORSHAM, II

OF COUNSEL
O. M. CALHOUN
MACK EASLEY
JOE W. WOOD

CLARENCE E. HINKLE (1901-1985)
W. E. BONDURANT, JR. (1913-1973)
ROY C. SNODGRASS, JR. (1914-1987)

*NOT LICENSED IN NEW MEXICO

Ms. Florene Davidson
New Mexico Oil Conservation
Division
P. O. Box 2088
Santa Fe, New Mexico 87504

Dear Florene:

In accordance with our telephone conversation of today, enclosed are an original and two copies of an Application on behalf of Mewbourne Oil Company for an unorthodox gas well location and to expand and contract pool boundaries. As we discussed, this matter is set for the February 7, 1990 hearing. Thank you.

Very truly yours,

HINKLE, COX, EATON, COFFIELD &
HENSLEY

By: James Bruce

JB:le
Enclosures

90 JAN 18 1990
ATTORNEYS AT LAW
500 MARQUETTE N.W., SUITE 740
ALBUQUERQUE, NEW MEXICO 87102-2121
(505) 768-1500
FAX (505) 768-1529

700 UNITED BANK PLAZA
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ROSWELL, NEW MEXICO 88202
(505) 622-6510
FAX (505) 623-9332

2800 CLAYDESTA NATIONAL BANK BUILDING
POST OFFICE BOX 3580
MIDLAND, TEXAS 79702
(915) 683-4691
FAX (915) 683-6518

1700 TEXAS AMERICAN BANK BUILDING
POST OFFICE BOX 9238
AMARILLO, TEXAS 79105
(806) 372-5569
FAX (806) 372-9761

218 MONTEZUMA
POST OFFICE BOX 2068
SANTA FE, NEW MEXICO 87504
(505) 982-4554

9862

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915/682-3715

Oil Conservation Division
RECEIVED
'89 DEC 13 AM 9 08

December 11, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Unorthodox Gas Well
Location, Gin #1 Well
W/2 of Section 9,
T18S, R26E,
Eddy County, New Mexico

Dear Mr. Stogner:

In reference to your letter of December 7, 1989 addressed to James Bruce for Mewbourne's behalf regarding the captioned land, Mewbourne recognizes the Spencer Com. No. 1 well referred to in said letter is producing out of and is currently dedicated to the captioned land in the Atoka Pennsylvanian Gas Pool.

As requested in Mewbourne's application for an unorthodox gas well location under the above land, Mewbourne is seeking approval for its proposed well to be permitted for the West Atoka-Morrow Gas Pool. This is the same gas pool Yates Petroleum Corp. is producing out of in their No. 1 Torrington "ZK" Com and No. 1 Chumbley "XS" Com wells located in Section 8 immediately adjacent to Mewbourne's leasehold as set out in the geological exhibits previously submitted.

The geological exhibits submitted in conjunction with Mewbourne's application for an unorthodox location supports the idea that the Lower Morrow "A" Sand present in the Yates Petroleum Corp. Chumbley "XS" Com No. 1 well channels across Mewbourne's acreage in the SW/4 of the captioned Section 9 in a northwest southeast direction.

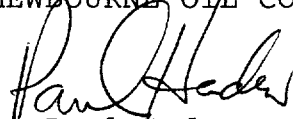
Since Mewbourne's Spencer Com No. 1 well (a low volume gas well) is currently dedicated to the Atoka-Pennsylvanian Gas Pool, Mewbourne feels it would not be unreasonable to place Mewbourne's proposed Gin No. 1 well in the same field as Yates' wells in Section 8 for allowable purposes. By doing this, Mewbourne would not have to plug and abandon the Spencer Com No. 1 well prematurely.

Attached for your information in response to your question about leasehold ownership under the captioned land is a copy of an assignment from Parker and Parsley to Mewbourne. Also enclosed for your information is a copy of Form C-104 which names Mewbourne Oil Company as the new operator of the Spencer Com No. 1 well.

Should you have any further questions regarding the captioned land or Mewbourne's application, please call.

Sincerely,

MEWBOURNE OIL COMPANY


D. Paul Haden
Landman

DPH/sm

cc: James Bruce

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020
MIDLAND, TEXAS 79701

915/682-3715

OIL CONSERVATION DIVISION
RECEIVED
89 DEC 18 AM 8 59

November 29, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

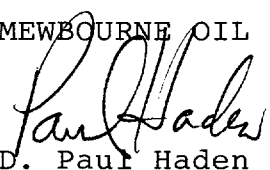
Gentlemen:

Horace F. McKay, Jr. and Elmyra K. McKay Trust, as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico.

This letter is to advise that Horace F. McKay, Jr. and Elmyra K. McKay Trust has no objection to the granting of a permit to drill at this location and hereby waives objection and notice of hearing on this application.

Sincerely,

MEWBOURNE OIL COMPANY


D. Paul Haden
Landman

BY: 

Title: owner/operator

Date: 12/11/89

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915/682-3715

November 29, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

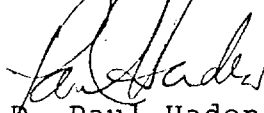
Gentlemen:

Yates Petroleum Corporation, as an offset operator or offset
unleased mineral owner, has been advised of Mewbourne Oil Company's
intent to drill the above referenced well at a location 990' FSL and
660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico.

This letter is to advise that Yates Petroleum Corporation has no
objection to the granting of a permit to drill at this location and
hereby waives objection and notice of hearing on this application.

Sincerely,

MEWBOURNE OIL COMPANY



D. Paul Haden
Landman

BY: _____

Title: _____

Date: _____

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915/682-3715

November 29, 1989

Certified Mail

Yates Petroleum Corporation
105 So. 4th Street
Artesia, New Mexico 88210

Re: Application for Unorthodox
Location Drilling Permit
West Atoka Morrow Pool
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

Gentlemen:

Mewbourne proposes to drill a well at a point located 990 feet from the south line and 660 feet from the west line of the above described Section 9 to an approximate depth of 9,100 feet and to test all formations from the surface through the base of the Morrow formation.

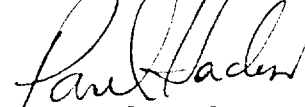
Mewbourne seeks an exception to the well location requirements of Division Rule 104 and has applied, pursuant to Division Rule 104 (F), for administrative approval of an unorthodox gas well location as described above to test the Morrow formation. The W/2 of the above described Section 9 is to be dedicated to the test well.

Mewbourne wishes to drill this well at the proposed location as we feel it is necessary if we are to recover oil and gas reserves underlying our lease. We are also convinced that the distance from the proposed well location to other producing wells is sufficient to insure no harmful effect on other producers.

If you have no objection to the above location, please date and sign the attached Waivers of Objection and return two (2) copies to me in the enclosed self-addressed envelope. Should you have any questions regarding the above or want to discuss this matter further, please call. Your prompt and favorable response will be sincerely appreciated.

Sincerely,

MEWBOURNE OIL COMPANY



D. Paul Haden
Landman

DPH/sm

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020
MIDLAND, TEXAS 79701
915/682-3715

November 29, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

Gentlemen:

Arco Oil & Gas Company, as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico.

This letter is to advise that Arco Oil & Gas Company has no objection to the granting of a permit to drill at this location and hereby waives objection and notice of hearing on this application.

Sincerely,

MEWBOURNE OIL COMPANY



D. Paul Haden
Landman

BY: _____

Title: _____

Date: _____

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915/682-3715

November 29, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

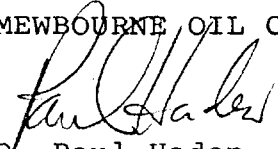
Gentlemen:

Nancy P. Tonkin, as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico.

This letter is to advise that Nancy P. Tonkin has no objection to the granting of a permit to drill at this location and hereby waives objection and notice of hearing on this application.

Sincerely,

MEWBOURNE OIL COMPANY


D. Paul Haden
Landman

BY: _____

Title: _____

Date: _____

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020
MIDLAND, TEXAS 79701
915/682-3715

November 29, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

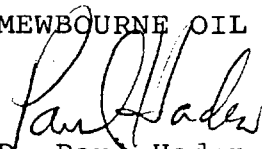
Gentlemen:

Horace F. McKay, Jr. and Elmyra K. McKay Trust, as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico.

This letter is to advise that Horace F. McKay, Jr. and Elmyra K. McKay Trust has no objection to the granting of a permit to drill at this location and hereby waives objection and notice of hearing on this application.

Sincerely,

MEWBOURNE OIL COMPANY


D. Paul Haden
Landman

BY: _____

Title: _____

Date: _____

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915 / 682-3715

November 29, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

Gentlemen:

Allen M. Tonkin, Jr., as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico.

This letter is to advise that Allen M. Tonkin, Jr. has no objection to the granting of a permit to drill at this location and hereby waives objection and notice of hearing on this application.

Sincerely,

MEWBOURNE OIL COMPANY



D. Paul Haden
Landman

BY: _____

Title: _____

Date: _____

MEWBOURNE OIL COMPANY

500 W. TEXAS, SUITE 1020

MIDLAND, TEXAS 79701

915 / 682-3715

November 29, 1989

Certified Mail

Mr. Michael Stogner
New Mexico Oil Conservation Division
P.O. Box 2088
Santa Fe, New Mexico 87501

RE: Application for Unorthodox
Location Drilling Permit
Gin #1 Well
W/2 of Section 9, T18S, R26E,
Eddy County, New Mexico

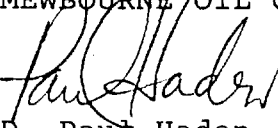
Gentlemen:

John Ernest Hall, as an offset operator or offset unleased mineral owner, has been advised of Mewbourne Oil Company's intent to drill the above referenced well at a location 990' FSL and 660' FWL of Section 9, T18S, R26E, Eddy County, New Mexico.

This letter is to advise that John Ernest Hall has no objection to the granting of a permit to drill at this location and hereby waives objection and notice of hearing on this application.

Sincerely,

MEWBOURNE OIL COMPANY


D. Paul Haden
Landman

BY: _____

Title: _____

Date: _____