



New Mexico Energy, Minerals and Natural Resources Department

Bill Richardson

Governor

Jim Noel

Cabinet Secretary

Karen W. Garcia

Deputy Cabinet Secretary

Mark Fesmire

Division Director

Oil Conservation Division



August 31, 2010

OXY USA, Inc.
Attn: David Stewart
P.O.Box 50250
Midland, TX 79710-0250

Administrative Order NSL-6251

**Re: Lost Tank 3 Federal Well No. 21
API No. 30-015-37920
2558 feet FNL & 285 feet FWL
Unit E, Section 3-22S-31E
Eddy County, New Mexico**

Dear Mr. Stewart:

Reference is made to the following:

(a) your application (**administrative application reference No. pTGW10-23847720**) submitted to the New Mexico Oil Conservation Division (the Division) in Santa Fe, New Mexico on August 26, 2010, and

(b) the Division's records pertinent to this request.

OXY has requested to drill the above-referenced well at an unorthodox oil well location, described above in the caption of this letter.

The SW/4 NW/4 of Section 3 will be dedicated to this well in order to form a standard 40-acre spacing unit in the West Lost Tank-Delaware Pool (96582). This pool is governed by statewide Rule 15.9.A, which provides for 40-acre units, with wells located at least 330 feet from a unit outer boundary. This location is less than 330 feet from the western unit boundary.

Your application has been duly filed under the provisions of Division Rules 15.13 and 4.12.A(2).

It is our understanding that you are seeking this location to conform to United States Bureau of Land Management potash area drilling restrictions. It is further understood notice of this application to

Oil Conservation Division

1220 South St. Francis Drive • Santa Fe, New Mexico 87505
Phone (505) 476-3440 • Fax (505) 476-3462 • www.emnrd.state.nm.us/OCD



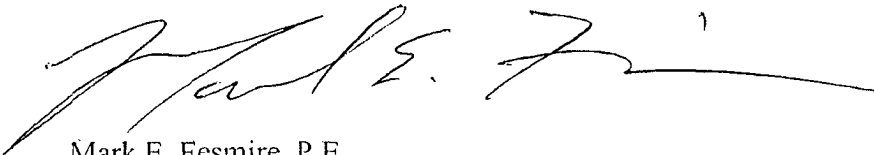
offsetting operators or owners is not required due to common ownership, and because the only affected operator has executed a waiver of objection, which was filed with your application.

Pursuant to the authority conferred by Division Rule 15.13.B, the above-described unorthodox location is hereby approved.

This approval is subject to your being in compliance with all other applicable Division rules, including, but not limited to Division Rule 5.9.

Jurisdiction of this case is retained for the entry of such further orders as the Division may deem necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Fesmire", with a long horizontal flourish extending to the right.

Mark E. Fesmire, P.E.
Acting Director

MEF/db

cc: New Mexico Oil Conservation Division - Artesia
United States Bureau of Land Management