

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

IN THE MATTER OF THE PETITION)	FINDINGS OF FACT,
OF THE SUPERIOR OIL COMPANY)	CONCLUSIONS OF LAW AND
TO VACATE THE ORDER IN CAUSE)	ORDER
NO. 17 INsofar AS THE LANDS)	
ARE WITHIN THE WHITE MESA)	Docket No. 84-029
UNIT, NAVAJO INDIAN RESER-)	
VATION, SAN JUAN COUNTY,)	Cause No. 152-3
UTAH)	

PURSUANT TO THE PETITION of the THE SUPERIOR OIL COMPANY, this Cause came on for hearing before the Board of Oil, Gas and Mining at 10:00 a.m. on Thursday, May 24, 1984 in the auditorium of the Department of Natural Resources, 1636 West North Temple, Salt Lake City, Utah.

The following Board members were present and participated in the proceedings:

Gregory P. Williams, Chairman
Richard B. Larsen
John M. Garr
E. Steele McIntyre
Constance R. Lundberg
James W. Carter
Charles R. Henderson

Dr. Diane Nielson, Director of the Division of Oil, Gas and Mining, was present and expressed no objection to the Petition.

Appearance was made by Robert G. Pruitt, Jr., Attorney at Law, on behalf of The Superior Oil Company, and Mr. Charles Hill testified as a witness. A statement in support of the Petition was made on behalf of Phillips Petroleum Company by Phillip Wm. Lear, its attorney.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based upon the evidence and testimony presented at the hearing, the Board enters the following Findings of Fact and Conclusions of Law:

1. Due and regular notice of the time, place and purpose of the hearing was given to all interested parties in the form and in the manner and within the time required by law.

2. The Board has jurisdiction over the matter covered by said Petition and over all parties interested therein, and has jurisdiction to make and promulgate the Order hereinafter set forth.

3. The Board has previously entered its Order in Cause No. 17 dated February 24, 1960 which established 80-acre drilling and spacing units for the Desert Creek Formation covering lands described therein, which include lands presently within the White Mesa Unit, as contracted effective October 2, 1966, as follows:

TOWNSHIP 41 SOUTH, RANGE 24 EAST, SLM

Section 22:	E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 23:	W $\frac{1}{2}$, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 25:	SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 26:	W $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 27:	All
Section 28:	SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 32:	S $\frac{1}{2}$
Section 33:	All
Section 34:	All
Section 35:	W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$
Section 36:	NW $\frac{1}{4}$

TOWNSHIP 42 SOUTH, RANGE 24 EAST, SLM

Section 2: $W\frac{1}{2}$, $W\frac{1}{2}NE\frac{1}{4}$
Section 3: All
Section 4: All
Section 5: $E\frac{1}{2}SE\frac{1}{4}$
Section 8: $E\frac{1}{2}NE\frac{1}{4}$
Section 9: $NW\frac{1}{4}$
Section 10: $NE\frac{1}{4}$
Section 11: $W\frac{1}{2}NW\frac{1}{4}$

4. The White Mesa Unit was formed effective April 1, 1961, after the Order in Cause No. 17 was entered by this Board, and the Unit was subsequently contracted effective October 2, 1966 to cover the lands described above.

5. The White Mesa Unit is entirely within the Navajo Indian Reservation, and is comprised of Navajo Tribal Oil and Gas Leases which are regulated by the U.S. Government (Bureau of Land Management and Bureau of Indian Affairs) and by the Navajo Indian Tribe pursuant to the White Mesa Unit Agreement and the approved Plan of Development dated March 12, 1984.

6. Petitioner is currently the designated operator of the White Mesa Unit.

7. The approved Plan of Development dated March 12, 1984 will not comply with the 80-acre drilling and spacing units established by Order of this Board in Cause No. 17, which creates the necessity for vacating the Board's Order in Cause No. 17.

ORDER

In accordance with the Findings of Fact and Conclusions of Law stated above, the Board enters the following Order:

1. The Petition of The Superior Oil Company to vacate the Board's Order in Cause No. 17 is granted as to the following described lands which are within the White Mesa Unit:

TOWNSHIP 41 SOUTH, RANGE 24 EAST, SLM

Section 22: E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 23: W $\frac{1}{2}$, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 25: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
Section 26: W $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 27: All
Section 28: SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
Section 32: S $\frac{1}{2}$
Section 33: All
Section 34: All
Section 35: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$
Section 36: NW $\frac{1}{4}$

TOWNSHIP 42 SOUTH, RANGE 24 EAST, SLM

Section 2: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$
Section 3: All
Section 4: All
Section 5: E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 8: E $\frac{1}{2}$ NE $\frac{1}{4}$
Section 9: NW $\frac{1}{4}$
Section 10: NE $\frac{1}{4}$
Section 11: W $\frac{1}{2}$ NW $\frac{1}{4}$

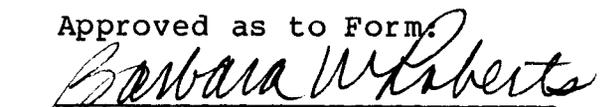
2. This action by the Board vacating the Order in Cause No. 17 as to the above-described lands is to be effective as of the date hereof.

DATED this 24th day of May, 1984.

BOARD OF OIL, GAS AND MINING

By: 
Gregory P. Williams,
Chairman

Approved as to Form.


Barbara W. Roberts
Assistant Attorney General

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

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IN THE MATTER OF THE PETITION	:	ORDER
OF THE SUPERIOR OIL COMPANY	:	
TO VACATE THE ORDER IN CAUSE	:	DOCKET NO. 84-029
NO. 17 INSOFAR AS THE LANDS	:	CAUSE NO. 152-3
ARE WITHIN THE WHITE MESA	:	
UNIT, NAVAJO INDIAN RESER-	:	
VATION, SAN JUAN COUNTY,	:	
UTAH	:	

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It is hereby ordered that the Petitioner's Motion for Appointment of Hearing Examiner in Docket No. 84-029, Cause No. 152-3 is denied.

DATED this 26th day of April, 1984.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING


Gregory P. Williams, Chairman