

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

IN THE MATTER OF THE APPLI-)	
CATION OF WILLIAM W. WHITLEY)	
FOR AN EXCEPTION DRILLING)	
LOCATION AND ORDER AMENDING)	CAUSE NO. 85-3
THE TEMPORARY DRILLING ORDER)	
IN CAUSE NO. 85 FOR CERTAIN)	
LANDS SITUATE IN SAN JUAN)	
COUNTY, UTAH)	

O R D E R

Pursuant to the application of William W. Whitley, this cause came on for hearing before the Board of Oil, Gas and Mining, Utah Department of Natural Resources, at 9:00 a.m., on Tuesday, June 26, 1979, in the Executive Conference Room, Holiday Inn, 1659 West North Temple, Salt Lake City, Utah. The following Board members were present:

Charles R. Henderson, Chairman (presiding)
Edward T. Beck
Thadis Box
John L. Bell
E. Steele McIntyre
C. Ray Juvelin

Also present was Cleon B. Feight, Director. The applicant was represented by Robert G. Pruitt, Jr., attorney.

NOW, THEREFORE, the Board, having considered the testimony and the exhibits received at said hearing, and being fully advised in the premises, now makes and enters the following:

FINDINGS

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 in the Rules and Regulations of the Board.

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

3. Applicant's proposed drilling location in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 18, Township 40 South, Range 23 East, SLM, qualifies as an exception well location for the drilling and spacing unit covering the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 18 as established by the Order in Cause No. 85, dated February 14, 1963.

4. The said Order in Cause No. 85, dated February 14, 1963, should be amended to provide that future requests for exception drilling locations may be handled administratively without the necessity of a formal hearing before the Board.

IT IS, THEREFORE, ORDERED:

1. That the exception drilling location requested by the applicant be approved, and that the approved drilling location for the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 18 shall be within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section.

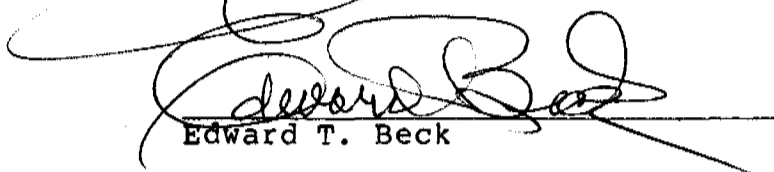
2. Paragraph 4 of the Order in Cause No. 85, dated February 14, 1963, as amended, is further amended to provide as follows:

4. The permitted well for each drilling unit shall be in the NW $\frac{1}{4}$ or the SE $\frac{1}{4}$ of each quarter section and not less than 500 feet from any property or lease line or governmental quarter-quarter section line; provided, however, that an exception location may be granted administratively by the Division without notice or hearing by the Board upon filing an application therefor and showing (a) that topographic or geologic conditions exist which require an exception location, or (b) that an exception location is necessary to conform to adjacent producing well locations either within or without the spaced area; provided, further, that all owners within a radius of 660 feet of the proposed exception location have consented in writing to the proposed exception location.

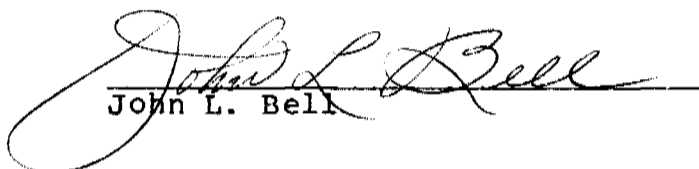
3. The Board retains continuing jurisdiction of all matters covered by this Order and over all parties affected thereby.

DATED this 26th day of June, 1979.

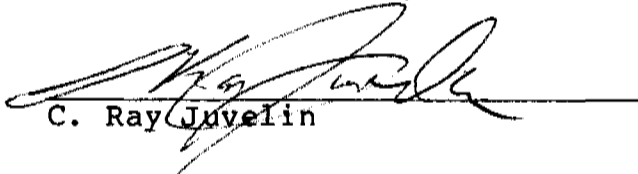

Charles R. Henderson, Chairman


Edward T. Beck

Thadis Box


John L. Bell


E. Steele McIntyre


C. Ray Juvelin

LAW OFFICES

PRUITT & GUSHEE

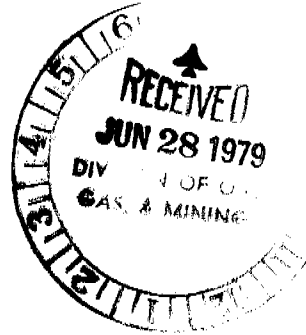
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ROBERT G. PRUITT, JR.
OLIVER W. GUSHEE, JR.
PHILLIP WM. LEAR
THOMAS A. NELSON

June 26, 1979



Mr. Cleon B. Feight, Director
Utah Division of Oil, Gas and Mining
1588 West North Temple
Salt Lake City, Ut 84116

Re: Cause No. 85-3

Dear Mr. Feight:

Enclosed is an Order prepared by our office in response to the Board's ruling on June 26, 1979.

It would be appreciated if you would circulate the Order for execution by the Board members present at the hearing, and return one copy of the executed Order to me for delivery to William W. Whitley. Please call if you have any questions or comments.

Yours very truly,

A handwritten signature in black ink, appearing to read "Robert G. Pruitt, Jr." with a stylized flourish at the end.

Robert. G. Pruitt, Jr.

RGP:jo
Enclosure
cc William W. Whitley