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DATE IN	SUSPENSE	ENGINEER	LOGGED IN	TYPE	APP NO
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ABOVE THIS LINE FOR DIVISION USE ONLY

**NEW MEXICO OIL CONSERVATION DIVISION**  
 - Engineering Bureau -  
 1220 South St. Francis Drive, Santa Fe, NM 87505



JAN 23 2008  
 OCD-ART 125

## ADMINISTRATIVE APPLICATION CHECKLIST

THIS CHECKLIST IS MANDATORY FOR ALL ADMINISTRATIVE APPLICATIONS FOR EXCEPTIONS TO DIVISION RULES AND REGULATIONS WHICH REQUIRE PROCESSING AT THE DIVISION LEVEL IN SANTA FE

### Application Acronyms:

[NSL-Non-Standard Location] [NSP-Non-Standard Proration Unit] [SD-Simultaneous Dedication]  
 [DHC-Downhole Commingling] [CTB-Lease Commingling] [PLC-Pool/Lease Commingling]  
 [PC-Pool Commingling] [OLS - Off-Lease Storage] [OLM-Off-Lease Measurement]  
 [WFX-Waterflood Expansion] [PMX-Pressure Maintenance Expansion]  
 [SWD-Salt Water Disposal] [IPI-Injection Pressure Increase]  
 [EOR-Qualified Enhanced Oil Recovery Certification] [PPR-Positive Production Response]

[1] **TYPE OF APPLICATION** - Check Those Which Apply for [A]

[A] Location - Spacing Unit - Simultaneous Dedication

☒ NSL ☐ NSP ☐ SD

Check One Only for [B] or [C]

[B] Commingling - Storage - Measurement

☐ DHC ☐ CTB ☐ PLC ☐ PC ☐ OLS ☐ OLM

[C] Injection - Disposal - Pressure Increase - Enhanced Oil Recovery

☐ WFX ☐ PMX ☐ SWD ☐ IPI ☐ EOR ☐ PPR

[D] Other: Specify \_\_\_\_\_

[2] **NOTIFICATION REQUIRED TO:** - Check Those Which Apply, or Does Not Apply

[A] ☐ Working, Royalty or Overriding Royalty Interest Owners

[B] ☒ Offset Operators, Leaseholders or Surface Owner

[C] ☐ Application is One Which Requires Published Legal Notice

[D] ☐ Notification and/or Concurrent Approval by BLM or SLO

U S Bureau of Land Management - Commissioner of Public Lands, State Land Office

[E] ☐ For all of the above, Proof of Notification or Publication is Attached, and/or,

[F] ☐ Waivers are Attached

[3] **SUBMIT ACCURATE AND COMPLETE INFORMATION REQUIRED TO PROCESS THE TYPE OF APPLICATION INDICATED ABOVE.**

[4] **CERTIFICATION:** I hereby certify that the information submitted with this application for administrative approval is **accurate** and **complete** to the best of my knowledge. I also understand that **no action** will be taken on this application until the required information and notifications are submitted to the Division.

Note: Statement must be completed by an individual with managerial and/or supervisory capacity.

OceanMunds-Dry  
 Print or Type Name

OceanMunds-Dry  
 Signature

Attorney  
 Title

1/17/08  
 Date

omundsdry@hollandhart.com  
 e-mail Address

30-015-36022

RECEIVED  
 2008 JAN 17 PM 3 51



January 17, 2008

**HAND-DELIVERED**

Mark E. Fesmire, P.E.  
Director  
Oil Conservation Division  
New Mexico Department of Energy,  
Minerals and Natural Resources  
1220 South Saint Francis Drive  
Santa Fe, New Mexico 87505

Re: Application of Chesapeake Operating, Inc. for administrative approval of an unorthodox penetration point for its Diamond 31 Federal Well No. 2H to be drilled as a horizontal wellbore from a surface location 1722 feet from the South line and 1542 feet from the East line, intersecting the Delaware formation at an unorthodox penetration point 1722 feet from the South line and 1542 feet from the East line to a standard bottomhole location 1650 feet from the South and the West lines of Section 31, Township 24 south, Range 29 East, NMPM, Eddy County, New Mexico.

Dear Mr. Fesmire:

Chesapeake Operating, Inc. ("Chesapeake") hereby seeks administrative approval pursuant to the provisions of Division Rules 104 and 111 of an unorthodox penetration point for its Diamond 31 Federal Well No. 2H. This well is located in Section 31, Township 24 South, Range 29 East, N.M.P.M., Eddy County, New Mexico and will be drilled to test the Delaware formation, Willow Lake Delaware Pool, from an unorthodox surface location 1722 feet from the South line and 1542 feet from the East line, intersecting the Delaware formation at an unorthodox penetration point 1722 feet from the South line and 1542 feet from the East line, and to a standard bottomhole location 1650 feet from the South and West lines of said Section 31, Eddy County, New Mexico. An 80-acre project area has been dedicated to this horizontal well consists comprised of the NE/4 SW/4 and the NW/4 SE/4 of Section 31.

This location is unorthodox because the Delaware formation under this acreage is governed by the Division's statewide rules which provide for wells on 40-acre spacing units to be located no closer than 330 feet to the outer boundary of the spacing unit. Division Rule 111 defines the "Penetration Point" as "the point where the wellbore penetrates the top of the pool from which it is intended to produce." The wellbore penetrates the Delaware formation at a point 1542 feet from the East line of Section 31

HOLLAND & HART<sup>LLP</sup>



which is only 222 feet from the eastern boundary of the project area for the well and is therefore 222 feet closer than allowed by Division rules.

Although the wellbore penetrates the top of the Delaware Mountain Group at an unorthodox location, the well will be at a standard location at the producing interval. The Bureau of Land Management required the surface location be moved from a standard location to avoid archaeological sites. Chesapeake penetrates the top of the Delaware at approximately 2,770 feet in the vertical portion of the well and then will kick-off at approximately 4,608 feet in the Cherry Canyon. Chesapeake is targeting the Willow Lake interval which is estimated at 5076 feet to 5122 feet. Therefore, once Chesapeake reaches the target formation, it will be at a standard location.

Exhibit A is a copy of the C-102 filed for this well. Exhibit B is a plat which shows the subject area and the 80-acre-spacing-unit/horizontal-well-project-area-for-this-well comprised of the NE/4 SW/4 and the NW/4 SE/4 of Section 31. The project area is comprised of one federal oil and gas lease.

A copy of this application with all attachments was mailed to Judah Oil LLC who is the offset operator in the adjoining spacing unit towards which Chesapeake is encroaching. The affected party was advised that if they have an objection to this application it must be filed in writing with the Division's Santa Fe office within twenty days from the date notice was sent. It was also advised that if no objections were received by the Division within twenty days, the Division Director could approve the application.

Your attention to this application is appreciated.

Sincerely,

*Ocean Munds-Dry*

Ocean Munds-Dry  
Attorney for Chesapeake Operating, Inc.

Enclosures

cc: OCD/Artesia, District 2

DISTRICT I  
1625 N. FRENCH DR., HOBBBS, NM 86240

DISTRICT II  
1301 W. GRAND AVENUE, ARTESIA, NM 88210

DISTRICT III  
1000 Rio Bravo Rd., Aztec, NM 87410

DISTRICT IV  
1220 S. ST. FRANCIS DR., SANTA FE, NM 87505

State of New Mexico  
Energy, Minerals and Natural Resources Department

OIL CONSERVATION DIVISION  
1220 SOUTH ST. FRANCIS DR.  
Santa Fe, New Mexico 87505

Form C-102  
Revised October 12, 2005  
Submit to Appropriate District Office  
State Lease - 4 Copies  
Fee Lease - 3 Copies

WELL LOCATION AND ACREAGE DEDICATION PLAT

☐ AMENDED REPORT

API Number	Pool Code <b>64453</b>	Pool Name <b>Willow Lake; Delaware</b>
Property Code	Property Name <b>DIAMOND 31 FEDERAL</b>	Well Number <b>2H</b>
OGRID No <b>147179</b>	Operator Name <b>CHESAPEAKE OPERATING, INC.</b>	Elevation <b>2908'</b>

Surface Location

UL or lot No	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
J	31	24-S	29-E		1722	SOUTH	1542	EAST	EDDY

Bottom Hole Location If Different From Surface

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
K	31	24-S	29-E		1650	SOUTH	1650	WEST	EDDY
Dedicated Acres <b>80</b>	Joint or Infill	Consolidation Code	Order No.						

NO ALLOWABLE WILL BE ASSIGNED TO THIS COMPLETION UNTIL ALL INTERESTS HAVE BEEN CONSOLIDATED  
OR A NON-STANDARD UNIT HAS BEEN APPROVED BY THE DIVISION

<p>LOT 1</p> <p>LOT 2</p> <p>LOT 3</p> <p>LOT 4</p> <p><b>Project area</b></p> <p><b>Producing Area</b></p> <p>GEODETIC COORDINATES NAD 27 NME SURFACE LOCATION Y=426108.6 N X=597078.3 E</p> <p>B.H.</p> <p>GRID AZ = 267°44'51" HORIZ. DIST. = 2117.8'</p> <p>2909.1'</p> <p>2911.4'</p> <p>2909.4'</p> <p>2908.4'</p> <p>1650'</p> <p>1542'</p> <p>1722'</p>	<p><b>OPERATOR CERTIFICATION</b></p> <p>I hereby certify that the information herein is true and complete to the best of my knowledge and belief, and that this organization either owns a working interest or unleased mineral interest in the land including the proposed bottom hole location or has a right to drill this well at this location pursuant to a contract with an owner of such mineral or working interest, or to a voluntary pooling agreement or a compulsory pooling order heretofore entered by the division.</p> <p><i>Craig Bennett</i> 8/14/07 Signature Date</p> <p><b>CRAIG BENNETT</b> Printed Name</p>
	<p><b>SURVEYOR CERTIFICATION</b></p> <p>I hereby certify that the well location shown on this plat was plotted from field notes of actual surveys made by me or under my supervision, and that the same is true and correct to the best of my belief.</p> <p><b>GARY G. EIDSON</b> Date Surveyed 8/14/07 AR</p> <p>Signature &amp; Seal of Professional Surveyor <i>GARY G. EIDSON</i> 8/14/07</p>
	<p>Certificate No. <b>GARY EIDSON 12641</b> <b>RONALD J. EIDSON 3239</b></p>

EXHIBIT

A

EXHIBIT A-1

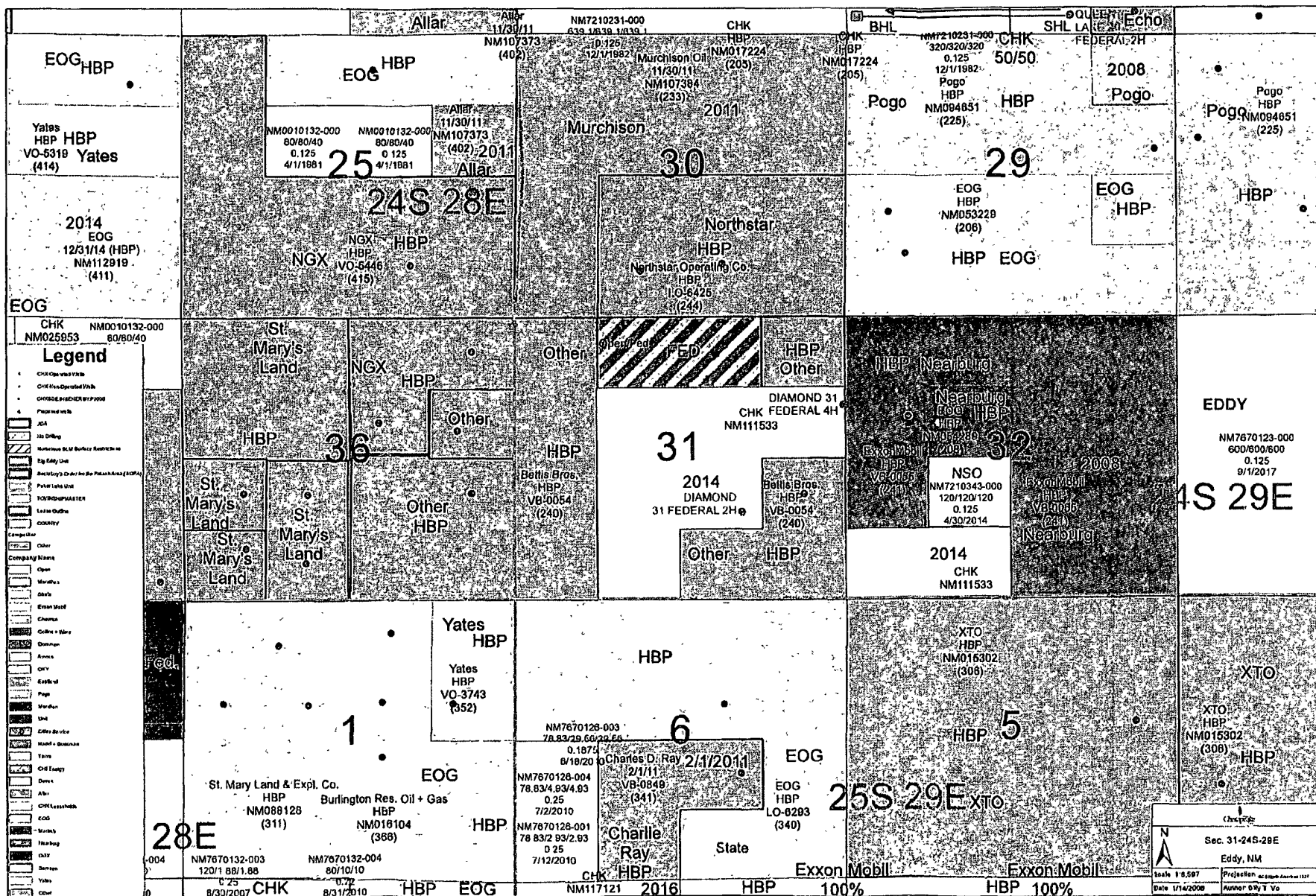


EXHIBIT  
**B**



January 17, 2008

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED****Judah Oil LLC**  
**1805 Jacobs**  
**Artesia, NM 88210**

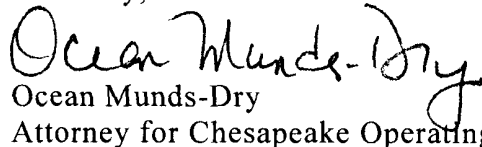
Re: Application of Chesapeake Operating, Inc. for administrative approval of an unorthodox penetration point for its Diamond 31 Federal Well No. 2H which it proposes to drill as a horizontal wellbore in the Willow Lake Delaware Pool in Section 31, Township 24 South, Range 29 East, N.M.P.M., Eddy County, New Mexico.

Ladies and Gentlemen:

Enclosed is a copy of the above-referenced application which was filed with the New Mexico Oil Conservation Division on this date by Chesapeake Operating, Inc. for administrative approval of an unorthodox penetration point for its Diamond 31 Federal Well No. 2H. This well is located in Section 31, Township 24 South, Range 29 East, N.M.P.M., and will be drilled to test the Delaware formation, Willow Lake Delaware Pool, from an unorthodox surface location 1722 feet from the South line and 1542 feet from the East line, intersecting the Delaware formation at an unorthodox penetration point 1722 feet from the South line and 1542 feet from the East line, and to a terminus at a standard location 1650 feet from the South and West lines of said Section 31, Eddy County, New Mexico.

As an owner of an interest that may be affected by the proposed well, you may object to this application. Objections must be filed in writing within twenty days from this date at the Division's Santa Fe office that is located at 1220 South Saint Francis Drive, Santa Fe, New Mexico. 87505. If no objection is received within this twenty-day period, this application for an unorthodox well location may be approved.

Sincerely,

  
Ocean Munds-Dry  
Attorney for Chesapeake Operating, Inc.

Enclosures

**Holland & Hart** LLPPhone [505] 988-4421 Fax [505] 983-6043 [www.hollandhart.com](http://www.hollandhart.com)

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ☐