

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

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

CASE NO. 12426
ORDER NO. R-11434-A

APPLICATION OF SOUTHWEST ROYALTIES, INC. FOR A NON-STANDARD
GAS SPACING AND PRORATION UNIT AND AN UNORTHODOX GAS WELL
LOCATION, LEA COUNTY, NEW MEXICO, *DE NOVO*.

ORDER OF THE COMMISSION

BY THE COMMISSION:

2001 ~~THIS MATTER, having come~~ *came* before the New Mexico Oil Conservation Commission (hereinafter referred to as "the Commission") on this ____ day of ~~January~~ *February*, 2001, *de novo*, on application of Southwest Royalties, Inc. for a non-standard gas spacing and proration unit and an unorthodox gas well location, Lea County, New Mexico, and the Commission, having conducted a hearing on the application on November 8, 2000, during which testimony and evidence was received from the applicant, *additional evidence*

FINDS:

12-8-00

(1) Due notice has been given and the Commission has jurisdiction of this case and its subject matter.

(2) The applicant, Southwest Royalties, Inc. (hereinafter referred to as "Southwest"), seeks an exception to the well location and spacing requirements of the Special Rules and Regulations for the Scarborough Yates-Seven Rivers Pool.¹ Southwest seeks an exception so that it may: (a) form a non-standard 200-acre gas spacing and proration unit comprising the S/2 NE/4, NE/4 SE/4 and S/2 SE/4 of Section 30, Township 26 South, Range 37 East, NMPM, Lea County, New Mexico; and (b) dedicate this unit to its existing Eaves "B" Well No. 20 (API No. 30-025-32274), located at an unorthodox location 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30.

note additional info provided on Dec 8, 2001
¹ These rules were ~~imposed~~ *adopted* on November 23, 1965 by Order No. R-2999 of the Oil Conservation Division (Case No. 3316).

Wells in Section 31?

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(3) Rules 3 and 6 of the Special Rules and Regulations for Scarborough Yates-Seven Rivers Pool permit production from a 640-acre gas spacing and proration unit, from a well located no closer than 1980 feet to the outer boundary of the section, and ~~no well located~~ ^{with} closer than 330 feet to any quarter-quarter section line or subdivision inner boundary.

(4) The Division, in Order No. R-11434, denied the application of Southwest. The applicant requested review by this body *de novo* pursuant to the provisions of the NMSA 1978, § 70-2-13 (Repl. 1995).

(5) The Eaves "B" Well No. 20 was temporarily abandoned in June of 1997 and previously produced oil from the Seven Rivers formation. Southwest proposes to recomplete this well uphole and produce natural gas from the Scarborough Yates-Seven Rivers Pool. The Eaves "B" Well No. 20 is intended as a salvage well from which Southwest ~~intends to~~ ^{may} recoup its investment in other nonproductive wells in Section 30.

(6) The Eaves "B" Well No. 20 is located at an unorthodox location 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30. The Division, on August 30, 1998, approved its unorthodox location for purposes of its oil production.²

(7) All ^{producing} wells except one within Section 30 are either ~~shut in~~ plugged and abandoned or temporarily abandoned; the one producing well is the No. 8 well, the Eaves B-1, which is producing oil from the Seven Rivers formation. If the application is granted, Southwest plans to plug and abandon or temporarily abandon the No. 8 well. ?

(8) ^{stet W} ~~Production from wells~~ in offsetting sections 25 ^{31 and 36} and 36 has ceased. Southwest operated wells in Section 25, but all are in the process of being plugged and abandoned. The wells in Section 36 have been plugged and abandoned.

(9) There is significant natural gas production from offsetting Sections 29 and 32. The Parker "A" ~~well~~ ^{Federal Well No. 1 (API No. 30-025-12077)?} in Section 29 produces natural gas strongly from the Scarborough Yates-Seven Rivers Pool and has produced approximately 12 Bcf to date. Other wells in that section have also produced natural gas. Wells located in Section 32 have cumulatively produced approximately 2 Bcf of natural gas.

(10) The evidence of significant natural gas production from the Parker "A" ~~well~~ ^{Federal Well No. 1} and from ~~other~~ ^{other} wells in Section 29 and 32, together with the structure map and other exhibits and documents submitted to the Commission, demonstrate that an opportunity exists at the location of the Eaves "B" Well No. 20 for production of natural gas.

² See Order No. R-9949 (Case No. 6337).

are all plugged or temporarily abandoned pending Division.

(11) The evidence presented by Southwest shows that additional reserves of natural gas will be recovered from Section 30 if the application is granted, but that if the application is not granted, the additional reserves may never be recovered.

(12) The evidence presented by Southwest shows that in the absence of production from Section 30, it is likely that drainage from the offsetting Parker "B" well would ultimately drain some natural gas from Southwest's acreage, violating Southwest's correlative rights. *A Federal Well No. B*

(13) The evidence presented by Southwest shows the amount of natural gas present in Section 30 does not justify drilling of an additional well; feasible recovery can only be accomplished from an existing well.

7 (14) The evidence presented by Southwest shows that wells in the pool do not presently drain 640 acres, ~~and properties in the pool cannot economically sustain production from 640 acres.~~

(15) The evidence presented by Southwest shows that orderly development of the pool would not be affected were Southwest's application to be granted; the evidence shows the Eaves "B" Well No. 20 will be produced to depletion and further development of Section 30 is unlikely.

(16) The evidence presented by Southwest shows force-pooling the remaining properties in Section 30 would dilute Southwest's interests to the extent that any rework and production from the Eaves "B" Well No. 20 would be uneconomical.

(17) The evidence presented by Southwest shows that granting the application will prevent underground waste as that phrase is defined in NMSA, 1978, § 70-2-3(A), will protect *correlative* rights and will not impair the rights of other operators in the pool.

Southwest's (18) Offset operator Gruy Petroleum Management Company has no objection to the application. Offset operators Conoco Inc. and McCasland Management, ~~Hobbs, New Mexico~~ were notified by certified mail of the pending application and were also orally notified by Southwest. *?*

(19) No objections to the application have been received and one *no ?* appeared at the hearing of November 8, 2000 to oppose the application. *^*

IT IS THEREFORE ORDERED, AS FOLLOWS:

(20) The application of Southwest Royalties, Inc. for an exception to the well location and spacing requirement of the Special Rules and Regulations for the Scarborough Yates-Seven Rivers Pool to form a non-standard 200-acre spacing and proration unit comprising the S/2 NE/4, NE/4 SE/4 and S/2 SE/4 of Section 30, Township 26 South, Range 37 East, NMPM, Lea County, New Mexico, and to dedicate this unit to its existing Eaves "B" Well No. 20 (API No. 30-025-32274) located at an unorthodox gas well location 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30, is hereby **granted**.

(21) Jurisdiction is hereby retained for the entry of such further orders, as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the _____ day of ^{February 2001} ~~January~~ 2000.

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

**IN THE MATTER OF THE HEARING
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**APPLICATION OF SOUTHWEST ROYALTIES, INC. FOR A NON-STANDARD
GAS SPACING AND PRORATION UNIT AND AN UNORTHODOX GAS WELL
LOCATION, LEA COUNTY, NEW MEXICO, *DE NOVO*.**

ORDER OF THE COMMISSION

THIS MATTER, having come before the New Mexico Oil Conservation Commission (hereinafter referred to as "the Commission") on this 16th day of February, 2001, *de novo*, on application of Southwest Royalties, Inc. for a non-standard gas spacing and proration unit and an unorthodox gas well location, Lea County, New Mexico, and the Commission, having conducted a hearing on the application on November 8, 2000, during which testimony and evidence was received from the applicant, and having received and reviewed additional evidence from the applicant (by letter of December 8, 2000),

FINDS:

(1) Due notice has been given and the Commission has jurisdiction of this case and its subject matter.

(2) The applicant, Southwest Royalties, Inc. (hereinafter referred to as "Southwest"), seeks an exception to the well location and spacing requirements of the Special Rules and Regulations for the Scarborough Yates-Seven Rivers Pool.¹ Southwest seeks an exception so that it may: (a) form a non-standard 200-acre gas spacing and proration unit comprising the S/2 NE/4, NE/4 SE/4 and S/2 SE/4 of Section 30, Township 26 South, Range 37 East, NMPM, Lea County, New Mexico; and (b) dedicate this unit to its existing Eaves "B" Well No. 20 (API No. 30-025-32274), located at an unorthodox location 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30.

¹ These rules were adopted on November 23, 1965 by Order No. R-2999 of the Oil Conservation Division (Case No. 3316).

(3) Rules 3 and 6 of the Special Rules and Regulations for Scarborough Yates-Seven Rivers Pool permit production from a 640-acre gas spacing and proration unit from a well located no closer than 1980 feet to the outer boundary of the section, and no closer than 330 feet to any quarter-quarter section line or subdivision inner boundary.

(4) The Division, in Order No. R-11434, denied the application of Southwest. The applicant requested review by this body *de novo* pursuant to the provisions of the NMSA 1978, § 70-2-13 (Repl. 1995).

(5) The Eaves "B" Well No. 20 was temporarily abandoned in June of 1997 and previously produced oil from the Seven Rivers formation. Southwest proposes to recomplete this well uphole and produce natural gas from the Scarborough Yates-Seven Rivers Pool. The Eaves "B" Well No. 20 is intended as a salvage well from which Southwest may recoup its investment in other nonproductive wells in Section 30.

(6) The Eaves "B" Well No. 20 is located at an unorthodox location 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30. The Division, on August 30, 1998, approved its unorthodox location for purposes of its oil production.²

(7) All producing wells except one within Section 30 are either plugged and abandoned or temporarily abandoned; the one producing well is the Eaves "B" Well No. 8 (**API No. 30-025-20001**), which is producing oil from the Seven Rivers formation. If the application is granted, Southwest plans to plug and abandon or temporarily abandon this well.

(8) Production from wells in offsetting sections 25, 31 and 36 has ceased. Southwest operated wells in Section 25, but all are in the process of being plugged and abandoned. The wells in Sections 31 and 36 have been plugged and abandoned.

(9) There is significant natural gas production in offsetting Sections 29 and 32. The Parker "A" Federal Well No. 1 (**API No. 30-025-12077**) in Section 29 produces natural gas strongly from the Scarborough Yates-Seven Rivers Pool and has produced approximately 12 Bcf to date. Other wells in that section have also produced natural gas. Wells located in Section 32 have cumulatively produced approximately 2 Bcf of natural gas to date.

(10) The evidence of significant natural gas production from the Parker "A" Federal Well No. 1 and from other wells in Sections 29 and 32, together with the structure map and other exhibits and documents submitted to the Commission,

² See Order No. R-9949 (Case No. 6337).

demonstrate that an opportunity exists at the location of the Eaves "B" Well No. 20 for production of natural gas.

(11) The evidence presented by Southwest shows that additional reserves of natural gas will be recovered from Section 30 if the application is granted; if the application is not granted, the additional reserves may never be recovered.

(12) The evidence presented by Southwest shows that in the absence of production from Section 30, it is likely that drainage from the offsetting Parker "A" Federal Well No. 1 would ultimately drain some natural gas from Southwest's acreage, violating Southwest's correlative rights.

(13) The evidence presented by Southwest shows the amount of natural gas present in Section 30 does not justify drilling of an additional well; feasible recovery can only be accomplished from an existing well.

(14) The evidence presented by Southwest shows that wells in the pool do not presently drain 640 acres.

(15) The evidence presented by Southwest shows that orderly development of the pool would not be affected were Southwest's application to be granted; the evidence shows the Eaves "B" Well No. 20 will be produced to depletion and further development of Section 30 is unlikely.

(16) The evidence presented by Southwest shows force-pooling the remaining properties in Section 30 would dilute Southwest's interests to the extent that any rework and production from the Eaves "B" Well No. 20 would be uneconomical.

(17) The evidence presented by Southwest shows that granting the application will prevent underground waste as that phrase is defined in NMSA 1978, § 70-2-3(A), will protect Southwest's correlative rights and will not impair the correlative rights of other operators in the pool.

(18) Offset operator Gruy Petroleum Management Company has no objection to the application. Offset operators Conoco Inc. and McCasland Management were notified by certified mail of the pending application and were also orally notified by Southwest.

(19) No objections to the application have been received and no one appeared at the hearing of November 8, 2000 to oppose the application.

IT IS THEREFORE ORDERED, AS FOLLOWS:

(20) The application of Southwest Royalties, Inc. for an exception to the well location and spacing requirement of the Special Rules and Regulations for the Scarborough Yates-Seven Rivers Pool to form a non-standard 200-acre spacing and proration unit comprising the S/2 NE/4, NE/4 SE/4 and S/2 SE/4 of Section 30, Township 26 South, Range 37 East, NMPM, Lea County, New Mexico, and to dedicate this unit to its existing Eaves "B" Well No. 20 (API No. 30-025-32274) located at an unorthodox gas well location 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30, is hereby **granted**.

(21) Jurisdiction is hereby retained for the entry of such further orders, as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the 16th day of February, 2001.

**STATE OF NEW MEXICO
OIL CONSERVATION COMMISSION**

JAMI BAILEY, Member

ROBERT L. LEE, Member

LORI WROTENBERY, Chairman

S E A L

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

**IN THE MATTER OF THE HEARING
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**APPLICATION OF SOUTHWEST ROYALTIES, INC. FOR A NON-STANDARD
GAS SPACING AND PRORATION UNIT AND AN UNORTHODOX GAS WELL
LOCATION, LEA COUNTY, NEW MEXICO, *DE NOVO*.**

ORDER OF THE COMMISSION

BY THE COMMISSION:

THIS MATTER, having come before the New Mexico Oil Conservation Commission (hereinafter referred to as "the Commission") on this ____ day of January, 2000), *de novo*, on application of Southwest Royalties, Inc. for a non-standard gas spacing and proration unit and an unorthodox gas well location, Lea County, New Mexico, and the Commission, having conducted a hearing on the application at 9:00 a.m. on November 8, 2000, during which testimony and evidence was received from the applicant,

FINDS:

(1) Due public notice has been given and the Commission has jurisdiction of this case and its subject matter.

(2) The applicant, Southwest Royalties, Inc. (hereinafter referred to as "Southwest"), sought from the Oil Conservation Division (hereinafter referred to as "the Division") an exception to the well location (Rule 3) and spacing (Rule 6) requirements provided within the "*Special Rules and Regulations for the Scarborough Yates-Seven Rivers Pool*," set forth in Division Order No. R-2999 (Case No. 3316)(November 23, 1965). Southwest sought these exceptions so that it could form a non-standard 200-acre gas spacing and proration unit comprising the S/2 NE/4, NE/4 SE/4 and S/2 SE/4 of Section 30, Township 26 South, Range 37 East, NMPM, Lea County, New Mexico, and dedicate this unit to its existing Eaves "B" Well No. 20 (**API No. 30-025-32274**) located at an unorthodox gas well location 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30.

(3) Rules 3 and 6 of the "*Special Rules and Regulations for Scarborough Yates-Seven Rivers Pool*" permit production from the pool only from a 640-acre gas spacing and proration unit with a well located no closer than 1980 feet to the outer boundary of the section and no closer than 330 feet to any quarter-quarter section line or subdivision inner boundary.

(4) The Division, in Order No. R-11434 denied the application of Southwest. The application is accordingly before the Commission *de novo* pursuant to the provisions of the NMSA 1978, § \diamond .

(5) The Eaves "B" Well No. 20 is a temporarily abandoned wellbore which previously produced <oil> from the Seven Yates Seven Rivers Pool. Southwest proposes to recomplete this well uphole in the Scarborough Yates-Seven Rivers Pool.

(7) On August 30, 1998, upon application of Hal J. Rasmussen Operating, Inc., the Oil Conservation Division approved the Eaves "B" Well No. 20 at an unorthodox oil well location¹ in the Scarborough Yates-Seven Rivers Pool 1414 feet from the South line and 429 feet from the East line (Unit I) of Section 30, in Order No. R-9949 (Case No. 6337).

(8) In June of 1997, Southwest temporarily abandoned the Eaves "B" Well No. 20.

(9) All wells within Section 30 where the Eaves "B" Well No. 20 are either shut-in, plugged and abandoned or temporarily abandoned; only one is producing except the \diamond No. 8 well, which is producing from the Seven Rivers <formation>. If the application is granted, Southwest plans to plug and abandon the \diamond No. 8 well also.

(10) Production from wells in sections West and North <??> of Section 30 is declining or has ceased. Southwest operated wells in Section 25, but all are in the process of being plugged and abandoned. The wells in Section 36 have been plugged and abandoned.

(11) The Parker "A" well in Section 29 produces strongly from the Scarborough Yates-Seven Rivers Pool and has produced 12 Bcf to date.

¹ Rules 2 and 5 of the "*Special Rules and Regulations for Scarborough Yates-Seven Rivers Pool*" require standard 40-acre oil spacing and proration units with wells to be located no than 330 feet to any quarter-quarter section line or subdivision inner boundary.

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(12) Southwest purchased the field from <>, who in turn purchased it from Conoco <>. The Eaves "B" Well No. 20 is intended as a salvage well from which Southwest intends to recoup some investment from the field.

(13) The evidence of production from the Parker "A" well, together with the structure map, tend to show the possibility that an opportunity exists at the location of the Eaves "B" Well No. 20 for production of natural gas from the pool. The Parker "A" well is completed in this zone, and other wells <(list)> have also produced from this <zone>.

(14) The evidence presented by Southwest tends to show that additional reserves will be produced if the application is granted.

(15) The evidence presented by Southwest tends to show that reserves of natural gas may not recovered at all without recovery from a well in Section 30.

(16) The evidence presented by Southwest tends to show that the comparatively small reserves of natural gas present in Section 30 would not justify the drilling of an additional well.

(17) The evidence presented by Southwest tends to show that wells in the pool will not drain 640 acres, and no properties in the pool could economically sustain production from 640 acres. <is there evidence of this?>

(18) The evidence presented by Southwest tends to show that, as a salvage project, orderly development of the pool would not be affected were Southwest's application to be granted; the well will simply be produced to depletion and no further development of Section 30 is likely.

(19) The evidence presented by Southwest tends to shows that in the absence of production from Section 30, it is likely that the offsetting Parker "B" well would ultimately result in inequitable drainage of natural gas under Southwest's acreage to that well.

(20) The evidence presented by Southwest tends to show that correlative rights would be protected by the application and the rights of other operators in the pool would not be impaired.

(21) The evidence presented by Southwest tends to show that force-pooling <the remaining properties in Section 30> would dilute its interest with nonproductive acreage to the extent that the well would become uneconomical.

(22) The evidence presented by Southwest tends to show that granting the application would prevent waste pursuant to NMSA 1978, § <> (leaving resources in ground).

(23) Offset operator Gruy Petroleum Management Company has no objection to the application.

(24) Offset operators Conoco Inc. and McCasland Management, Hobbs, New Mexico were informed by certified mail of the pending application of Southwest.

(25) No one appeared at the hearing of November <>, 2000 to oppose the application.

(26) Official notice is taken of files relating to <>

IT IS THEREFORE ORDERED, AS FOLLOWS:

(27) The application of Southwest Royalties, Inc. is hereby **granted**.

(28) Jurisdiction is hereby retained for the entry of such further orders, as the Division may deem necessary.

DONE at Santa Fe, New Mexico, on the _____ day of January, 2000.

EXTRA:

(12) Southwest's evidence in support of its application does not indicate that additional reserves will be recovered that would otherwise be unrecoverable, or that correlative rights are being protected.

(13) Southwest did not present any evidence indicating that the wells in the Scarborough Yates-Seven Rivers Pool could not drain 640 acres.

(14) The creation of a 200-acre non-standard gas spacing and proration unit in the S/2 NE/4, NE/4 SE/4 and S/2 SE/4 of Section 30 would:

- (a) promote disorderly pool development by leading to the formation of additional non-standard gas spacing and proration units in Section 30;
- (b) result in economic waste by encouraging the drilling of unnecessary wells in Section 30 as a result of the formation of additional non-standard gas spacing and proration units; and
- (c) cause inequitable drainage allowing more than one well per 640-acres.

(15) Further, the proposed unorthodox gas well location does not appear to protect the correlative rights of the "affected persons."

(16) Southwest did not present any evidence as to why forced pooling in this case is not an option.

(17) No affected party appeared at the hearing or objected to this application.

(18) Based on the evidence presented, Southwest's request does not appear to be based on drainage, but on leases held by Southwest. Additionally, Southwest's

request appears to be made only for the purpose of avoiding the one well per 640-acres limit, appears to promote waste, does not serve to protect correlative rights, promotes the drilling of unnecessary wells and should therefore be denied.

STATE OF NEW MEXICO
OIL CONSERVATION DIVISION

LORI WROTENBERY
Director

S E A L

(6) The applicant testified that there has never been a gas well in the Scarborough Yates-Seven Rivers Pool spaced on 640 acres.

(6) The applicant presented evidence that the following wells within the Scarborough Yates-Seven Rivers Pool were permitted as gas wells with less than 640-acre dedication:

(a) pursuant to Division Order No. R-683, dated July 14, 1955, the Gruy Petroleum Management Company, Parker A Federal Well No. 1 (**API No. 30-025-12077**), located in Unit D of Section 29, Township 26 South, Range 37 East, NMPM, having 320-acre dedication, and currently active;

(b) pursuant to Division Administrative Order No. NSP-468, dated January 30, 1959, the McCasland Management, Inc., State O Well No. 3 (**API No. 30-025-12094**), located in Lot 3 of Section 32, Township 26 South, Range 37 East, NMPM, having 153.12-acre dedication, and currently shut-in;

(c) the McCasland Management, Inc., State O Well No. 4 (**API No. 30-025-25633**), located in Unit B of Section 32, Township 26 South, Range 37 East, NMPM, having 40-acre dedication, and currently active;

(d) the McCasland Management, Inc., State O Well No. 5 (**API No. 30-025-25668**), located in Unit C of Section 32,

Township 26 South, Range 37 East, NMPM, having 40-acre dedication, and currently shut-in;

(e) the McCasland Management, Inc., State O Well No. 6 (**API No. 30-025-25774**), located in Unit D of Section 32, Township 26 South, Range 37 East, NMPM, having 40-acre dedication, and currently shut-in; and

(f) pursuant to Division Administrative Order No. NSP-503, dated September 14, 1959, the Melzer and Henderson, Federal F Well No. 1, located in Lot 2 of Section 32, Township 26 South, Range 37 East, NMPM, having 160-acre dedication, and currently plugged and abandoned.

(7) Division records indicate that the above described Parker A Federal Well No. 1, State O Well No. 3 and Federal F Well No. 1 were permitted as gas wells with less than 640-acre spacing prior to the Scarborough Yates-Seven Rivers special pool rules.

(8) Additionally, Division records indicate that the above-described McCasland Management, Inc. State O Well No. 4, McCasland Management, Inc. State O Well No. 5 and McCasland Management, Inc. State O Well No. 6 are not gas wells with less than 640-acre spacing, but oil wells that were properly spaced pursuant to Division Order No. R-2999.

(5) The Scarborough Yates-Seven Rivers Pool comprises the following described area:

TOWNSHIP 26 SOUTH, RANGE 36 EAST, NMPM

Section 12: E/2
Section 13: E/2
Section 24: E/2
Section 25: E/2
Section 36: NE/4

TOWNSHIP 26 SOUTH, RANGE 37 EAST, NMPM

Section 6: SW/4 SW/4
Section 7: W/2 E/2, W/2
Section 18: W/2 NE/4, W/2, SE/4
Section 19: W/2 NE/4, W/2, SE/4

Sections 29 through 33: All.