

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. 11545
ORDER NO. R-10612

**APPLICATION OF PENWELL ENERGY, INC. FOR A UNIT AGREEMENT,
EDDY COUNTY, NEW MEXICO.**

ORDER OF THE DIVISION

BY THE DIVISION:

This cause came on for hearing at 8:15 a.m. on June 13, 1996, at Santa Fe, New Mexico, before Examiner Michael E. Stogner.

NOW, on this 19th day of June, 1996, the Division Director, having considered 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, Penwell Energy, Inc., seeks approval of its Wagon Wheel Unit Agreement and Area for all oil and gas in any and all formations underlying 4,800.00 acres, more or less, of Federal (4,760.00 acres or 99.1667%) and Fee (40.00 acres or 0.8333%) lands in Eddy County, New Mexico, as further described in Exhibit "A" attached hereto and made a part hereof.
- (3) No interested party appeared and objected to the proposed unit.
- (4) All plans of development and operation, and creations, expansions or contractions of participating areas, or expansions or contractions of the unit area should be submitted to the Director of the Division for approval.

(5) Approval of the proposed unit agreement should promote the prevention of waste and protection of correlative rights within the unit area.

IT IS THEREFORE ORDERED THAT:

(1) The Wagon Wheel Unit Agreement, executed by Penwell Energy, Inc., is hereby approved for all oil and gas in any and all formations underlying 4,800.00 acres, more or less, of Federal (4,760.00 acres or 99.1667%) and Fee (40.00 acres or 0.8333%) lands in Eddy County, New Mexico, as further described in Exhibit "A" attached hereto and made a part hereof.

(2) The plan contained in said unit agreement for the development and operation of the unit area is hereby approved in principle as a proper conservation measure; provided however, notwithstanding any of the provisions contained in said unit agreement, this approval shall not be considered as waiving or relinquishing, in any manner, any right, duty or obligation which is now, or may hereafter be, vested in the Division to supervise and control operations for the unit and production of oil and gas therefrom.

(3) The unit operator shall file with the Division an executed original or executed counterpart of the unit agreement within 30 days after the effective date thereof; in the event of subsequent joinder by any other party or expansion or contraction of the unit area, the unit operator shall file with the Division, within 30 days thereafter, counterparts of the unit agreement reflecting the subscription of those interests having joined or ratified.

(4) All plans of development and operation, all unit participating areas and expansions or contractions of the unit area, shall be submitted to the Director of the Oil Conservation Division for approval.

(5) This order shall become effective upon the approval of said unit agreement by the appropriate agency of the United States Department of Interior; this order shall terminate ipso facto upon the termination of said unit agreement; and the last unit operator shall notify the Division immediately in writing of such termination.

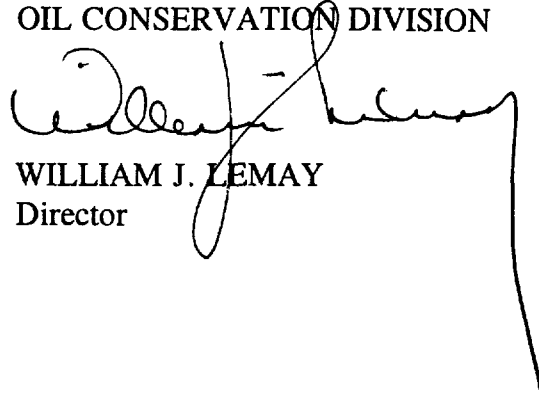
(6) Jurisdiction of this cause is retained for the entry of such further orders as the Division may deem necessary.



SEAL

at Santa Fe, New Mexico, on the day and year hereinabove designated.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

A handwritten signature in black ink, appearing to read 'William J. Lemay', written over the printed name and title.

WILLIAM J. LEMAY
Director

EXHIBIT "A"
CASE NO. 11545
ORDER NO. R-10612
WAGON WHEEL UNIT AGREEMENT
PENWELL ENERGY, INC.
EDDY COUNTY, NEW MEXICO

TOWNSHIP 22 SOUTH, RANGE 22 EAST, NMPM

Section 10:	All
Section 14:	W/2
Section 15:	All
Section 21:	E/2
Section 22:	All
Section 23:	W/2
Section 26:	W/2
Sections 27 and 28:	All
Section 34:	N/2.