

LAW OFFICES

LOSEE, CARSON, HAAS & CARROLL, P. A.

ERNEST L. CARROLL
JOEL M. CARSON
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300 YATES PETROLEUM BUILDING
P. O. DRAWER 239
ARTESIA, NEW MEXICO 88211-0239

TELEPHONE
(505) 748-3505
TELECOPY
(505) 748-8316

September 14, 1993

10840

VIA FACSIMILE AND FIRST CLASS MAIL

Mr. William J. LeMay, Director
New Mexico Oil Conservation Division
P. O. Box 2088
Santa Fe, New Mexico 87501

Dear Mr. LeMay:


Enclosed for filing, please find three copies each of the following Applications, with proposed advertisements attached, of Harvey E. Yates Company:

- 1) Application for unorthodox well location, Section 3, T-18-S, R-32-E, NMPM/Young Deep Unit #21, Lea County, New Mexico;
- 2) Application for Compulsory Pooling, E/2 of Section 28, T-18-S, R-34-E, NMPM/Ekay 28 State #1, Lea County, New Mexico;
- 3) Application for Compulsory Pooling, W/2 of Section 28, T-18-S, R-34-E, NMPM/Ekay 28 State #4, Lea County, New Mexico.

We ask that these cases be set for hearing on October 7, 1993, and that we be furnished with a copy of the docket for said hearings.

Very truly yours,

LOSEE, CARSON, HAAS & CARROLL, P.A.


Ernest L. Carroll

ELC:kth
Enclosures

cc w/encl: Shari Darr

BEFORE THE OIL CONSERVATION DIVISION
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION OF :
HARVEY E. YATES COMPANY FOR COMPULSORY :
POOLING, LEA COUNTY, NEW MEXICO :
_____ :

CASE NO. 10840

CERTIFICATE OF MAILING
AND
COMPLIANCE WITH RULE 1207

29 SEP 1993

In accordance with Division Rule 1207, I hereby certify that on September 15, 1993, copies of the Application filed in and the transmittal letter providing of notice of the hearing of the above-referenced case were mailed, at least twenty days prior to hearings set for October 7, 1993, to the interested parties listed in Exhibit "A".

Also attached hereto are a representative copy of said correspondence and return receipt cards from each interested party as Exhibit "B".

By: Ernest L. Carroll

LOSEE, CARSON, HAAS & CARROLL, P.A.
P. O. Drawer 239
Artesia, New Mexico 88211-0239

Attorneys for Applicant

STATE OF NEW MEXICO)
COUNTY OF EDDY) : ss.

SUBSCRIBED AND SWORN TO before me this September 28,
1993.

Kathy J. Alderman
Notary Public

My commission expires:
11-17-93

Elk Oil Co.
P. O. Box 310
Roswell, NM 88201
Attn: Joe Kelly

ZiaDrill, Inc.
Attn: Ken McPeters
P. O. Box 1860
Hobbs, NM 88240

Marathon Oil Co.
P. O. Box 552
Midland, TX 79702
Attn: Wayne Ransbotton

Conoco, Inc.
Suite 100W
10 Desta Drive
Midland, TX 79705-9982
Attn: Land Dept.

R.E. Harding, Jr. Trusts
P. O. Box 98
Mineral Wells, TX 76067
Attn: John P. Ritchie

Ms. Joan Fontaine
229A Lower Walden
Carmel, CA 93923

Charles M. Moon, Jr.
100 North Creek
Suite 103
3715 Northside Parkway NW
Atlanta, GA 30327

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ARTESIA, NEW MEXICO 88211-0239

TELEPHONE
(505) 746-3505
TELECOPY
(505) 746-6316

September 15, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elk Oil Co.
P. O. Box 310
Roswell, NM 88201

Attn: Joe Kelly

Re: Application of Harvey E. Yates Co. for
Compulsory Pooling:

Ekay 28 State #4, W/2 Sec. 28, T-18-S,
R-34-E, N.M.P.M., Lea County, New Mexico

Gentlemen:

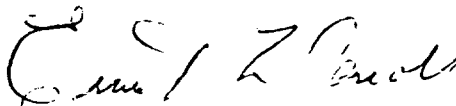
This office represents Harvey E. Yates Co. On September 14, 1993, the above-referenced Application was sent for filing, with the request that said application be heard by the New Mexico OCD on October 7, 1993. A copy of said application is enclosed herewith.

Be advised that any party wishing to appear must file a prehearing statement by the Friday prior to the date of hearing, and any party wishing to receive other parties' prehearing statements or pleadings must file an entry of appearance. If you do not intend to protest said Application, enclosed you will find a waiver whereby you can make that decision known. Please return the waiver to us as soon as possible.

P 083 927 243

Very truly yours,

LOSEE, CARSON, HAAS & CARROLL, P.A.




**Receipt for
Certified Mail**

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

Sent to: Elk Oil	
Street and No.	
P. O. State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing	

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
 - ☐ Restricted Delivery
- Consult postmaster for fee.

4a. Article Number

D083 927 243

4b. Service Type

- ☐ Registered ☐ Insured

EXHIBIT B

SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, and 4a & b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.

3. Article Addressed to: R.E. Harding, Jr. P.O. Box 98 Mineral Wells TX 76067

4a. Article Number: P 083 927 243

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

7. Date of Delivery: 9-20-93

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

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, and 4a & b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.

3. Article Addressed to: Elk Oil P.O. Box 310 Roswell, NM 88201

4a. Article Number: P 083 927 243

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

7. Date of Delivery: 9-16-93

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

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, November 1990 U.S. GPO: 1991-287-086 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, and 4a & b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.

3. Article Addressed to: Joan Fontaine 2294 Lower Walden Carmel, CA 93923

4a. Article Number: P 083 927 248

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

7. Date of Delivery: 9-18-93

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

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, and 4a & b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.

3. Article Addressed to: Zia Drill, Inc. P.O. Box 1860 Hobbs, NM 8824

4a. Article Number: P 083 927 244

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

7. Date of Delivery: 9-17-93

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

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I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.

3. Article Addressed to: Charles M. Moon, Jr. 900 North Creek Suite 103 3715 Northside Parkway NW Atlanta GA 30327

4a. Article Number: P 083 927 249

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

7. Date of Delivery: 9-18-93

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

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, and 4a & b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.

3. Article Addressed to: Marathon Oil Co. P.O. Box 552 Midland, TX 79702 Attn: Wayne Ransbottom

4a. Article Number: P 083 927 245

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

7. Date of Delivery: 9-18-93

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

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

SENDER: Complete items 1 and/or 2 for additional services. Complete items 3, and 4a & b. Print your name and address on the reverse of this form so that we can return this card to you. Attach this form to the front of the mailpiece, or on the back if space does not permit. Write "Return Receipt Requested" on the mailpiece below the article number. The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee): 1. Addressee's Address 2. Restricted Delivery Consult postmaster for fee.

3. Article Addressed to: Conoco, Inc. Suite 100W 10 Desta Drive Midland, TX 79705-9982

4a. Article Number: P 083 927 246

4b. Service Type: Registered Insured Certified COD Express Mail Return Receipt for Merchandise

7. Date of Delivery: 9-16-93

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

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

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5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991 U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

KELLAHIN AND KELLAHIN

ATTORNEYS AT LAW

EL PATIO BUILDING

117 NORTH GUADALUPE

POST OFFICE BOX 2265

SANTA FE, NEW MEXICO 87504-2265

W. THOMAS KELLAHIN*

*NEW MEXICO BOARD OF LEGAL SPECIALIZATION
RECOGNIZED SPECIALIST IN THE AREA OF
NATURAL RESOURCES-OIL AND GAS LAW

JASON KELLAHIN (RETIRED 1991)

TELEPHONE (505) 982-4285
TELEFAX (505) 982-2047

October 12, 1993

*o/k to
continue*

HAND DELIVERED

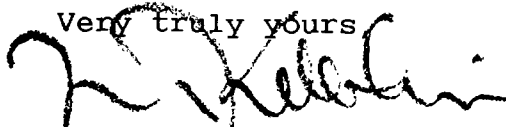
William J. LeMay
Oil Conservation Division
310 Old Santa Fe Trail
Santa Fe, New Mexico 87504

Re: NMOCD Case 10840
Ekay 28 State Well No 4
Application of Harvey E. Yates Company
for Compulsory Pooling
Lea County, New Mexico

Dear Mr. LeMay:

On behalf of Marathon Oil Company, please find enclosed our Entry of Appearance and Motion for a Continuance of the referenced case.

Very truly yours



W. Thomas Kellahin

cc: Thomas C. Lowry, Esq.
Marathon Oil Company

cc: William F. Carr, Esq.
Attorney for Heyco

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

IN THE MATTER OF THE APPLICATION
OF HARVEY E. YATES COMPANY FOR
COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO

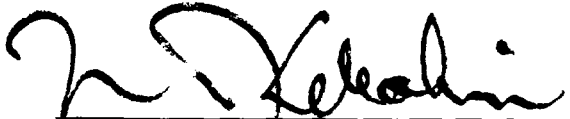
CASE NO. 10840

ENTRY OF APPEARANCE
AND
MOTION FOR CONTINUANCE

Comes now Marathon Oil Company, by its attorneys,
Kellahin and Kellahin, and enters its appearance in this
case.

At the request of the Applicant this case is
currently set on the Examiner's docket now scheduled for
November 18, 1993. Counsel for Marathon Oil Company is
not available for this hearing date due to prior
commitments.

Accordingly, Marathon Oil Company requests that this
case be continued to the Examiner's docket now scheduled
for December 2, 1993.



W. Thomas Kellahin
Kellahin & Kellahin
P. O. Box 2265
Santa Fe, New Mexico 87504
(505) 982-4285



STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT

OIL CONSERVATION DIVISION



BRUCE KING
GOVERNOR

ANITA LOCKWOOD
CABINET SECRETARY

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

December 3, 1993

LOSEE, CARSON, HAAS & CARROLL
Attorneys at Law
P. O. Drawer 239
Artesia, New Mexico 88211-0239

RE: CASE NO. 10840
ORDER NO. R-10029

Dear Sir:

Enclosed herewith are two copies of the above-referenced Division order recently entered in the subject case.

Sincerely,

A handwritten signature in cursive script that reads "Sally E. Martinez".

Sally E. Martinez
Administrative Secretary

Enclosure

cc: BLM - Carlsbad
Tom Kellahin