

Case No.

89

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Application, Transcript,  
Small Exhibits, Etc.

1 copy mailed to each on 8-11-48:

Glenn Staley  
Hobbs office  
Artesia office

NEW MEXICO OIL CONSERVATION COMMISSION  
ORDER NO. 685

IN THE MATTER OF THE APPLICATION OF  
THE OIL CONSERVATION COMMISSION OF THE  
STATE OF NEW MEXICO FOR THE PLUGGING OF  
CONSIDERING:

CASE NO.

ORDER NO. 685

THE APPLICATION OF AMERICAN EMPLOYERS  
INSURANCE COMPANY, SURETY UPON THE PLUGGING  
BOND FOR THE HEREINAFTER DESCRIBED WELL, RE-  
QUIRING THE INTERESTED PARTIES TO SIGN CAUSE WITH  
CRVILLE LEE - C. M. MILBOURN WELL NO. 1, CENTER  
ST., SECTION 30, TOWNSHIP 7N, RANGE 7E, N.M.P.M.,  
TORRANCE COUNTY, SHOULD NOT BE DECLARED A MINOR AND  
ORDERED PLUGGED IN ACCORDANCE WITH THE  
REGULATIONS OF THE NEW MEXICO OIL CONSERVATION  
COMMISSION AND THE PROVISIONS OF SAID BOND.

ORDER OF THE COMMISSION

BY THE COMMISSION:

This cause came on for hearing at ten o'clock A.M., December 6,  
1946, at Santa Fe, New Mexico, before the Oil Conservation Commission  
of New Mexico, hereinafter referred to as the "Commission".

NOW, on this 6 day of December, 1946, the Commission  
having before it for consideration the testimony adduced at the hearing  
of said case and being fully advised in the premises, the Commission  
finds that:

FINDINGS

1. Crville Lee, deceased, is the principal and the petitioner  
is the surety upon the bond assuring the plugging of Crville Lee -  
C. M. Milbourn Well No. 1, Center St., Section 30, Township 7N, Range 7E,  
N.M.P.M., Torrance County, in accordance with the regulations approved by  
the Oil Conservation Commission when set or amended.

CONCLUSIONS

2. Said well is abandoned and capable of being sealed by the use of  
carbon dioxide gas in accordance with the regulations approved by the  
Commission. It is recommended that the well be plugged in accordance with the  
regulations approved by the Commission.

IT IS ORDERED THAT:

The well be plugged in accordance with the regulations approved by the  
Commission. The Commission hereby orders that the well be plugged in  
accordance with the regulations approved by the Commission. The Commission  
hereby orders that the well be plugged in accordance with the regulations  
approved by the Commission. The Commission hereby orders that the well be  
plugged in accordance with the regulations approved by the Commission.

II. The order herein does not purport to be a grant of any property rights involved, these being matters strictly between the parties in interest, but is a matter of conservation.

This order shall become effective upon its execution.

Done at Santa Fe, New Mexico, on the day and year hereinabove designated.

Oil and Gas Division of Lands

John E. Miller, Manager

*John E. Miller*

John E. Miller, Manager

*R. L. Spurr*

R. L. Spurr, Surveyor

SEAL

Ex. B  
# 89

FIRE, RENTS,  
LEASEHOLD, TORNADO,  
MARINE, SPRINKLER, LEAKAGE,  
WATER DAMAGE, USE AND  
OCCUPANCY

**ECHLIN-IRVIN-CROWELL & CO.**  
GENERAL INSURANCE  
FIDELITY AND SURETY BONDS

355 MYRTLE AVE.

PHONES { MAIN 8800  
MAIN 8801  
MAIN 801

BOILER, ELEVATOR,  
WORKMEN'S COMPENSATION,  
EMPLOYER'S LIABILITY, BURGLARY,  
PLATE GLASS, AUTOMOBILE  
INSURANCE

EL PASO, TEXAS

To

November 25, 1946

ESTATE OF O. J. LEE, DECEASED

ESTANCIA, NEW MEXICO

HERTZOG & REISER - EL PASO

DATE	POLICY NUMBER	COMPANY	RISK	P R E M I U M			
3-31-44	SY-111448	Amer. Emp.	Drlg. Bond			\$ 50	00
3-31-45	SY-111448	Amer. Emp.	Drlg. Bond			\$ 50	00
3-31-46	SY-111448	Amer. Emp.	Drlg. Bond			\$ 50	00
				TOTAL		\$150	00

I hereby certify that the above is a correct and true account  
of outstanding premiums past due on the above bond.

*J. C. Echlin*  
J. C. Echlin

Subscribed and sworn to before me this 25th day of November, 1946.

My commission expires 6-1-47

*F. McNeill*  
F. McNeill, Notary Public  
In and for the County of  
El Paso, Texas

NOTICE OF PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

The Oil Conservation Commission, as provided by law, hereby gives notice of the following hearing to be held at Santa Fe, New Mexico, at 10:00 A.M., December 6, 1946.

Case 89

In the matter of the application of American Employers Insurance Company, surety upon the plugging bond for the hereinafter described well, requiring the interested parties to show cause why Orville Lee - C. M. Milbourn Well No. 1, Center 3N $\frac{1}{2}$ , Section 36, Township 7N, Range 7E, N.M.P.M., Terrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond.

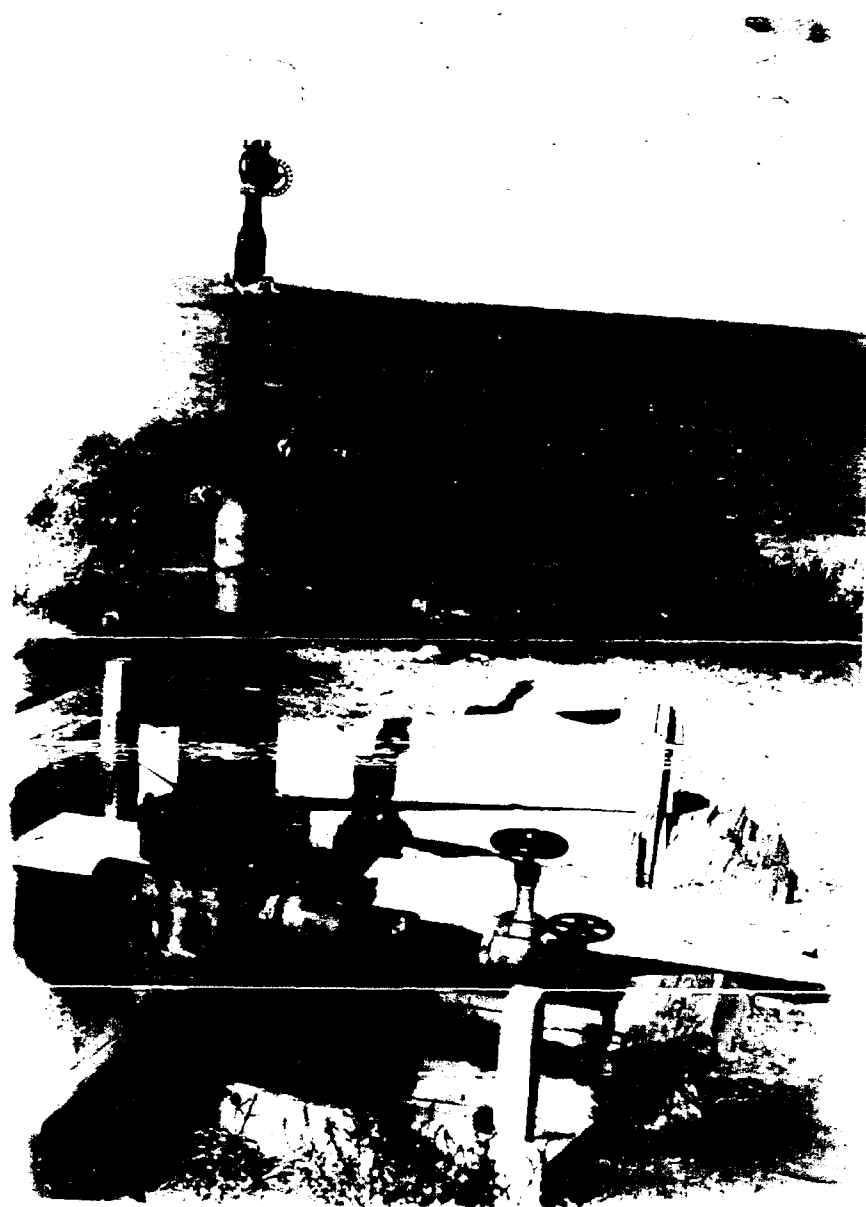
Given under the seal of said Commission at Santa Fe, New Mexico, on November 14, 1946.

OIL CONSERVATION COMMISSION

BY: (Sgd) R. R. SPURRIER, SECRETARY.

SEAL

ILLGIBL



CASE 89

Orville J. Lee, No. 1, Milbourn

LOCATION: Center SW $\frac{1}{4}$  Sec. 36-7N-7E: Torrance  
County

Well Spudded 1-1-41  
Completed 11-13-41

Total Depth-1860

Well encountered Scattered shows  
of Carbon Dioxide Gas from  
1717 feet to 1813 feet.

Casing Record

10" @ 587, set  
8" @ 1000, set  
6" @ 1770, set

Initial Production  
was 50,000 CF Carbon Dioxide  
per day.

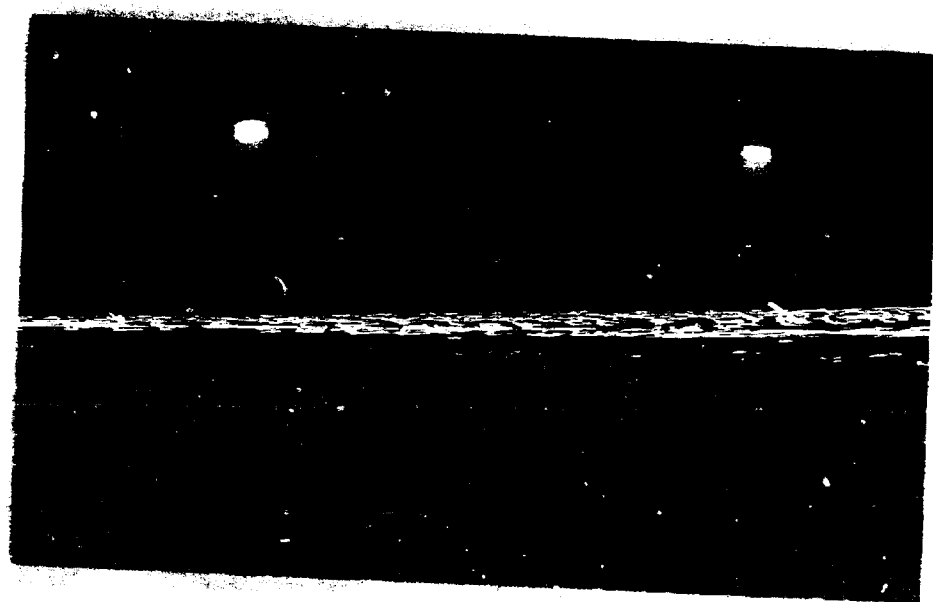
Gas sold to Witt Ice & Gas  
Co. plant at McIntosh  
(5 Mi. North of Estancia/

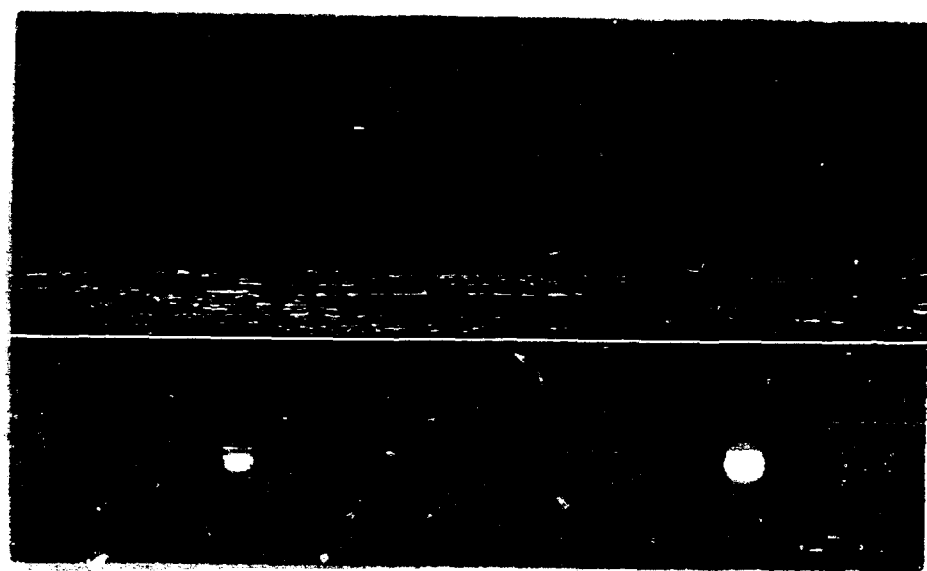
PLANT IS NOW CLOSED DOWN

Ex. H

# 84







## Affadavit of Publication

STATE OF NEW MEXICO }  
COUNTY OF TORRANCE } ss

**NOTICE OF PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION  
COMMISSION**

The Oil Conservation Commission, as provided by law, hereby gives notice of the following hearing to be held at Santa Fe, New Mexico, at 10:00 A. M., December 6, 1946.

**Case #**

In the matter of the application of American Employers Insurance Company, surety upon the plugging bond for the hereinafter described well, requiring the interested parties to show cause why Orville Lee C. M. Milburn Well No. 1, Center SW 1/4, Section 36, Township 7N, Range 7E, N. M. P. M. Torrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond.

Given under the seal of said Commission at Santa Fe, New Mexico, on November 14, 1946.

**OIL CONSERVATION  
COMMISSION**

By: (SGD) R. R. SPURRIER,  
SECRETARY.

*E. J. Mammuth*

being first duly sworn, on his oath declares and says:

1. That he is the publisher of the Mountainair Progressive, a weekly newspaper published in the English language and having been regularly published and issued, and having general circulation in the Town of Mountainair and County of Torrance in the State of New Mexico for a period of more than six months next preceding the first publication of the legal notice herein referred to, a printed copy of which is hereto attached.

2. That the publication, a printed copy of which is hereto attached and made a part of this affidavit, was published in said newspaper, in the regular and entire issue of every number of the newspaper during the period of time publication, and that the notice was published in the newspaper proper and not in a supplement thereof for 1 consecutive issues; the first publication being in the issue of the 21 day of November, 1946 and the last publication being in the issue of the 21 day of November, 1946.

*E. J. Mammuth*  
Publisher

Subscribed in my presence and sworn to before me, a Notary Public, in and for the State of New Mexico and County of Torrance, this 22 day of Nov

1946  
*John H. O'ay*  
Notary Public.

My Commission Expires:

3/27, 1950.

Said newspaper was duly qualified to publish said notice within the meaning of, and according to, the laws of New Mexico, and particularly according to Sections 12-201 and 12-205 of the New Mexico Statutes, 1941 Annotated. Payment for said publication has been made or assessed as court cost. Affiant has personal knowledge of the facts herein stated.

OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

November 20, 1946

C  
O  
P  
Y  
Estancia Valley Carbon  
Dioxide Development Co.  
Att: A. L. Mill, Secretary  
652 E. 61st Street  
Los Angeles, California

Re: Case 89

Gentlemen:

Reference is made to your letter of November 19 in which you state as follows:

"This company is an indemnitor under the bond in question and we have no objection to the well being plugged and the matter closed. However, we understand there is a complete string of pipe in the well and we ask your cooperation to the end that such pipe be not removed from the well without a complete and satisfactory plugging job performed at the same time and that the cost of the plugging job be paid out of the salvage of pipe recovered.

"We are not interested in the recovery of salvage from this well but we are interested in that the plugging operation be completed while the tools are available on the site for any salvaging operation that may be undertaken".

In response to your letter you are informed that this Commission has nothing whatever to do with title to property rights involved. The Commission's function is in substance this: the permit to drill the well in question was issued to the late O. J. Lee. The plugging of the well in accordance with the laws, rules and regulations of the Commission, is assured by O. J. Lee, principal, and the surety, which is the petitioner in this case. The well should be plugged in such manner as to protect any oil or gas bearing strata from the encroachment of water, when the well is dry or abandoned.

OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

Estancia Valley Carbon  
Dioxide Development Co.

-2-

11-20-46

C  
O  
P  
Y

The corporate surety and petitioner has brought a proceeding before this Commission for a determination of the well as abandoned and for an order to plug said well. If the petitioner is successful in obtaining, after hearing, the finding of fact of abandonment and an order authorizing plugging, then the Commission will require a plugging program to be carried out in keeping with conservation standards for the protection of undesired water encroachments, but whatever disposition is made of the casing or equipment is a matter over which the Commission has no jurisdiction and is a matter between the actual owners and whoever endeavors to dispose of such property. Possibly the surety and petitioner has or will investigate the ownership of any casing or other property in the hole.

Should there be some party succeeding to the ownership of the well with the right to operate it, possibly that party would wish to supply the plugging bond and continue the operation of the well. The plugging bond of such party would be necessary before this Commission could authorize, from a conservation standpoint, such new operation.

Very truly yours,

Chief Clerk & Legal Adviser

CBL:MSH  
cc J. C. Seth

**Estancia Valley Carbon Dioxide  
Development Co. [N.S.L.]**

PRODUCERS  
CARBON DIOXIDE GAS

McINTOSH, N. M.

WELLS  
TORRANCE CO., N.M.

EXECUTIVE OFFICE:  
652 E. 81ST STREET, LOS ANGELES, CALIF.

November 18th 1946.

Oil Conservation Commission  
Santa Fe, New Mexico

ATTENTION: Mr Carl B Livingston, Chief Clerk & Legal Adviser

RE: Case No. 89 Oriville Lee - C M Milbourn Well No. 1

Gentlemen:

We acknowledge receipt of your letter of November 15th giving notice to show cause why the above-captioned well should not be plugged upon application of the American Employers Insurance Company.

This company is an indemitor under the bond in question and we have no objection to the well being plugged and the matter closed. However, we understand there is a complete string of pipe in the well and we ask your cooperation to the end that such pipe be not removed from the well without a complete and satisfactory plugging job performed at the same time and that the cost of the plugging job be paid out of the salvage of pipe recovered.

We are not interested in the recovery of salvage from this well but we are interested in that the plugging operation be completed while the tools are available on the site for any salvaging operation that may be undertaken.

Yours very truly,

ESTANCIA VALLEY CARBON  
DIOXIDE DEVELOPMENT CO.



A. L. MILL  
Secretary

ALM:MM

IL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

November 20, 1946

C  
O  
P  
Y

Mr. C. M. Milbourn  
Estancia, New Mexico

Re: Case 89

Dear Mr. Milbourn:

Your letter of November 18 is of personal nature and therefore prompts a personal reply.

The petition of the insurance company upon the plugging bond of O. J. Lee, deceased, recited upon information and belief the names of the various parties who have or claim some interest in the well in question or the land upon which it is located. Among these were included "Charles Milbourn and Sophie Milbourn, his wife, Estancia, New Mexico". Information reveals that the names of the parties were supplied by the insurance company and that it in turn obtained the names from a suit filed by you and Mrs. Milbourn in District Court of Torrance County, to quiet title. The error somewhere along the line is obviously typographical.

In some respects there is a marked similarity in the two names but a vast difference in charm. The erroneous name "Sophie" is a little homely; the correct name "Sylvia" is poetic — compliments to Mrs. Milbourn. You come in for your share of the compliments too — your good fortune in having a wife who thinks enough of you to be incensed over nothing more than just a mistaken name.

With my respects to both you and Mrs. Milbourn, but disregarding the non-existent Sophie, I am

Very truly yours,

CBL:MSH

**C. M. MILBOURN, IMPLEMENTS**

THE OLIVER LINE OF  
TRACTORS, COMBINES, ETC.

ESTANCIA, NEW MEXICO

11-18-1946

Oil Conservation Commission,

Santa Fe, N.M.

Gentlemen:

- In re phugging well - SW 36 - T4R7E NM. PH.  
Attended by B. Livingston:

your letter of Nov. 15 connecting me in a business manner with one Sophie Milbourn caused my wife to become highly incensed. In other words that letter would indicate that I might have a paramour.

So my wife Sylvia Milbourn refused to sign anything. She and I gave an oil & gas lease to one O. J. Lee. All we want is action. If they are not going to finish the well then we want it plugged.

I am

Yours for action.

C. M. Milbourn

9 am  
Sent to 4-71-  
no  
Tractor



Form 3806 (Rev. Dec. 1944)

(POSTMARK OF

Receipt for Registered Article No.

Registered at the Post Office indicated in the Postmark

Fee paid 10 cents Class postage 1

Declared value 10 Surcharge paid, \$ 0.00

Return Receipt fee 0.00 Spl. Del'y fee 0.00

Delivery restricted to addressee:

in person        or order        Fee paid         
Accepting employee will place his initials in space  
indicating restricted delivery.

POSTMASTER, per       

MAILING OFFICE)

The sender should write the name of the addressee on back hereof as an identification. Preserve and submit this receipt in case of inquiry or application for indemnity.

Registry Fee and Indemnity.—Domestic registry fees range from 20 cents for indemnity not exceeding \$5, up to \$1.35 for indemnity not exceeding \$1,000. The fee on domestic registered matter without intrinsic value and for which indemnity is not paid is 20 cents. Consult postmaster as to the specific domestic registry fees and surcharges and as to the registry fees chargeable on registered parcel-post packages for foreign countries. Fees on domestic registered C. O. D. mail range from 40 cents to \$1.40. Indemnity claims must be filed within one year (C. O. D. six months) from date of mailing.

U. S. GOVERNMENT PRINTING OFFICE 16-20305-1

Form 3806 (Rev. Dec. 1944)

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NOTICE OF PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION  
The Oil Conservation Commission, as provided by law, hereby gives notice of the following hearing to be held at Santa Fe, New Mexico, at 10:00 A. M., December 4, 1946.  
Case No.  
In the matter of the application of American Employers Insurance Company, surety upon the plugging bond for the hereinafter described well, requiring the interested parties to show cause why Orville Lee-C. M. Milbourn Well No. 1, Center SW 1/4, Section 36, Township 7N, Range 7E, N.M.P.M., Torrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond. Given under the seal of said Commission at Santa Fe, New Mexico, on November 14, 1946.  
OIL CONSERVATION COMMISSION  
By: (Sgd) R. R. SPURRIER,  
Secretary.  
(SEAL)  
Pub. Nov. 18, 1946.

## Affidavit of Publication

State of New Mexico, }  
County of Santa Fe } ss.

I, C. B. Floyd, being first duly sworn, declare and say that I am the (Business Manager) (~~Editor~~) of the Santa Fe New Mexican, a daily newspaper, published in the English Language, and having a general circulation in the City and County of Santa Fe, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937; that the publication, a copy which is hereto attached, was published in said paper ~~once each week~~ for one time ~~consecutive weeks, each on the same day of each week~~ in the regular issue of the paper during the time of publication, and that the notice was published in the newspaper proper, and not in any supplement, ~~once each week~~ for one time ~~weeks consecutively, the first~~ publication being on the 18th day of November, 1946. ~~and the last publication~~ ~~on the~~ ~~day of~~ ~~XXIX~~; that payment for said advertisement has been (duly made) or (assessed as court costs); that the undersigned has personal knowledge of the matters and things set forth in this affidavit.

### PUBLISHER'S BILL

30 lines, one time at \$ 2.40  
lines, times, \$  
Tax \$  
Total . . . . \$ 2.40

Received payment,

By

[Signature]  
Manager

Subscribed and sworn to before me this 18th

day of November, A.D., 1946

[Signature]  
Notary Public

My Commission expires

June 14, 1949

NOTICE OF PUBLICATION  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION  
The Oil Conservation Commission, as provided by law, hereby gives notice of the following hearing to be held at Santa Fe, New Mexico, at 10:00 A. M., December 6, 1946.  
Case No. 1  
In the matter of the application of American Employers Insurance Company, surety upon the plugging bond for the hereinafter described well, requiring the interested parties to show cause why Orville Lee-C. M. Milbourn Well No. 1, Center SW 1/4, Section 36, Township 17N, Range 7E, N.M.P.M., Torrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond. Given under the seal of said Commission at Santa Fe, New Mexico, on November 14, 1946.  
OIL CONSERVATION COMMISSION  
By: (Sgd) R. R. SPURRIER, Secretary.  
(SEAL)  
Pub. Nov. 18, 1946.

## Affidavit of Publication

State of New Mexico, }  
County of Santa Fe } ss.

I, C. B. Floyd, being first duly sworn, declare and say that I am the (Business Manager) (~~Editor~~) of the Santa Fe New Mexican, a daily newspaper, published in the English Language, and having a general circulation in the City and County of Santa Fe, State of New Mexico, and being a newspaper duly qualified to publish legal notices and advertisements under the provisions of Chapter 167 of the Session Laws of 1937; that the publication, a copy which is hereto attached, was published in said paper ~~once each week~~ for one time ~~times~~ in the regular issue of the paper during the time of publication, and that the notice was published in the newspaper proper, and not in any supplement, ~~once each week~~ for one time ~~times~~ publication being on the 18th day of November, 1946 ~~times~~; that payment for said advertisement has been (duly made), or (assessed as court costs); that the undersigned has personal knowledge of the matters and things set forth in this affidavit.

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30 lines, one time at \$ 2.40  
lines, times, \$  
Tax \$  
Total . . . . \$ 2.40

Received payment,

By

[Signature] Manager  
Subscribed and sworn to before me this 18th day of November, A.D., 1946  
[Signature]  
Notary Public

My Commission expires  
June 14, 1949

CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

November 15, 1946

Mr. William B. Macey  
Oil Conservation Commission  
Room 312 Carper Building  
Artesia, New Mexico

Re: Case 89. In the matter of the application of American Employers Insurance Company, surety upon the plugging bond for the hereinafter described well, requiring the interested parties to show cause why Orville Lee - C. M. Milbourn Well No. 1, Center SW $\frac{1}{4}$ , Section 36, Township 7N, Range 7E, N.M.P.M., Torrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond.

Dear Bill:

The hearing in the above captioned case is set for 10 A.M., December 6, 1946, at Santa Fe, to try the well for abandonment. This is a well drilled for carbon dioxide several years ago. Please examine the well for such facts as may tend to prove whether or not it is abandoned, and be prepared to testify before the Commission at the hearing.

Kindest regards.

Very truly yours,

Chief Clerk & Legal Adviser

CEL:MSH  
cc J. O. Seth

C  
O  
P  
Y

OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

C  
O  
P  
Y

November 15, 1946

Honorable J. O. Seth  
Santa Fe, New Mexico

Re: Case 89. In the matter of the application of American Employers Insurance Company, surety upon the plugging bond for the hereinafter described well, requiring the interested parties to show cause why Orville Lee - C. M. Milbourn Well No. 1, Center SW $\frac{1}{4}$ , Section 36, Township 7N, Range 7E, N.M.P.M., Torrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond.

Dear Judge Seth:

Your petition in the above captioned matter has been set down for hearing December 6 at 10 A.M., at Santa Fe, New Mexico.

Enclosed is a copy of registered letter which has been sent to each of the parties presumed to hold some interest in the well in question, which parties you named in your petition.

Very truly yours,

Chief Clerk & Legal Adviser

CBL:MSH

OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

C  
O  
P  
Y

REGISTERED  
RETURN RECEIPT REQUESTED

November 15, 1946

Mrs. O. J. Lee  
Executrix of estate of O. J. Lee  
534 West Laurel  
Compton, California

Mr. M. L. Harris  
Blackwell, Oklahoma

Rodey, Dickason & Sloan  
First National Bank Building  
Albuquerque, New Mexico

Estancia Valley Carbon Dioxide Devel. Co.  
652 East 61st Street  
Los Angeles, California

Charles & Sophie Milbourn  
Estancia, New Mexico

Re: Case 89. In the matter of the application of American Employers Insurance Company, surety upon the plugging bond for the hereinafter described well, requiring the interested parties to show cause why Grville Lee - C. M. Milbourn Well No. 1, Center SW $\frac{1}{4}$ , Section 36, Township 7N, Range 7E, N.M.P.M., Terrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond.

Gentlemen:

American Employers Insurance Company, as surety upon the bond of O. J. Lee, assuring plugging of the well described in the caption, has filed its petition with this Commission for a hearing to determine said well as abandoned and for an order to plug said well, and said petitioner has asked that the interested parties be required to show cause why said well should not be declared abandoned and ordered plugged.

JIL CONSERVATION COMMISSIC  
SANTA FE, NEW MEXICO

-2-

Each of you to whom this letter is addressed has been named in the petitioner's petition upon information and belief to have to claim some interest in the well or the land on which said well is located, described in the caption.

The hearing on said petition is set at Santa Fe, New Mexico, on December 6, 1946, at 10 A.M.

Very truly yours,

Chief Clerk & Legal Adviser

CCL:MMH

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OIL CONSERVATION COMMISSION  
SANTA FE, NEW MEXICO

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November 15, 1946

Honorable Glenn Staley  
Proration Office  
Hobbs, New Mexico

Re: Case 89 - Notice of Publication

Dear Glenn:

Enclosed is Notice of Publication in Case 89.

Very truly yours, .

Chief Clerk & Legal Adviser

CEL:MSH



OIL CONSERVATION COMMISS. N  
SANTA FE, NEW MEXICO

November 15, 1946

Santa Fe New Mexican  
Santa Fe, New Mexico

Estancia News Herald  
Estancia, New Mexico

Mountainair Progressive  
Mountainair, New Mexico

Re: Case 89 - Notice of Publication

Gentlemen:

Please publish the enclosed notice once, immediately.  
Please proof read the notice carefully and send a copy  
of the paper carrying such notice.

UPON COMPLETION OF THE PUBLICATION, PLEASE SEND PUBLISHER'S  
AFFIDAVIT.

For payment please submit statement in duplicate, accompanied  
by voucher executed in duplicate. The necessary blanks are  
enclosed.

Very truly yours,

Chief Clerk & Legal Adviser

CDL:MSH

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NOTICE OF PUBLIC HEARING  
STATE OF NEW MEXICO  
OIL CONSERVATION COMMISSION

The Oil Conservation Commission, as provided by law, hereby gives notice of the following hearing to be held at Santa Fe, New Mexico, at 10:00 A.M., December 6, 1946.

Case 89

In the matter of the application of American Employers Insurance Company, surety upon the plug-in bond for the hereinafter described well, requiring the interested parties to show cause why Orville Lee - C. M. Milbourn Well No. 1, Center SW $\frac{1}{4}$ , Section 36, Township 7N, Range 7E, N.M.P.M., Torrance County, should not be declared abandoned and ordered plugged in accordance with the regulations of the New Mexico Oil Conservation Commission and the provisions of said bond.

Given under the seal of said Commission at Santa Fe, New Mexico, on November 14, 1946.

OIL CONSERVATION COMMISSION

BY: (S.S.) R. A. SPURGEON, SECRETARY.

SEAL

J. O. SETH  
A. K. MONTGOMERY  
OLIVER SETH

SETH AND MONTGOMERY  
ATTORNEYS AND COUNSELORS AT LAW  
III SAN FRANCISCO ST.  
SANTA FE NEW MEXICO  
November 14, 1946.

*Enc 89*

Oil Conservation Commission  
408 Galisteo,  
Santa Fe, New Mexico.

Gentlemen:

I enclose in duplicate Petition on behalf of American Employers Insurance Company for the plugging of a well situate in the SW $\frac{1}{4}$  of Section 36, Township 7 North, Range 7 East, Torrance County, New Mexico, by O. J. Lee. The above Company is the surety on his drilling bond.

I would greatly appreciate your checking the Petition, particularly as to the description. I believe the location of the well is correctly stated, but I am not certain about it.

Very truly yours,

*JOS*

JOS:AW  
Encls.

BEFORE THE OIL CONSERVATION COMMISSION  
OF THE STATE OF NEW MEXICO

In the Matter of the Abandonment of )  
Well Drilled by O. J. Lee in the Center )  
of the SW $\frac{1}{4}$  of Section 36, Township 7 )  
North, Range 7 East, Torrance County, )  
New Mexico. )

Case No. \_\_\_\_\_

PETITION OF AMERICAN EMPLOYERS INSURANCE COMPANY

Comes now American Employers Insurance Company and states that it is the surety on the drilling bond given by O. J. Lee in connection with the drilling of a well in the center of the SW $\frac{1}{4}$  of Section 36, Township 7 North, Range 7 East, N.M.P.M., Torrance County, New Mexico;

That a well has been drilled under said bond, but this Petitioner is informed and believes that said well has been abandoned and should be plugged.

Petitioner is informed that O. J. Lee is deceased; that his sole heir and his Executor is Mrs. O. J. Lee, whose present address is 534 West Lurel, Compton, California.

Petitioner is informed and believes that M. L. Harris, Blackwell, Oklahoma; Rodey, Dickason and Sloan, First National Bank Building, Albuquerque, New Mexico; Estancia Valley Carbon Dioxide Development Company, a corporation, 652 East 61st Street, Los Angeles, California; and Charles Milbourn and Sophie Milbourn, his wife, Estancia, New Mexico, have or claim some interest in the above well or the land on which it is located.

WHEREFORE, Petitioner prays that a hearing be ordered, and that the interested parties be required to show cause why said well should not be declared abandoned and ordered plugged in accordance with the regulations of this Commission.

SETH AND MONTGOMERY

By: \_\_\_\_\_

Attorneys for Petitioner.

STATE OF NEW MEXICO     )  
                                  ) ss.  
COUNTY OF SANTA FE     )

J. O. Seth, being first duly sworn, deposes and says that he is one of the attorneys for the Petitioner in the above Petition; that he has read said Petition, knows the contents thereof, and the matters and things therein stated are true, as he is reliably informed and believes.



Subscribed and sworn to before me this 14<sup>th</sup> day of November, 1946.

Catherine Beers

Notary Public

My Commission Expires:

May 27<sup>th</sup>. 1950