

Case No.

550

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Application, Transcript,  
Small Exhibits, Etc.

BEFORE THE  
OIL CONSERVATION COMMISSION  
STATE OF NEW MEXICO

OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO.  
RECEIVED  
JUN 22 1953

CASE 550:

In the matter of the application of F. B. Umbarger for an exception to Rule 104, Paragraph 'd', of the Commission's Rules and Regulations relating to acreage requirements for drilling tract in NE/4, Section 26, Township 30 North, Range 12 West, NMPM, San Juan County, New Mexico.

TRANSCRIPT OF HEARING

June 16, 1953

Date

BEFORE: Honorable Ed. L. Mechem, Governor  
Honorable E. S. Walker, Land Commissioner  
Honorable R. R. Spurrier, Director, OCC

STATE OF NEW MEXICO )

COUNTY OF BERNALILLO)

ss

I HEREBY CERTIFY That the within transcript of proceedings before the Oil Conservation Commission is a true record of the same to the best of my knowledge, skill, and ability.

DONE at Albuquerque, N. M., this 20th day of  
June 1953.

My Comm. Ex.:  
August 4, 1956

E. E. Greeson  
E. E. Greeson  
Notary - Reporter

COM. SPURRIER: We will move on to the next case, which is Case 550.

(Mr. Graham reads the advertisement.)

MR. CATRON: This is a similar case to the previous one, although not as much acreage involved for the exception. As a matter of fact, it is less than a half acre involved here. And they would have it except for a tract two-and-a-half rods wide by 580 ft. long. And the owner of the tract cannot be discovered anywhere. Her name is Bessie Jones or Mrs. C. de W. Jones. We have made due search and inquiry, I believe, to find where she might be located to secure a lease from her, but have been unable to do so.

MR. GRAHAM: Will you translate those rods into acres?

MR. CATRON: It adds up to approximately one-half acre.

MR. GRAHAM: 150-and-a-half acres?

MR. CATRON: That's right.

MR. MACEY: You have a commencement date of June 25th on that one, too?

MR. CATRON: That's right.

MR. GRAHAM: In the event such an order is granted on this one, would your client take care of Mrs. Jones?

MR. CATRON: Oh, yes.

MR. GRAHAM: In all production and whatever her rights might be?

COM. WALKER: You think she would be easier to find if you have a well there?

MR. CATRON: I think so.

COM. SPURRIER: Is there anyone else to be heard in this case? If not, we will take case under advisement, and move to Case 407.

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BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
COMMISSION OF NEW MEXICO FOR  
THE PURPOSE OF CONSIDERING:

CASE NO. 550  
ORDER No. R-339

THE MATTER OF THE APPLICATION OF  
F. B. UMBARGER FOR AN EXCEPTION TO  
COMMISSION RULE 104 (d) (PROVIDING FOR  
ACREAGE REQUIREMENTS FOR DRILLING  
TRACTS) IN THE NORTHEAST QUARTER OF  
SECTION 26, TOWNSHIP 30 NORTH, RANGE  
12 WEST, IN SAN JUAN COUNTY, NEW MEXICO.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on regularly for hearing at 9:00 o'clock A.M., June 16, 1953, at Santa Fe, New Mexico, before the Oil Conservation Commission of New Mexico, hereinafter referred to as the "Commission".

NOW, on this 23<sup>rd</sup> day of June, 1953, the Commission, having considered the matter fully, the statements of counsel, and being fully advised in the premises,

FINDS:

1. That due public notice having been given as required by law, the Commission has jurisdiction of this cause and the subject matter thereof.
2. That the lands described in the caption hereof are located in the Fulcher Kutz-Pictured Cliffs Pool.
3. That the applicant, F. B. Umbarger, is the assignee and holder of Oil and Gas Leases of all of said NE/4, Section 26, excepting a tract 2 1/2 rods wide and 580 feet long in the northeast corner of said quarter section, said tract containing approximately one-half acre.
4. That applicant believes that one Bessie Jones (Mrs. Clyde W. Jones) is the owner of said one-half acre tract, but though he has tried to the best of his ability to locate said individual and obtain a lease from her, he has been unable to locate her.
5. That the leases of which applicant is an assignee in said NE/4 of Section 26 will expire on June 25, 1953, if drilling is not commenced by that date in the quarter section of which it is a part.
6. That in order to preserve his said leases it is necessary that an exception be granted to Commission Rule 104 (d).

IT IS THEREFORE ORDERED:

That applicant F. B. Umbarger be, and he is hereby, granted an exception to Commission Rule 104 (d) and is authorized to drill a gas well upon the Northeast Quarter of Section 26, Township 30 North, Range 12

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Case No. 550  
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West, NMPM.

PROVIDED, HOWEVER, That applicant make every reasonable effort to secure a lease of said one-half acre tract at the earliest possible time, and provided further that in the event said one-half acre tract is not acquired and production is obtained from the northeast quarter of Section 26, that applicant will establish a proportionate royalty reserve to protect the interests of the owner of said one-half acre.

DONE at Santa Fe, New Mexico, on the year and day above set forth.

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION



EDWIN L. MECHEM, Chairman



E. S. WALKER, Member



R. R. SPURRER, Secretary

S E A L

BEFORE THE OIL CONSERVATION COMMISSION

OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE HEARING  
CALLED BY THE OIL CONSERVATION  
COMMISSION OF NEW MEXICO FOR  
THE PURPOSE OF CONSIDERING:

CASE NO. 550  
ORDER NO. R-339

26 THE MATTER OF THE APPLICATION OF  
F. B. UMBARGER FOR AN EXCEPTION TO  
COMMISSION RULE 104(d) (PROVIDING  
FOR ACREAGE REQUIREMENTS FOR DRILLING  
TRACTS) IN THE NORTHEAST QUARTER OF 30  
SECTION TWENTY-SIX, TOWNSHIP THIRTY  
NORTH, RANGE TWELVE WEST, IN SAN JUAN  
COUNTY, NEW MEXICO.

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ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on regularly for hearing at 9:00 o'clock A. M.,  
June 16, 1953, at Santa Fe, New Mexico, before the Oil Conservation  
Commission of New Mexico, hereinafter referred to as the "Commission".

NOW, on this ~~16th~~ day of June, 1953, the Commission, having  
~~considered the matter fully, the statements of counsel, and being fully~~  
*advised in the premises,*

FINDS:

1. That due public notice having been given as required by  
law, the Commission has jurisdiction of this cause and the subject  
matter thereof.
2. That the lands described in the caption hereof are located  
in the Fulcher Kutz-Pictured Cliffs Pool.
3. That the applicant, F. B. Umbarger, is the assignee and holder  
of Oil and Gas Leases of all of said NE $\frac{1}{4}$ , Section 26, excepting a tract  
2 $\frac{1}{2}$  rods wide and 580 feet long in the Northeast corner of said quarter  
section, said tract containing approximately *one-half* acre.

4. That applicant believes that one Bessie Jones (Mrs. Clyde W. Jones) is the owner of said <sup>one-half</sup> acre tract, but though he has tried to the best of his ability to locate said individual and obtain a lease from her, he has been unable to locate her.

5. That the leases of which applicant is an assignee in said NE<sup>1</sup>/<sub>4</sub> of Section 26 will expire on June 25, 1953, if drilling is not commenced by that date in the quarter section of which it is a part.

6. That in order to preserve his said leases it is necessary that an exception be granted to Commission Rule 104(d).

IT IS THEREFORE ORDERED that applicant F. B. Umbarger be, and he is hereby, granted an exception to Commission Rule 104(d) and is authorized to drill a gas well upon the Northeast Quarter of Section <sup>26</sup> ~~Twenty-Six~~, Township <sup>30</sup> ~~Thirty~~ North, Range <sup>12</sup> ~~Twelve~~ West, N.M.P.M.; PROVIDED HOWEVER that applicant make every reasonable effort to secure a lease of said <sup>one-half</sup> acre tract at the earliest possible time, and provided further that in the event said <sup>one-half</sup> acre tract is not acquired and production is obtained from the Northeast quarter of Section twenty-six, that applicant will establish a proportionate royalty reserve to protect the interests of the owner of said <sup>one-half</sup> acre.

Done at Santa Fe, New Mexico, on the year and day above set forth.

STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

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Edwin L. Mechem, Chairman

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E. S. Walker, Member

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R. R. Spurrier, Secretary

S E A L



BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

IN THE MATTER OF THE APPLICATION  
OF F. B. UMBARGER FOR AN EXCEPTION  
TO COMMISSION RULE 104(d) (PROVIDING  
FOR ACREAGE REQUIREMENTS FOR DRILLING  
TRACTS) IN THE NORTHEAST QUARTER OF  
SECTION TWENTY-SIX, TOWNSHIP THIRTY  
NORTH, RANGE TWELVE WEST, IN SAN JUAN  
COUNTY, NEW MEXICO.

No. 550

A P P L I C A T I O N

Comes now F. B. Umbarger, and states:

I.

This application effects lands in San Juan County, New Mexico,  
described as follows:

Township 30 North, Range 12 West, N.M.P.M.  
The Northeast quarter (NE $\frac{1}{4}$ ) of Section  
Twenty-six (26), which said quarter section  
is located in the Fulcher Kutz - Pictured  
Cliffs Pool.

II.

That applicant is the assignee of Stanolind Oil and Gas  
Company of oil and gas leases upon the above described property,  
excepting a tract 2 $\frac{1}{2}$  rods wide and 580 feet long in the northeast  
corner of said quarter section, said tract containing approximately  
one-half acre.

III.

According to the information and belief of the applicant one  
Bessie Jones (Mrs. Clyde W. Jones) is the owner of said one-half acre  
tract.

1.

IV.

Applicant has made every effort and tried to the best of his ability to locate said Bessie Jones so as to get her cooperation in forming a 160 acre drilling tract, but after due search and inquiry has been unable to locate her.

V.

That one of the leases of which applicant is an assignee is a lease of the Northwest quarter (NW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section Twenty-six, township 30 North, Range twelve West, which said lease will expire June 25, 1953, if drilling is not commenced by that date in the quarter section of which it is a part.

VI.

That applicant can not be certain that he will be able to locate said Bessie Jones prior to June 25, 1953 and secure a lease from her of said one-half acre tract, or secure her participation in drilling upon said Northeast quarter of Section twenty-six.

WHEREFORE applicant respectfully requests that the commission set this application for hearing, that due and proper notice be given as is required by law, and that at the conclusion of said hearing the commission enter its Order permitting applicant to drill a gas well in said Northeast quarter of Section twenty-six as an exception to rule 104(d) of the Rules and Regulations of the New Mexico Oil Conservation Commission, and that applicant have such other further relief as may be proper.

Dated this 28th day of May, 1953.

Catron & Catron  
Attorneys for Applicant  
Santa Fe, New Mexico

By Thomas B. Catron  
Thomas B. Catron