

HOLLAND & HART LLP



S

Ocean Munds-Dry
omundsdry@hollandhart.com

March 20, 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

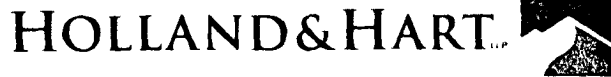
Re: Application of Myco Industries, Inc. for Administrative Approval of the Simultaneous Dedication of the S/2 of Section 33, Township 15 South, Range 25 East, N.M.P.M., Chaves County, New Mexico to its proposed Milo 33 Fee Well No. 2H and the existing Milo 33 Fee Well No. 1H.

Dear Mr. Fesmire:

Myco Industries, Inc. ("Myco") is the operator of a standard 320-acre spacing unit comprised of the S/2 of Section 33, Township 15 South, Range 25 East, N.M.P.M., Chaves County, New Mexico. This spacing unit is dedicated to Myco's Milo 33 Fee Well No. 1H which has been horizontally drilled and produces from the Wolfcamp formation.

Myco seeks administrative approval of the simultaneous dedication of this standard 320-acre gas spacing unit to the following two horizontal gas wells:

- A. the existing Milo 33 Fee Well No. 1H (API No. 30-005-63849) horizontally drilled from a surface location 710 feet from the South line and 186 feet from the East line of Section 32, Township 15 South, Range 25 East to an end point or bottom hole location 710 feet from the South line and 660 feet from the East line of said Section 33; and
- B. the proposed Milo 33 Fee Well No. 2H (API No. 30-005-63910) to be horizontally drilled from a surface location 1930 feet from the South line and 236 feet from the East line of said Section 32 to a proposed end point or bottomhole location 1930 feet from the South line and 660 feet from the East line of said Section 33.



Both the penetration point and the bottomhole location for the Milo 33 Fee Well No. 1H are at a standard location in the Wolfcamp formation pursuant to Division Rules 104.C (2) (a) and 111.A (7). Myco now intends to horizontally drill and complete its proposed Milo 33 Fee Well No. 2H to be drilled to the targeted subsurface end-point or bottomhole location 1930 feet from the South line and 660 feet from the East line (Unit I) of Section 33. Myco proposes to drill this well in compliance with the set-back requirements of Division Rules 104.C(2)(b) and 111.A(7) for deep gas wells in southeast New Mexico.

Attached hereto as **Exhibit A** is a copy of Division Form C-102 for this well that shows the proposed surface and bottomhole location of the well.

Exhibit B is a map of offset operators around the spacing unit in Section 33. **Exhibit C** is a list of affected parties as defined by Division Rules. Myco is also the working interest owner in the S/2 of Section 32 and ownership is common. As required by Rule 1210, a copy of this application (with attachments) has been sent to those affected parties in accordance with Rule 1207(A)(5) and they have been 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 this notice was sent.

The simultaneous dedication of the S/2 of said Section 33 to the Milo 33 Fee Well Nos. 1H and 2H will afford Myco the opportunity to efficiently produce the Wolfcamp formation under this spacing unit. Myco's proposed simultaneous dedication of these wells does not exceed the number of wells allowed by Division Rule for this spacing unit.

Your attention to this application is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Ocean Munds-Dry".

Ocean Munds-Dry
Attorney for Myco Industries, Inc.

Enclosures

DISTRICT I
1400 N. FRANKLIN BL., ALBUQUERQUE, NM 87102

DISTRICT II
1400 N. GARDEN AVENUE, ALBUQUERQUE, NM 87102

DISTRICT III
1000 E. RIVEROA BL., ALBUQUERQUE, NM 87410

DISTRICT IV
1400 N. GARDEN AVENUE, ALBUQUERQUE, NM 87102

State of New Mexico
Energy, Minerals and Natural Resources Department

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

Month-Year
MAR - 5 2007
OCD - ALBUQUERQUE, NM

Form C-102
Revised October 12, 2000
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 96086	Pool Name Wildcat; Wolfcamp
Property Code	Property Name MILO 33 FEE	Well Number 2H
OCD No.	Operator Name MYCO INDUSTRIES, INC.	Elevation 3468'

Surface Location

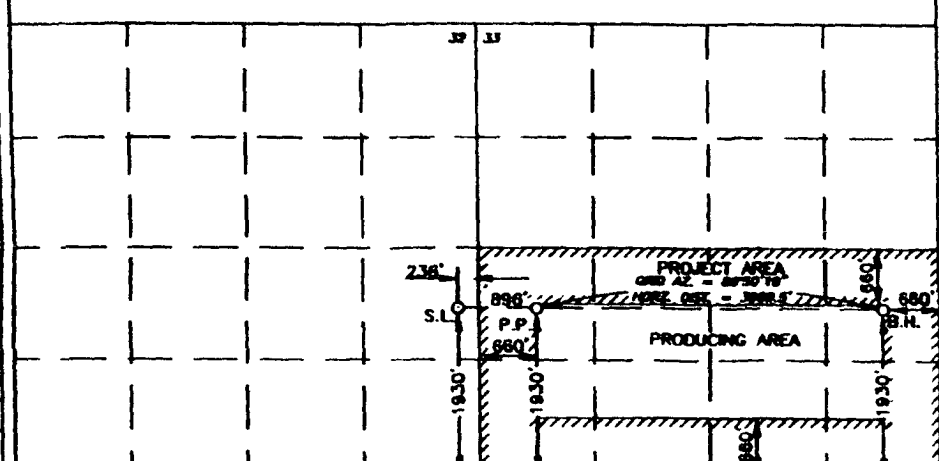
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
1	32	15-S	25-E		1930	SOUTH	236	EAST	CHAVES

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
1	33	15-S	25-E		1930	SOUTH	660	EAST	CHAVES

Dedicated Acres	Joint or Infill	Consolidation Code	Order No.
320			

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>SCALE - 1"=2000'</p> 		<p>OPERATOR CERTIFICATION</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 undivided 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 this division.</p> <p><i>[Signature]</i> 3.5.2007 Signature Date SHARI NABGES Printed Name</p>	
		<p>SURVEYOR CERTIFICATION</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>JANUARY 22, 2007 Date Surveyed REV. 2/7/07 AR Signature & Seal of Professional Surveyor <i>[Signature]</i> 07.11.0097 Certificate No. SAIT 10000 12041 NOBLE J. JOHNSON 3239</p>	
<p>GEODETTIC COORDINATES NAD 27 NME SURFACE HOLE LOCATION Y=716446.3 N X=462212.5 E LAT.=32.969521° N LONG.=104.456544° W</p>		<p>PENETRATION POINT Y=716448.4 N X=463108.3 E LAT.=32.969530° N LONG.=104.453624° W</p>	
<p>BOTTOM HOLE LOCATION Y=716459.6 N X=467076.8 E LAT.=32.969572° N LONG.=104.440684° W</p>			

EXHIBIT

A

DISTRICT I

1000 S. FRANCIS DR., SANTA FE, NM 87505

DISTRICT II

1000 S. FRANCIS DR., SANTA FE, NM 87505

DISTRICT III

1000 S. FRANCIS DR., SANTA FE, NM 87505

DISTRICT IV

1000 S. FRANCIS DR., SANTA FE, NM 87505

State of New Mexico
Energy, Minerals and Natural Resources DepartmentOIL CONSERVATION DIVISION
1220 SOUTH ST. FRANCIS DR.
Santa Fe, New Mexico 87505Month-Year
MAR - 5 2007
OCD - ALFREDA, NMForm C-102
Revised October 12, 2000
Submit to Appropriate District Office
State License - 4 Copies
Fee License - 3 Copies

WELL LOCATION AND ACREAGE DEDICATION PLAT

☐ AMENDED REPORT

API Number	Pool Code 96086	Pool Name Wildcat; Wolfcamp
Property Code	Property Name MILO 33 FEE	Well Number 2H
OCED No.	Operator Name MYCO INDUSTRIES, INC.	Elevation 3468'

Surface Location

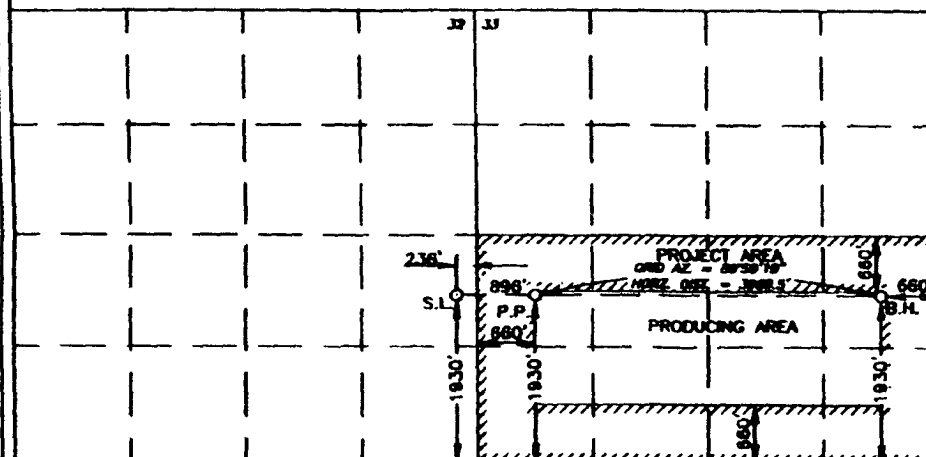
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
1	32	15-S	25-E		1930	SOUTH	236	EAST	CHAVES

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
1	33	15-S	25-E		1930	SOUTH	660	EAST	CHAVES
Dedicated Acres 320	Joint or In/Out	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

SCALE - 1"=2000'



GEODETIC COORDINATES
NAD 27 NME
SURFACE HOLE LOCATION
Y=716446.3 N
X=462212.5 E

LAT.=32.969521° N
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PENETRATION POINT
Y=716448.4 N
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LAT.=32.969530° N
LONG.=104.453624° W

BOTTOM HOLE LOCATION
Y=716459.6 N
X=467076.8 E
LAT.=32.969572° N
LONG.=104.440684° W

OPERATOR CERTIFICATION

I hereby certify that the information herein is true and complete to the best of my knowledge and belief, and that this information either owns a working interest or undivided 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.

Signature: *Shari Nages* Date: 3.5.2007
Printed Name: SHARI NAGES

SURVEYOR CERTIFICATION

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.

JANUARY 22, 2007

Date Surveyed: REV. 2/7/07 AR
Signature & Seal of Professional Surveyor

Signature: *Shari Nages* Date: 2/27/07
07.11.0097
Certificate No. 12841
Surveyor's Name: SHARI NAGES

DISTRICT I

1000 N. FRANKLIN DR., ALBUQUERQUE, NM 87102

DISTRICT II

1000 N. GARDEN AVENUE, ALBUQUERQUE, NM 87102

DISTRICT III

1000 N. BRUNNEN RD., ALBUQUERQUE, NM 87410

DISTRICT IV

1000 N. ST. FRANCIS DR., ALBUQUERQUE, NM 87102

State of New Mexico

Energy, Minerals and Natural Resources Department

OIL CONSERVATION DIVISION

1220 SOUTH ST. FRANCIS DR.
Santa Fe, New Mexico 87505Month-Year
MAR - 5 2007
OCD - ALBUQUERQUE, NM

Form C-102

Revised October 12, 1999

Submit to Appropriate District Office

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☐ AMENDED REPORT

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Property Code	Property Name MILO 33 FEE	Well Number 2H
OCED No.	Operator Name MYCO INDUSTRIES, INC.	Elevation 3468'

Surface Location

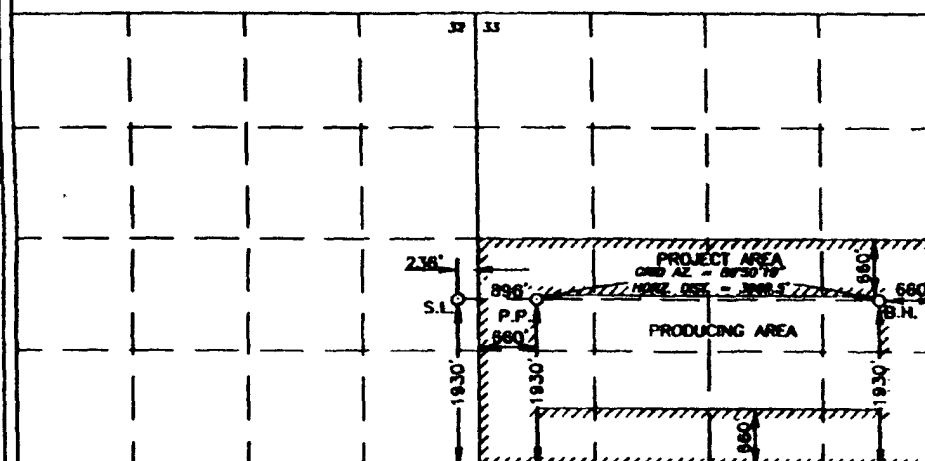
UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
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Bottom Hole Location if Different From Surface

UL or lot No.	Section	Township	Range	Lot Idn	Feet from the	North/South line	Feet from the	East/West line	County
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Dedicated Acres 320	Joint or Infill	Consolidation Code	Order No.						

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NAD 27 NME
SURFACE HOLE LOCATION
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LAT.=32.969572° N
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OPERATOR CERTIFICATION

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Shari Hodges 3.5.2007
Signature Date
SHARI HODGES
Printed Name

SURVEYOR CERTIFICATION

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.

JANUARY 22, 2007
Date Surveyed REV. 7/27/07 AR
Signature & Seal of Professional Surveyor

Shari Hodges 2/25/07
07.11.0097
Certificate No. 6417 Expires 12/31/10
Shari J. Hodges 3239

DISTRICT I
1000 N. FRANKLIN DR., SUITE 100, ALBUQUERQUE, NM 87102

DISTRICT II
1000 N. FRANKLIN DR., SUITE 100, ALBUQUERQUE, NM 87102

DISTRICT III
1000 N. FRANKLIN DR., SUITE 100, ALBUQUERQUE, NM 87102

DISTRICT IV
1000 N. FRANKLIN DR., SUITE 100, ALBUQUERQUE, NM 87102

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Energy, Minerals and Natural Resources Department

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Dedicated Acres 320	Joint or In/Out	Consolidation Code	Order No.
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<p>GEODEIC COORDINATES MAD 27 NME SURFACE HOLE LOCATION Y=716446.3 N X=462212.5 E LAT.=32.969521° N LONG.=104.456544° W</p>		<p>PENETRATION POINT Y=716448.4 N X=463108.3 E LAT.=32.969530° N LONG.=104.453624° W</p>	
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DISTRICT I

1200 S. FRANCIS DR., SANTA FE, NM 87505

DISTRICT II

1200 S. GARDEN AVENUE, ALBUQUERQUE, NM 87102

DISTRICT III

1000 Elia Street NE, Albuquerque, NM 87410

DISTRICT IV

1200 S. FRANCIS DR., SANTA FE, NM 87505

State of New Mexico

Energy, Minerals and Natural Resources Department

OIL CONSERVATION DIVISION

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Form C-102

Revised October 12, 2006

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Fee Loans - 5 Copies

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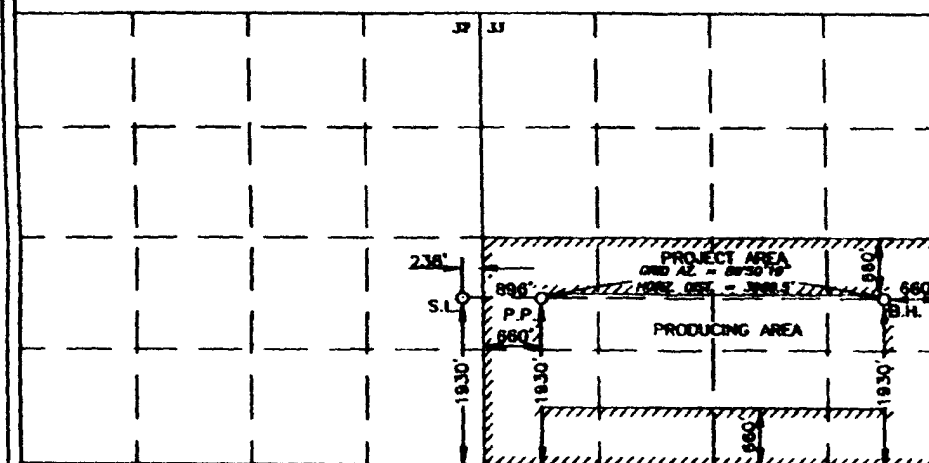
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Dedicated Acres 320	Joint or Infill	Consolidation Code	Order No.
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Signature: *Shari Nodges* Date: 3.5.2007
Printed Name: SHARI NODGES

SURVEYOR CERTIFICATION

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.

JANUARY 22, 2007

Date Surveyed REV. 2/22/07 AR

Signature & Seal of Professional Surveyor

Signature: *Harry A. Quinn* Date: 2/22/07
207.11.0097

Certificate No. 12841
Surveyor's Name: HARRY A. QUINN

OFFSETS IN SECTION 33

	D	C	B		
		PARALLEL			CAPSTONE
	E	F	G	H	
(32)		(33)			(34)
	L	K	J	I	
MYCO		MILD 33			EOG
	M	N	O	P	
		MYCO			
	(2) EOG			(1) EOG	

HOLLAND & HART^{LLP}



Ocean Munds-Dry
Associate
omundsdry@hollandhart.com

March 20, 2007

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

AFFECTED INTEREST OWNERS

Re: Application of Myco Industries, Inc., for simultaneous dedication,
Chaves County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Myco Industries, Inc. has filed the enclosed application with the New Mexico Oil Conservation Division seeking the simultaneous dedication of the proposed Milo 33 Fee Well No. 2H to be drilled from a surface location 1930 feet from the South line and 236 feet from the East line in Section 32, Township 15 South, Range 25 East and a bottomhole location 1930 feet from the South line and 660 feet from the East line of Section 33, Township 15 South, Range 25 East and the existing Milo 33 Fee Well No. 1H drilled from a surface location 710 feet from the South line and 186 feet from the East line of Section 32 and a bottomhole location 710 feet from the South line and 660 feet from the East line of Section 33 to the S/2 of Section 33, Township 15 South, Range 25 East, NMPM, Chaves 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.

Very truly yours,

Ocean Munds-Dry
Ocean Munds-Dry

ATTORNEY FOR MYCO INDUSTRIES, INC.

Enclosures

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 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. ♻

Exhibit C

**Application of Myco Industries, Inc.
Simultaneous Dedication of
S/2 of Section 33, Township 15 South, Range 25 East, NMPM
Chaves County, New Mexico**

EOG Resources, Inc.
Post Office Box 2267
Midland, Texas 79702

Parallell Petroleum Corp.
Post Office Box 10587
Midland, Texas 79702

Capstone Oil & Gas Company
P.O. Box 10187
Midland, Texas 79702

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



MAR 24 2008

OCD-ARTESIA

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.

Ocean Munds-Dry
 Print or Type Name

Ocean Munds-Dry
 Signature

A Horney
 Title

3-20-08
 Date

omundsdry@hollandhart.com
 e-mail Address

RECEIVED
 2008 MAR 20 PM 2 30